

**EEHW COMMITTEE MEETING
JANUARY 19, 2012
5:30 P.M.**

MEMBERS PRESENT

Chair Tim Dudley
Phil Hogan
Kevin Greenfield
Joe McGlaughlin
Gary Minich
Don Westerman
Mark Wicklund
David Williams

MEMBERS ABSENT

Kevin Meachum

COUNTY PERSONNEL PRESENT

Julie Aubert, Health Department
Sheree Zalanka, Health Department
Kathy Wade, Health Department
Kathie Powless, VAC
Laurie Rasmus, Env. Mgt.
Jeff Scheibly, Animal Control
Tony VanNatta, P&Z
Linda Little, County Board
Jay Dunn, Board Chairman
Chuck Hunsinger, RPC Chairman
Linda Koger, County Board Office

This meeting was called to order by Chair Dudley at the Macon County Office Building. He welcomed Gary Minich to the EEHW Committee.

MINUTES

Motion to approve the minutes of prior meeting made by Mark Wicklund, seconded by David Williams, and motion carried 7-0.

CLAIMS

Motion to approve the claims made by David Williams, seconded by Mark Wicklund, and motion carried 7-0.

ZONING

Approval of Ordinance Amending Macon County Zoning Ordinance – Minimum Lot Size
Tony VanNatta distributed copies of ordinance, and it is for an amendment for the minimum lot size to one acre. On 1-24-11, the Regional Planning Commission started reviewing article XIV (14) of the Macon County Zoning Ordinance. The RPC, Macon County Health Department, and Macon County Planning & Zoning Department had numerous meetings about amending article XIV, and met from January to September of last year. The Planning Commission voted unanimous in favor of amending the minimum lot size to one acre, and amending the setbacks as noted on the chart in your packet.

On January 4 of this year, Tony said the Macon County Board of Appeals voted in favor of amending article XIV to one acre minimum lot size, and amending 14.1 to the changes on the chart that committee has. They had 7 meetings with the RPC, and 1 meeting with the ZBA before the hearing. All meetings were open to the public for discussion, and staff recommends approval of this ordinance amendment. He asked committee to keep in mind that no new testimony or evidence should be presented other than what was in the hearing at the ZBA.

Chair Dudley entertained a motion. Motion made by Kevin Greenfield to table this for the time being, and have EEHW hold another meeting on it for ourselves; motion seconded by David Williams. Mark Wicklund asked the reasoning why. Kevin Greenfield replied what he would like to do is see EEHW bring in the Health Department, local engineers, local developers, road commissioners, and anyone that could possibly be involved in this, bring them in here and sit down to see if we can reach a reasonable solution.

(Joe McGlaughlin came into the meeting.) Tony VanNatta stated at the Regional Planning Commission, they sent out to townships and all the people involved before the hearing of the Zoning Board of Appeals, he sent out over 100 letters, and they had two contractors and one engineer show up. Kevin Greenfield commented he would like to see if he could do a little better getting people in here and get them involved. Joe McGlaughlin assumes they are discussing the Ordinance, Tony replied article XIV Minimum Lot Size.

Joe McGlaughlin said he has a number of constituents who would like to study this some more, and he certainly can't fault what Tony did as far as trying to publicize it; like many issues we get involved with, it seems the interest builds the closer we get to making a decision and he could support a motion to table. David Williams commented we already have a motion to table, and Chair Dudley commented that Joe just said he could support it. There were no further questions, Chair Dudley said we will vote on the amendment or the new motion since the motion has been made and properly seconded, so all in favor of the new motion to table say aye; motion carried 7-1 with Mark Wicklund voting no.

Chair Dudley commented he wants to get a meeting scheduled, and he asked if they wanted a special meeting. Kevin Greenfield replied correct. Don Westerman asked Chair Dudley for clarification on what the procedure would be after that. Chair Dudley commented it has been brought to his attention that you understand we cannot bring any new evidence to the table, they have had their opportunity to speak, they got their letters, and he asked Tony VanNatta to address that by running over the procedure again.

