Members Present

Mr. Tripp, Mr. Stauffenberg, Ms. McBride, Ms. Barber, Mr. Washington, Ms. Schmidt, Mr. James, and Mr. Hubert

Members Absent

Mr. Tholen, Mr. Olthoff, and Mr. Hess

In Attendance

• Board Members

Mr. Bossert, Mr. Liehr, Mr. Scholl, and Ms. Bernard

• Department Heads

Mr. Van Mill

Media

Dimitrios Kalantzis

1. Call to Order

The meeting was called to order by the Vice-Chairman, Mr. Stauffenberg, at 9:00 a.m. Quorum present.

2. Public Comment

3. Approval of Minutes – May 26, 2010

A motion to approve the May 26, 2010, minutes was made by Mr. Washington and seconded by Mr. Tripp. Motion carried.

4. Transportation

IDOT Contract for FY 2011

Mike Lammey stated that we have been signing these contracts with the Illinois Department of Transportation since 1983. It is our contract for services paid by IDOT for our personnel services. He is asking the committee to authorize the county board chairman to sign it.

Mr. Washington made a motion to authorize the chairman to sign the IDOT contract and Mr. Tripp seconded it. Motion carried.

Rural Transit Issues

Mike Lammey introduced Laura Dick from SHOWBUS. He stated that the first issue concerns Sun River Terrace. Right now Sun River Terrace is not serviced by Metro and they are in the urbanized area. We have been asked by Metro informally to service them. We went out and talked to Sun River Terrace and we think that we understand what the issues and we think that we can do it; although, there are some technical problems for us servicing Sun River Terrace. We sent Metro a letter (which is in the packet) asking them to give us a letter asking us formally to serve them, to which we have not received a response as of yet. If we don't receive a response he will have to come back to the committee and try to figure out what we need to do next. We do serve Sun River Terrace because as we go out to Pembroke Township and as we go to Momence every hour we go pass Sun River Terrace. It is considered incidental service because the bus is going by there anyway. If we have room on the bus, we will provide that service. Sun River Terrace wants it more formalized and we may or may not be able to do that.

Ms. Schmidt asked why Metro doesn't want to service them.

Mr. Lammey stated that they do not have a route that goes in that direction right now and they do not want to because it is expensive. They like to do routes that have a definite destination on both ends that has some logic. Serving Sun River Terrace does not have any logic for them right now. If the urbanized area expands to Momence, he thinks you will see them provide a route to Momence with stops at Sun River Terrace.

The second issue concerns Hopkins Park. We have had a request from the mayor of Hopkins Park to provide work trip service from Hopkins Park with our rural transit system. We provide service to Pembroke Township every day but it is services that goes out for a trip in the morning and comes back in to town and then goes back out in the afternoon. We don't service trips that come in at 8:00 in the morning for a work trip. We have asked the mayor of Hopkins Park to give us a survey to give us some indication what the desire for that service would be. We received that survey back yesterday, but have not had time to look at it. When it gets reviewed, he will come back and discuss it with the committee. The issue here is that we already provide a disproportionate amount of service in the rural transit area to the eastern portion of the County and this would make it even more pronounced in the eastern part. He thought that maybe he should come back to the committee and find out what they want him to do if this continues.

Mr. Washington stated that considering the economic conditions of these portions of the County he was in favor of it when the mayor approached him concerning this. He was in favor of it simply because it afforded an opportunity for people to get to and from work at a lower cost. He is supportive of it even though it is out of proportion. It is in proportion when you think of the needs of the area.

Ms. Barber asked if we have the ridership numbers for the bus that we approve to go to Momence for work purposes; such as, Baker and Taylor.

Mr. Lammey stated that we have asked for a grant from the State to start that service at 3:00 in the morning so we can serve the early shifts of Baker and Taylor. Right now we are not picking up a lot of their employees because we serve the return trip home but that really doesn't matter if they can't get there. We think that whenever we start serving the early morning trip we will be able to justify the service from that standpoint.

Ms. McBride asked if the Momence service could eventually go through Hopkins Park.

Mr. Lammey stated that it could be done but it is their judgment that it is better to do it on separate routes. He informed the committee that the bus that goes to Pembroke every day is routinely full; that service is being used a lot.

Mr. Scholl stated that he agrees 100% with the comments that Mr. Washington made. Service should be provided where the need is the greatest; even though, it is disproportionate.

Mr. Lammey stated the third issue is a mental health issue. The committee should be aware that there was a recent court case that changed the nursing home business. The nursing homes are now required to provide mental health services to the people who reside in nursing homes that require mental health services. He is being told that if a nursing home is not connected to one of the local hospitals there is no chance for them to find that service in K3 County. We have been approached by the Iroquois County Mental Health Center who is willing to provide the service to residents of K3 County if we can get them to

Iroquois County for the service. One nursing home has approached us and he thinks there is another that is dealing with this issue. We think that we could provide a service contract with Iroquois Mental Health and we could provide the service. We think that if we provided the service we would probably show Iroquois that there is enough business and maybe they would set up a satellite facility in K3 County. That is the best of both possible worlds. The issue here is that whenever we started rural transit service in K3 County, the County Board put a restriction that it does not leave K3 County and to this point we have never done that. This is the first time that we have contemplated taking the service outside of the County and that requires him to come to the committee and say that this is a different way to do business.

