

OFFICIAL PROCEEDINGS OF THE
WASHINGTON COUNTY BOARD

SPECIAL MEETING

June 29, 2017

The Special meeting of the Washington County Board of Washington County, Illinois was held at the Washington County Courthouse, in Nashville, Illinois on June 29, 2017, for the purpose of transacting county business.

Present and presiding were Chairman David Meyer and Nancy Heseman, County Clerk and Clerk of the Board.

Others present were Trey Meyer, Alex Hagland, Nancy Eigenrauch, Dan Bronke and Rick Greten.

Following the Lord's Prayer and the Pledge of Allegiance, Chairman Meyer called the meeting of the Washington County Board to order.

Roll call vote was taken by Clerk Heseman with 14 members present and 0 absent. Those present were Hohlt, Spenner, Ibendahl, Bening, Barczewski, Brammeier, Muentner, Evans, Todd, Suedmeyer, Unverfehrt, Shemonic, Shubert and Meyer.

Item #1: Meyer informed the Board that he had received notice from the Democrat Party Chairman the name of Nancy Eigenrauch to fill the vacated position held by Terrie Kurwicki as a Democrat County Board Member for District #2. **(See Exhibit A)** Chairman Meyer recommended to appoint Nancy Eigenrauch to fill this vacancy, she has the qualifications that are necessary. These qualifications are the appointed person must be of the same political party and live in the same district as the person they replace.

A motion was made by Suedmeyer and seconded by Muentner to approve the appointment of Nancy Eigenrauch to serve on the Washington County Board District #2 to fill the vacancy of Terrie Kurwicki. Motion carried.

Meyer asked that Nancy Heseman, County Clerk, give Nancy Eigenrauch her oath so that she may be seated as an acting Board Member for the remainder of the meeting. Official Oath was given and signed. Meyer welcomed Eigenrauch as the newly appointed member of the Board.

Item #2: A motion was made by Suedmeyer Building Committeeman Chairman and seconded by Hohlt to go into closed session under 2-C-5 (Real Estate – Purchase of Lease by County). Roll Call vote was taken with 15 ayes and 0 nays.

Went into closed session at 7:13 p.m.

Returned into Open Session at 7:27.

Greten, Zoning Administrator appeared before the board. He informed the County Board about the criteria that the Zoning Board of Appeals uses when voting for or against a change of zoning. **(See Exhibit B)**. Greten also pointed out a letter he received from the Illinois Department of Natural Resources explaining the legality of firearm deer hunting of an inhabited dwelling located on a neighboring property. This exhibit also includes a map, and county board members are encouraged to go and look at the location of the property in question.

It was also noted that if a petition is filed pertaining to this zoning issued with the County Clerk prior to the next regular board meeting, that motion would require a 75% vote of the 15 board members to pass. At this time no petition has been filed with the County Clerk.

A motion was made by Todd and seconded by Hohlt to adjourn until July 11, 2017 at 7:00 P.M. Motion carried. The meeting of the Washington County Board was adjourned at 7:47 P.M.

Nancy Heseman

Washington County Clerk & Clerk of the Board

From: **bassman62808** bassman62808@yahoo.com
Subject: County Board Appointment
Date: June 23, 2017 at 10:33 AM
To: David Meyer ddmeyerfarms@att.net

This serves notice that I am appointing Nancy Eigenrauch to the position vacated by Terri Kurwicki. Nancy's address is: _____ 437 W. Walnut Nashville IL 62263. 618-713-3434.

If you have any questions Please call me. Thank you, Len Piasecki. 618-534-5225

"A"



WASHINGTON COUNTY ZONING OFFICE

125 W. St. Louis St.
Nashville. IL 62263

Phone (618)327-4800 ext. 345
FAX (618)327-3692

OFFICE HOURS:
TUES 8:00A.M.- NOON
THURS 8:00 - 4:00 P.M.

Email : Rick.Greten@washingtonco.illinois.gov

TO: Members of the Washington County Board

FROM: Rick Greten, Zoning Admin.

DATE: 26 June 2017

RE: Voting Criteria/Advisory Report Regarding Zoning Map Amendments (ZMAs)

Attached, you will find a copy of the 'Advisory Report' from the Washington County Zoning Ordinance regarding voting on zoning changes or 'Zoning Map Amendments'

These are the criteria that the Zoning Board of Appeals uses when voting for or against a change of zoning, usually from Agriculture to R-1 (Rural Residential) such as the case(s) before you at this time (Kuder and Harting).