Tony Van Natta stated the Zoning Board of Appeals voted unanimously to approve the amendment which is really a recommendation which is what you would be making, and in the past, no new evidence can be brought up after a hearing to EEHW. Kevin Greenfield said the Zoning Board didn't vote unanimously, Emmett Sefton voted no. Tony replied the Zoning Board voted in favor of amending it 3 to 1. Kevin commented that is not unanimous, Tony said it was 3 out of 4, Kevin said 3 to 1 is not unanimous, and Tony replied no the Regional Planning Commission voted unanimous.

Phil Hogan asked if the ZBA minutes are available, and Chair Dudley replied yes and he has a copy. Tony said they sent them out by email, RPC voted unanimous, and ZBA voted 3-1. David Williams asked if the final decision does not rest with the EEHW Committee and County Board. Chair Dudley thinks it actually has to go to the full County Board but it has to go through sub-committee first which is us. Kevin Greenfield said so what if we don't table it, we deny it.

Chair Dudley replied it would still go to the County Board for a full vote of the full body even if we deny it as sub-committee. Kevin Greenfield asked if he is sure about that. Chair Dudley replied yes, we would just go away with a motion to deny, and it would be up to the full board to override it. David Williams asked why would the EEHW Committee not have the opportunity for new input. Tony VanNatta replied because the public hearing has already been held legally, it was publicized, over 100 letters were sent out, and they voted 3 to 1 to approve it. David Williams said the RPC and ZBA which operate under the jurisdiction of the County Board which we are all board members, so he thinks the EEHW Committee would have the same opportunities that RPC and ZBA would for input or new information.

Kevin Greenfield asked how they can ask questions when someone comes in with a zoning issue if that is the case since they're giving new information. Tony replied there should not be any new information, and minutes from the meeting is where the. Theresa Churchill from the H&R commented she cannot hear Mr. Greenfield. Kevin Greenfield said his question is if someone new comes in with like a zoning issue, a lot of times we ask them questions. Tony said correct but there is not supposed to be any new evidence presented because the hearing was already. Kevin Greenfield replied well then we can have a hearing without new evidence, and Tony said he doesn't know if you could have another hearing or not. Chair Dudley commented you can't really have a hearing and if we had a special meeting, all we would be able to go over is the stuff that has already been presented which was in your Zoning minutes. Kevin Greenfield said then that is what he would ask that we do.

Chair Dudley asked Jay. Board Chair Dunn said we don't have anybody here from the state's attorney's office but it is something he may want to ask the state's attorney on additional information since he knows we have had this argument before on whether new information could be submitted or not, and there is no one here from the state's attorney's office to give us clarification. Tony commented he does know the County Board has a right to table it, and it could be tabled for as long as a year since we have had that happen before; it is his understanding that EEHW and ZBA makes recommendations, and it is nothing more than that. David Williams believes as far as a resolution is tabled, it is tabled for as long as that board is seated; then when there are new, the election cycle comes around, then it dies for the lack of action so it would be more than a year. Tony said in this case, a year from now. David Williams doesn't know that he wants to offer an amendment, his suggestion would be that our legal counsel be involved with any decision, and we have a report as to what we can or cannot do at our next EEHW meeting. Tony VanNatta asked who it would go back to when you make a decision. David Williams assumes it would move forward from here to the full County Board, but maybe not. Chair Dudley said it would move from here to the County Board.

Chair Dudley asked Kevin Greenfield if his amendment was still in force, and he wants to table the motion for a special meeting to go over evidence that has been already presented. Kevin Greenfield replied that is correct. Chair Dudley said we have a second to that. Discussion regarding the motion and if it had already been voted on.

David Williams doesn't believe it is correct to limit a special meeting to just the information that has already been presented, and his preference would be that we get legal opinion from the state's attorney as to what can and cannot be presented before we move forward with a special meeting. Kevin Greenfield would agree with that. Chair Dudley said we have already voted to table, and he apologized. Phil Hogan asked if we can leave it at that, ask legal counsel for an opinion on the question Mr. Williams asked. If Joe McGlaughlin's understanding is, and he was late, if you approve a motion to table, you cannot now schedule a special meeting to consider this, it has to remain on the table until this committee removes it from the table. Chair Dudley asked if that couldn't be at a special meeting since if this board meets at any time, it can be untabled, correct? Joe McGlaughlin commented since he is going to speak with counsel anyway. Chair Dudley said he will meet with Randy to get an opinion on this, will notify the committee, have Linda draft a letter to you as to what his findings are, and we will proceed from there.