Mr. Washington asked where the Mental Health Center was located.

Mr. Lammey stated that it is located in Watseka.

Laura Dick stated that part of the complication is that clients in nursing homes are mostly Medicaid recipients who have been in institutionalized for a very long time. There are very, very few providers who are willing to consider new Medicaid clients; especially, not in the mental health field. The alternative to K3 County is that the nursing homes will have to discharge these people and if they are discharged they will most likely end up in our jails or worse.

Ms. Barber stated that in the line of business that she works in she works very closely with OPTIONS and they work very closely with some of these nursing homes. She asked if there was any funding to assist us.

Mr. Lammey stated that there is no funding at the state level. If there is funding, you have to wait seven or eight months to get paid which is becoming increasingly difficult to do.

Laura Dick stated that they have been working with OPTIONS on this issue and they are wonderful but they also realize that there are no providers in this County right now accepting Medicaid. The transportation cost would be subsidized by Medicaid if we were allowed to do this.

Mr. James asked what this does to our budget.

Mr. Lammey stated that it doesn't affect our local share at all. It would be a service contract with Iroquois Mental Health Center.

Mr. Scholl stated that he thinks that the day when we only provide transportation services within the County is long gone. With the consolidations that have been occurring, we have to find some way to get these people to their services outside of the County. If we can do this and show Iroquois County that there is profitability in K3 County that would be to our advantage in the long term.

Mr. Washington stated that when Manteno was flourishing and Shapiro was a full-service mental hospital these kinds of cases were handled within that system. When that was broken down, that caused this long-range fallout of services that can't be rendered by any agency locally.

Mr. Lammey stated that they are not asking to change the in-county only provision of service right now. They are asking for the committee to give them authority to investigate a contract with a not-for-profit

agency in another county to serve their clients only and then we will see what happens. If we see that we need to go a different direction, they will come back and ask for that authority later on.

Mr. Tripp made a motion to give them the authority to investigate a contract for a not-for-profit agency in another county to serve their clients only and Mr. Washington seconded it. Motion carried.

Ms. Barber asked how it is currently being handled by the nursing homes. How are these people being assisted?

Mr. Lammey stated that they are not being serviced at all.

5. Zoning

• ZBA Case #10-06; request for Rezoning from A1-Agriculture District to 12-General Industrial District and Variance to Section 121-208.f.2.a (side yard setback), on parcels generally situated in Section 13 of Pilot Township. The petitioners are Roland Rosenboom, property owner and Jeremy Mitchell and Justin Netherton, applicants.

Delbert Skimerhorn stated that this case was sent back from the last county board meeting to allow the committee time to look at the Phase 1 Environmental Assessment. He sent it to Ed Grimmer of SCI Engineering who did a pro bono review of it. It appears that there are some levels of contamination in the northern building but as long as the concrete floor stays in place the contamination would not pose a threat. There is some lead and asbestos in the insulation but as long as it is not removed it does not appear that will be a problem, either.

Mr. Washington made a motion to approve and Mr. Hubert seconded it. Motion carried with a voice vote. Ms. Schmidt opposed.

Discussion

Mr. James stated that he read the whole report and he agrees with Mr. Skimerhorn. He doesn't have a problem passing this but he thinks that we should have a writer that they will sign that they are accepting it "as is". He thinks there should be some sort of disclaimer to protect us.

Mr. Skimerhorn stated that to require that may be considered contract zoning which would be illegal. They will put a copy of this report in the property file along with a letter stating that it needs to be reviewed any time a building permit is issued for the property.

Mr. Washington stated that he agrees with Mr. James. The barrier is essential to the viability to the property. If the barrier is removed then that is exposing the contaminants. That is not what we are agreeing to.

Mr. Skimerhorn stated that the contaminants, even without the barrier, are below the levels that would cause any health problems.

Ms. Schmidt asked what the scope of the study was.

Mr. Skimerhorn stated that he believes they checked for all possible contaminants. They found chromium and lead in the soil and insulation and they were at an acceptable level.

Ms. Bernard asked if this site was ever looked at by the EPA.

Mr. Van Mill stated that the proper procedure was done and the report says what it found. It makes the findings and recommendations.

Ms. Bernard asked how long ago Pilot left the factory. Was it tested at that time? Could these contaminants leak into groundwater?

Mr. Van Mill stated that it was soon after 1997. He does not know if it was tested. He is not qualified to answer about ground water.

Mr. Skimerhorn stated that page 2 talks about groundwater. That is what the concrete barrier protects.

Ms. Bernard asked if we would be exposing ourselves to any liability.

Mr. Stauffenberg asked if they were to tear the concrete up and come in for a building permit, would we look at that part of it. Would we be doing any kind of an environmental study then?

Mr. Van Mill stated that his office does not do that; the EPA does do that. Their file can be tagged.

Mr. James stated that on page 4 it states "that Phase 1 Environmental Study Assessment Report is not to be construed as a compliance audit".