- (a) Existing use(s) and zoning of the property in question;-this is to give some background of the property-how it's being used (former golf course) and present zoning (Ag.)
- (b) Existing use(s) and zoning of other lots in the vicinity...-Ag. to the south and west, R-2 (Urban Residential) to the west being a subdivision with about 8-10 houses
- (c) Suitability of the property for uses already permitted-the property was a low quality golf course that was grandfathered-in zoned Ag. but not being farmed.
- (d) Suitability of the property in question based on the LESA system-the LESA system, a study that is done on all proposed zoning changes covers everything from soil types (this property is marginal at best) and 18 other criteria from the distance from a livestock operation to fire protection to the type of roads to water availability. Checking with the Zoning Office for a detailed explanation of LESA is recommended.
- (e) Suitability of the property noting proximity of livestock operations-this is very important since one of the major uses of zoning in Washington County is to protect Agriculture of all types.
- (f) Is there a trend-houses and R-2 zoning to the west constitute a slight trend-no new houses have been built/placed there for several years. There are some other houses in the area but are of some age as well
- (g) The effect on the Comprehensive Plan-The Comp. Plan (recently updated and approved by the County Board in 2016) basically says that Agriculture is to be protected while hoping for new housing in housing areas.

The hunting aspect is not mentioned but is alluded to in letter b. Apparently the Ag. property to the east and south is used for hunting.

"B"

10-5.3 NOTICE OF PUBLIC HEARING:

Notice indicating the time, date, and place of the public hearing, and the nature of the proposed amendment shall be given not more than thirty (30) nor less than fifteen (15) days before the hearing:

- (a) by first class mail to the applicant and to all parties whose property is adjacent to the property that would be rezoned (in the case of rezoning); and
- (b) by publication in a newspaper of general circulation within the County.

10-5.4 ADVISORY REPORT:

Within a reasonable time after the public hearing, the Board of Appeals shall submit an advisory report to the County Board. Said advisory report shall include a recommendation regarding adoption of the proposed amendment, and the reasons therefore. If the proposed amendment involves a rezoning, the advisory report shall include findings of fact concerning each of the following matters:

- (a) existing use(s) and zoning of the property in question;
- (b) existing use(s) and zoning of other lots in the vicinity of the property in question;
- (c) suitability of the property in question for uses already permitted under existing regulations;
- (d) suitability of the property in question for the proposed use and based upon the current Washington County Land Evaluation and Site Assessment (LESA) system;
- (e) suitability of the property in question for the proposed use noting the proximity of livestock operations;
- (f) the trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned; and
- (g) the effect the proposed rezoning would have on implementation of the County Comprehensive Plan.

10-5.5 ACTION BY COUNTY BOARD:

The County Board shall act on every proposed amendment at their next regularly scheduled meeting following submission of the aforementioned advisory reports. The County Board may pass any proposed amendment by simple majority vote except as indicated below.

EXCEPTIONS: The favorable vote of at least three-fourths of all the members of the County Board is required to pass an amendment to this Ordinance in the following instances:

- (a) in the case of a written protest against a proposed amendment, filed with the County Clerk, and signed or acknowledged by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered; or
- (b) in the case of a written protest against a proposed amendment, when the proposed amendment is of an initiated parcel number change of an original parcel number, filed with the County Clerk and signed by the owners of twenty percent (20%) of the frontage of the original parcel proposed to be altered, or by the owners of twenty percent (20%) of the frontage immediately adjoining or across an alley from the original parcel number, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage of the original parcel number proposed to be altered;