SUBDIVISIONS

Harmony Haven II (Two Lot Minor)

Tony VanNatta said this is a subdivision in Decatur Township, Lot 5 of Virginia 2nd Edition, the owner is David Gifford who resides at 3805 West Catherine Street which is on the corner of Catherine and Sunnyside Road. Zoning is R-1 Single Family Residential, Lot 1 will be consisting of 1.501 acres, and Lot 2 will be 1.290 acres which is located next to 3808 West Catherine which the vacant lot was pointed out on the map. All signatures are in order, all the fees have been paid, and staff recommends approval. Motion to approve made by Mark Wicklund, seconded by David Williams, and motion carried 8-0.

REPORTS

Veterans Assistance

Kathie Powless distributed copies of the Macon County Honor Guard 2011 report so committee can see what our guys are out there doing.

Health Department

Julie Aubert distributed copies of 5 resolutions for approval, and said they are all budget related. *Resolution Approving Increase in Appropriations in FY12 Budget For American Heart Association*

Julie said this is a grant partnership that they are working with the American Heart Association regarding prevention of stroke; it is a new program, did go through the grant review process by their Board of Health, and as well all of these resolutions have been reviewed by their Board of Health and approved to come on. Joe McGlaughlin asked if all five resolutions are for the same grant, and Julie said no they are all separate. Motion to approve made by Kevin Greenfield, seconded by David Williams, and motion carried 8-0.

Resolution Approving Increase in Appropriations in FY12 Budget for Grant Timing Oral Cancer Grant

Julie said this really isn't an increase, but is an extension of the grant timeframe which is extended over into the new fiscal year so budgeting needed to be adjusted in order to accommodate the continuation of that program. Motion to approve made by Kevin Greenfield, seconded by Phil Hogan, and motion carried 8-0.

Resolution Approving Increase in Appropriations in FY12 Budget for Mental Health Partnership

Julie said they have done this program before, it is basically a pass through, it is specific to their Healthy Families IL program, and this money is for mental health counseling for those clients only. They receive the grant, they pass it through, and pay contractually with the mental health provider. Motion to approve made by Mark Wicklund, seconded by Phil Hogan, and motion carried 8-0.

Resolution Approving Increase in Appropriations in FY12 Budget for Aging & Disability Resource Center

Julie said this is a small decrease of about \$1700 in the overall grant which is the result of funding from the Area Agency on Aging. They adjust their grant according to federal funds that come through their agency, so this is a small decrease for that grant. Motion to approve made by David Williams, seconded by Phil Hogan, and motion carried 8-0.

Resolution Approving Increase in Appropriations in FY12 Budget for Women, Infants, & Children

Julie said this is a budgeting, refining how they are labeling the money; WIC pulls in about \$25,000 a year from Medichex which is their Medicaid billing, and it is generated through the WIC program. Before they were putting that revenue into the general health fund budget, and now they would like to make sure they account for it in their WIC budget; they are moving the revenue from the health fund into WIC which is where it is generated. Motion to approve made by Mark Wicklund, seconded by Phil Hogan, and motion carried 8-0. David Williams asked if WIC is totally federally funded or is there state money in that, and Julie replied not in WIC.

Animal Control

Lt. Scheibly distributed copies of their statistics for December, and the numbers are pretty much the same as the last couple months he has been there. He gave an update on the Home for the Holidays adoption program through fostering, and they ended up with 56 animals that were adopted through that fostering program. Out of the 56, they only had 6 that were returned during that program. They have some new fencing going on with their runs, and have added an additional 15 runs outside that will help them get the animals out more.