Ms. Schmidt stated that we are changing the zoning of a property that has been improperly zoned for a long time. We are not for sure if it is in compliance with the EPA and if we allow it to continue maybe we are liable for that.

Ms. Barber stated that the only experience that she has had with this situation is that she manages a property that has gas tanks buried on the property and it is a business site. Every year the commercial insurance agent along with the EPA comes out and they make sure that the business is operating in the way that they say that they are going to operate. They make sure that everything is as stated going forward. The insurance is what keeps everything up to code each year.

Mr. Bossert stated that it seems that his whole discussion came back to this committee because the question was asked if an environmental study was done. We are saying today that there has been and here it is. The buyers are aware of the conditions of the property and that is all we were asking to have done. We are not in the clean-up business. He thinks we need to move ahead.

Zoning Cases to Sheriff's Department

Mr. Skimerhorn stated that at the last county board meeting the Sheriff asked to be notified of zoning cases. Reports of all of the zoning cases from now will be sent to the Sheriff for his review.

Mr. Bossert asked if this was a part of the ZBA notification process.

Mr. Skimerhorn stated that it will be prior to ZBA. When they send the reports out to the Zoning Board for their review prior to the meeting, the Sheriff will get them, as well. They will need his comments prior to that hearing and he may need to show up at the hearing.

Mr. Bossert asked if that required modification to our internal procedures.

Mr. Van Mill stated that it would not. These are going to be internal reviews. He talked with Mr. Skimerhorn about putting together a working group where they would include a number of entities including the health department, any municipalities that might be affected, highway department, sheriff department, and other county agencies. They would have a standing date where they would get together and talk about specific developments whether it is a zoning case, subdivision, or anything else that they may have that may be of concern or interest across the county. This way they could have a standing, established group that could meet on a regular basis to review things.

Ms. Bernard asked if we would have parameters in place so we don't find ourselves being exposed to additional liability if someone chooses to challenge a decision based on the additional information that might be inputted by these other entities or departments.

Mr. Van Mill stated that he doesn't think adding this review is going to change anything that they currently have going on now. It gives them a better decision making mechanism in order to get things out early in the process instead of waiting until a final decision day on some issues that needed to be addressed earlier on. Other counties are also doing this.

Mr. Stauffenberg stated that in his expert insurance opinion this will lessen our liability because the more levels of looking at something you have the better the insurance company likes it.

6. Other Business

- One Opening on Zoning Board of Appeals
- One Opening on Historic Preservation Commission

Mr. Stauffenberg announced the above openings.

- EXECUTIVE SESSION Review of Executive Session Minutes 5 ILCS 120/2(c)(21)
- Release of Closed Session Minutes

Mr. Boyd could not make it to this meeting so this will be put on next month's agenda.

7. Old Business

Mr. James asked where we are in proceeding with the issuing of building permits and coordinating them with subdivision ordinances to avoid conflicts in a subdivision when building permits are issued that go against the subdivision covenants; such as, what happened in White Subdivision.

Mr. Van Mill stated that one of their biggest concerns about this is that we need to make sure that the State's Attorney's Office would be on board before we would go any further with establishing any policy.

Mr. James stated that he thinks it is time to consult another attorney then. We are starting wars out there by ignoring it and saying it is not our responsibility to look in to it – these are our taxpayers. These people are mad and they have a right to be mad. We are issuing permits that are against the covenants.

8. New Business

Mr. Liehr stated that he wanted to inform the committee that in his district in the Turnberry Subdivision there have been serious water problems that have led to some of the residents of the subdivision hiring a Joliet attorney requesting a meeting with the county officials and with the officials of the Village of Bourbonnais. Chairman Bossert and he took a tour of that area some months ago to look at some of the water problems. Clearly, this is a serious issue. We need to be clear of what our responsibility is so that we can talk to the residents and make them understand what we can and cannot do. He thinks also that looking ahead a little bit we know that there will at least seven rookie board members coming on and he thinks the Planning Department may need to be thinking in terms of providing some information for those who are freshman members of the board so they will know what the county's responsibility is in some of these drainage issues.

Ms. Bernard stated that there has been an ongoing situation in her district for more than a year where the railroad tracks are on Lowell Road. The water has been standing and there is mosquito larva. Last year they went back and forth between Planning and Highway. Last November the Illinois EPA came out and since there are problems this year she contacted their office and the Health Department. The Health Department went out there and they found mosquito larva and they sent a letter to the railroad stating that they 30 days to get the water drained. The railroad told them that the drainage problems began after the construction on Lowell Road. Mr. Piekarczyk went out there and confirmed that the improvements on Lowell Road had nothing to do with the drainage. He said that you have to be careful not to violate the Illinois Drainage Laws. She wonders if this committee could look into it to see what we can do about this situation. She asked if it could be put on next month's agenda. She also asked if exploring starting to change our ordinances to do something to give people in mobile parks a little more protection from tornados could be put on next month's agenda.

9. Adjournment

A motion to adjourn the meeting at 9:45 a.m. was made by Mr. James and seconded by Mr. Washington. Motion carried.

Jim Stauffenberg, Vice-Chairman Joanne Langlois, Executive Coordinator