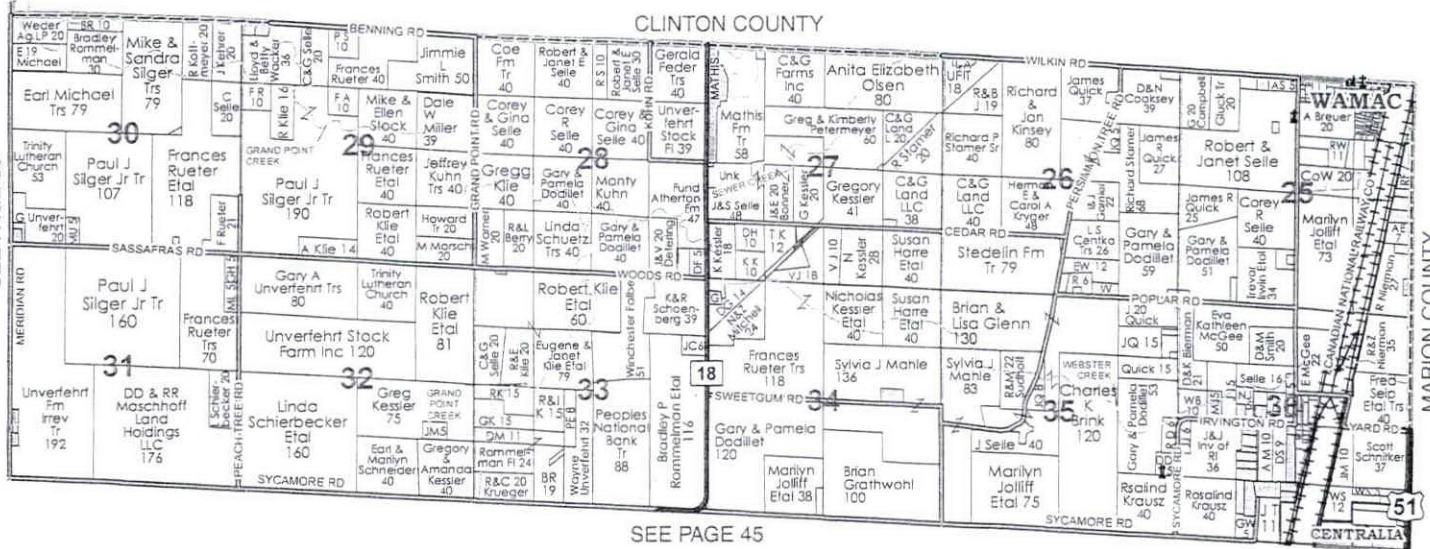


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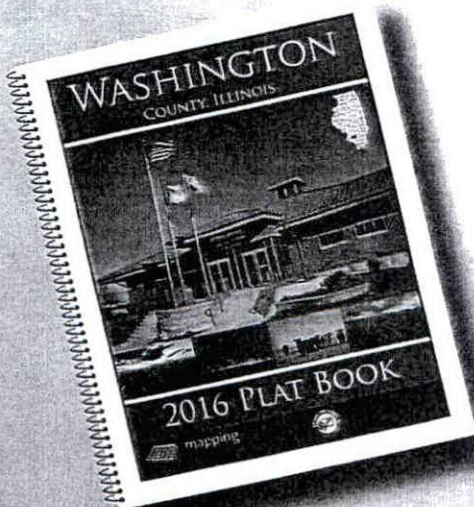
19000N
SEE PAGE 39

18000N

24000E 25000E 26000E 27000E 28000E 29000E 30000E



Need Additional Plat Books?



Washington County Treasurer's Office
 Washington County Courthouse
 101 East St. Louis Street
 Nashville, Illinois 62263
 (618) 327-4800 extension 315



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

June 20, 2017

Mr. Brian Kuder in c/o Mr. Mark Baltzell
19506 Nolting Road
Centralia, IL. 62801

Captain Roy J. Maul
Region IV Commander
Illinois Department of Natural Resources
Office of Law Enforcement
One Natural Resources Way
Springfield, IL. 62702

Dear Mr. Kuder,

The question was asked by Mr. Baltzell in your behalf on whether or not a person can legally firearm deer hunt within 300 yards of an inhabited dwelling (residence) located on a neighboring property? The Illinois Wildlife Code (Chapter 520 ILCS 5/2.33(u)) states the following;

520 ILCS 5/2.33(u) It is unlawful for any person to discharge any firearm for the purpose of taking any of the species protected by this Act, or hunt with gun or dog, or intentionally or wantonly allow a dog to hunt, within 300 yards of an inhabited dwelling without first obtaining permission from the owner or tenant, except that while trapping, hunting with bow and arrow, hunting with dog and shotgun using shot shells only, or hunting with shotgun using shot shells only, or providing outfitting services under a waterfowl outfitter permit, or on licensed game breeding and hunting preserve areas, as defined in Section 3.27, on federally owned and managed lands and on Department owned, managed, leased, or controlled lands, a 100 yard restriction shall apply.

As such, the law allows for a person who is firearm deer hunting to hunt closer than 300 yards to a neighboring residence as long as permission was granted by the person living in the residence in question.

I hope this satisfactorily answers your question.

Sincerely,

Roy J. Maul #299

Captain Roy J. Maul