Regarding the wild animals we pick up, raccoons etc., David Williams asked what they do with them. Lt. Scheibly replied most of those will be euthanized, if raccoons are in a trap by state law they have to be released within 100 yards of the area where they were trapped, and most of the ones they are getting are going to be the injured wild which will be euthanized. David Williams asked if that same state law applies to skunks and things like that, and Lt. Scheibly will have to check on that. David Williams stated his problem; he was approached by some other individuals involved with another unit of government (road commissioners in Macon County), and was told Animal Control (doesn't know when it was or what type of animals but it was referenced skunks, raccoons, small animals like that) went up into the northwest part of Macon County/Logan County and dropped those animals off; there was a farmer concerned about that since he had chickens and farm animals vulnerable to those type of varmints.

He asked what we do and if there are rules about drop off, and he asked for a brief synopsis of what the procedures are. Lt. Scheibly will look at their guidelines and get that information from their chief warden to him. David commented it was suggested if it was possible that some of those animals being dropped off, if they are being dropped off that they be dropped off more like at Friends Creek where there is more of a habitat for them. Lt. Scheibly will get with their chief warden since he knows there are the state regulations on that, and they don't get as much of those as they do with domestic animals. David said one of the road commissioners claims that he actually viewed the Animal Control dropping animals off in a farm type area that was if not in Logan County, right on the edge of it; he asked Lt. Scheibly to email him so he can pass along what our answer is to those folks.

Chair Dudley asked David Williams if it is possible that those animals could have been from that area, and they were just relocating them. David replied he thinks it is pretty, Chair Dudley said he wanted facts and does the guy know beyond a reasonable doubt that they were just bringing them from God knows where and dropping them off, and David said he didn't know but thinks it is probably a reasonable thought that they probably were not picked up there. Lt. Scheibly asked the time frame for him to look at, last couple of weeks or months. David said he would ask him and send that information to him.

Mark Wicklund spent time at Animal Control a couple weeks ago, it is an amazing job that they are doing out there, how clean it was, people friendly, and they are doing a good job.

Environmental Management

Laurie Rasmus distributed copies of their FY11 Drop Off Recycling Trailer Program report, and they collected over 189 tons of recyclables in their 9 trailer containers disbursed throughout the county's rural areas. Focus of this program is to serve residents in rural areas who are not served with curbside recycling giving these residents a convenient drop-off point available to them 24/7. Bar graph shows material collected at each of the 9 locations, reverse side lists where their 9 containers are located, and what they accept.

A second handout, ATR (Advanced Technology Recycling) was distributed listing information about the company and services they offer. They are headquartered in Pontiac, IL, and ATR is a certified and registered electronics recycler as well as a processor. Between Deb Garrett and herself, Laurie said they have visited both ATR's Peoria location as well as their headquarters; after researching a number of options regarding electronics recycling, it became evident working with ATR is the county's best option. Yesterday her department signed a letter of intent naming ATR as the county's ewaste recycler, and in turn ATR is currently working towards opening a permanent branch in Macon County for the collection of electronics at no cost to the county. As mandated by state law, drop off residential electronics recycling will be free, and ATR is working with local realtors for a suitable building to house the new branch. The letter of intent is the first step, and you'll hear more about ATR as they begin the process of drafting an agreement that is acceptable for your approval.

Joe McGlaughlin asked what happened to our previous contractor. Laurie replied BLH Computers closed shop, she has heard rumors they sold out to another company that may open at a later date, but there is so much uncertainty on that. Joe asked if BLH closed their Springfield operation, and Laurie said their Springfield operation as far as she knows is still operating, whether they are fully recycling or not is in question.

NEW BUSINESS

Sister JoAn Schullian, Franciscan Sister

She is pastoral associate at Our Lady of Lourdes, Sister Sponsor of St. Mary's Hospital, a member of the IL People's Action Organization, and a folder of information was distributed. Their committee is a committee of representatives of various churches here in town, and they are part of the larger statewide IL People's Action Organization. They are working to get the payday lending store companies to lower their interest rates from 400% which is legal in IL to 36% which is allowed by the federal government for military. Their Decatur Committee has met with each city council member individually, with Mayor McElroy, our City Manager Ryan McCrady, and minutes of that meeting are in the folder. They were interested, supportive of the concept, but fearful of the lawsuits against the city. They worked to have people sign a petition requesting the Decatur City Council to establish a city ordinance that would limit payday lending stores in Decatur to this 36% interest rate, and they have over 1300 petitions signed from Decatur & Macon County citizens. Now they are in the process of working on a resolution instead of the city ordinance because of what Normal & Bloomington, IL have already done with their groups, there are similar committees in Normal, Bloomington, Decatur and also Champaign Urbana, Springfield, East St. Louis, & Peoria, but now they are working on a resolution requesting the General Assembly of IL to enact additional consumer protection legislation regarding payday loans and small consumer loans which Rev. Hoy will speak more about. They believe this is a moral issue, there are 16 states in which it is illegal, and GA it is a felony; they are concerned about payday lending stores that rob the poor and some cases even making a difference with churches who are approached instead, and the families who get caught in this cycle of high interest payday loans are the ones who can least afford them. They hope they can change that. Information in the folder shows what they are, a faith based organization that works for social and economic justice, shows some of their organizing, headquarters are in Bloomington, they have 5 people on staff, and there is also a listing of the people here in Decatur who are on their committee.

Rev. Michael Hoy

Usually when they mention the interest rates on payday loans are at 400%, Rev. Hoy said most people say well that is not legal, but yes it is in the state of IL. According to IL practice for individuals may pursue up to four payday loans a year at the interest rates of 400%, and the persons who are most affected by these loans are low income families particularly single women with children, African Americans, and the elderly; these are the ones who most often get affected by or taken in by these kinds of strategies. Payday lenders generally don't discuss for them the interest rates, and there is no effort on credit scores, so it is a very easy way to get a loan for folks. They usually say you can afford \$50 a month, and they say we think we can do that, and they end up paying excessive amounts; usually the interest rates on average are 341% for most people who take out a loan.

If you take out a \$200 loan, they had to rectify a case like this with a car title loan, Robert Bushey and him, where the person would have ended up paying over \$600 for a \$200 loan. Bloomington City Council has already passed resolution number 4696, he doesn't have the number for Normal City Council, they are very similar in format, so two cities have already taken action to address the issue of a resolution. They have a resolution prepared for the city of Decatur, he is not going to share this evening because his group is meeting on the 23rd to look over the final draft of the resolution they currently have to bring to the City Council, but it is their intent to forward this and hopefully have it passed within the first quarter of this year by the City of Decatur which would be the third city to join in this effort to encourage the state to address this very important issue of predatory lending. He discussed a fact sheet in their folder drawing attention to number 6 so you can see where Decatur is. This was actual published data from 2009, we're now in 2012 and know this is larger than this, and they indicated there were 11 stores at that time in Decatur, but they know there are closer to 20 stores in Decatur. The average income leaving the City of Decatur, money leaving the City of Decatur and leaving the state, is almost 1.8 million dollars annually just leaving on interest rates and fees that have been accrued through these payday loans that have been passed. Bottom section of sheet was referenced, what this money could mean if put to better use and are Decatur specific items; education, 306 individuals could receive an associate degree from RCC, hours of tuition and all fees at RCC, 612 students could attend RCC full time on a yearly basis; food for the hungry, 554 individuals could be fed 3 meals a day for a year, what could that money provide at Good Samaritan Inn, average U.S. per capita grocery bill = \$2043. He hopes this brings it home a little more clearly, it is their hope that not only in the City of Decatur but since this is the Macon County Board that you will take interest on these concerns and issues, predatory lending taking place in our state and in our county. Amending Sister JoAn's remarks a little, there are 17 states and the District of Columbia that have either outlawed predatory lending or have placed a cap on limit 36%, and GA is the most firm where it is a felony to give out a payday loan. Our state is not prepared to do that, there is a very strong lobby group for payday lenders, they have lobbied some of the best and brightest in Springfield, but it is their hope we will move beyond the current legislation rate of 400% (used to be 1200%) but that is still not good enough; 36% is the most the federal government allows the military to be taxed on any kind of loan, and it is their hope they can get that also for the state of IL.

Chair Dudley asked for the list of the best and brightest in Springfield, also asked if the resolution they are working on is something we can't really do locally but is only like a support to get the state, and if the state has to pass a law in order for it to be in effect. Rev Hoy said they would be delighted if it could be done locally, Sister JoAn alluded to we are pursuing an ordinance for the City of Decatur, we have 1300 signatures to that effect, recently there was a stub hub vs. Chicago thing passed, and most lawyers including the lawyer for the City of Decatur are reluctant to touch this with a 10 foot pole. If the Decatur City Council passed an ordinance, Chair Dudley asked if we could lower it to 36%, doesn't have to be done by the state. Rev. Hoy said no, they had an ordinance prepared and met with all the city council on this issue, and they are reluctant to go forward because of legal reasons for lawsuits. Chair Dudley asked if they have talked to local representatives like state reps and senators from this area to take it on a state level. Rev. Hoy replied just Jacobson, Adam Brown is a member of his congregation and aware of the concerns, but he is not hearing that he is willing to go forward with it at this juncture.

In response to a question from Joe McGlaughlin, Rev. Hoy said the 1200% was lowered to 400% within the last year and a half and believes it was 2011. There was an attempt started by a Catholic priest in the Chicago area who helped to address the issue in the state of IL, he tried to get and did get passed a motion that would limit at 30% any loans, 30% or 36%, any loans that were in a four month period, 120 days; with the payday loan industry, they said they would start their own loans and start them at 121 days which means it passed the loophole, they got beyond it, and were able to charge whatever interest rate they felt like charging up to 1200%; state of IL felt that existed for quite some time, then said we have to address the issue further, IL People's Action signed off on the initial passing of the state to limit it to 400% since vast improvement, their critics say we signed off on this, and yes it is a lot better than 1200% but they don't believe it is the final solution.

Land of Lincoln Credit Union

Diane Ellis distributed a brochure that gives the truth about payday lending, and puts it in plain sense. We hear numbers, interest rates, it is a cycle, there are ways to break that cycle, and we have so many banks and credit unions in town, loan companies that offer tremendous things for individuals to go to, versus them. It is a cycle they get in it, and can't get out. She went over examples of that, things that, this is in preference just to the credit union, this does have to do with banks, loan companies, revolving credit; individuals in low income can open up lines of credit, those are based on their credit score, but they are taught to increase that credit score; personal loans they can get a personal loan from an institution and pay that back in a monthly payment. Normal rate on something even if you have horrendous credit would be at 30% if even not lower. She knows they are lower, doesn't know what the banks follow on that, and there is another product called courtesy pay which a lot of institutions offer but it is on their checking account; it is the exact same thing that a courtesy, that a payday lender would do, you write a check for your house payment, your money is not in there, the check is paid, you are hit with a small fee, it is not going to be 100%-200% interest but is going to be a low rate; that fee is paid one time, and when you deposit is made, that line is completely brought up positive. There are many alternatives and the literacy we have here and how many of these we have on corners, it is a problem she doesn't think will ever go away, and the state does have to be the one to lower this usury ceiling; from 1200 to 300% is such a drop, and they could go lower. Someone may have a free and clear title to something, may just be a beater to them, but it is security that they can borrow off of that, and the financial literacy in Macon County is very big with them and with the banks too.

David Williams asked if the folks have to be gainfully employed to take advantage of some of these alternatives, and Diane replied they have to have income of some kind, public assistance, social security, proof of income is all that is required at most places since she can't answer for everybody. Board Chair Dunn said Land of Lincoln Credit Union has spoke at several of our departments on different issues about managing money, they were just at his supervisors' meeting, and they do a great job trying to educate our employees on saving and investing money. Chair Dudley agreed they are one of the most proactive in town, it sounds like a win to get it down to 36%, he thinks 36% sounds awful, and getting it from 400% to 36% is a good thing.

NEXT MEETING

February 16, 2012

ADJOURNMENT

Motion to adjourn made by Joe McGlaughlin, seconded by David Williams, motion carried 8-0, and meeting adjourned at 6:18 p.m.

Minutes submitted by Linda Koger
Macon County Board Office