

Executive/Legislation Committee Meeting
Thursday October 24, 2019
5:00 P.M., Vermilion County Administration Building
2nd floor conference room

AGENDA

1. Call to Order and Roll Call
2. Adoption/Amendments to Agenda
3. Approval of Minutes – September 26, 2019
4. Audience Comments
5. Ordinance – Regulations Concerning Cannabis Business Placement
6. Ordinance – Cannabis Retailer’s Occupation Tax
7. Ordinance- Liquor
8. Executive Session:
 - A. Pursuant to Open Meetings Act 5 ILCS 120/2 (c) (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity.
 - B. Pursuant to Open Meetings act 5 ILCS 120/2 (c) (6) The setting of a price for sale or lease of property owned by the public body.
 - C. Pursuant to Open Meetings Act 5 ILCS 120/2 (c) (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
9. Items of Information and Committee Concerns
10. Adjournment

MINUTES

Agenda Item 1 - Call to Order and Roll Call

Chairman Larry Baughn Jr. called the meeting to order at 5:00 PM. Upon the call of roll, the following members were present; Larry Baughn Jr., Craig Golden, Kevin Green, Crisi Walls, Greg Thatcher, and Becky Stark. Steve Fourez was excused.

6 Present and 1 absent.

Also attending the meeting were: Bill Donahue-Risk Consultant, Darren Duncan-Treasurer, and Jennifer Jenkins-CB Office.

Agenda Item 2 - Adoption/Amendment to the Agenda

Walls moved, seconded by Stark, to adopt the agenda as presented. Motion passed by acclamation.

Agenda Item 3 – Approval or Amendment of Minutes- July 25, 2019

Golden moved, seconded by Green, to adopt the minutes as presented. Motion passed by acclamation.

Agenda Item 4 - Audience Comments

None.

Agenda Item 5 – Ordinance-Appointment Process for County Board Chairman's Appointments

Baughn Jr. informed the committee that after reviewing the appointment process it was determined that we could revise it to make it an easier process.

This does not take away any of the board's right for the appointment process. It basically removes the readings portion of the process. It will just be from vacancy to appointment. This will hopefully clean up any times so that these districts, etc. won't go without a full board due to the lengthy process.

Golden moved, seconded by Walls to approve the ordinance.

Upon the call of roll, the following members voted yes, to-wit: Baughn, Golden, Green, Walls, Thatcher, and Stark. 6-Yes 1-absent

Agenda Item 6 – Resolution – Re: Delinquent Tax Program and Agent

Baughn Jr. explained that Treasurer Duncan brought to his attention a couple of weeks ago that he was having a bit of an issue with mobile home taxes because they are not part of the County's contract for the tax sale. Duncan addressed the committee and explained that if, at this time, if someone does not pay their mobile home tax, penalty, etc. then there is no resolution following that. Our contract does not currently allow the County to sell the mobile home taxes. Duncan advised that when the County purchased Devnet, the tax collection software, that his office found thousand upon thousands of back mobile home taxes. These accumulated over the years. Those were all wiped clean and everyone got a new start with the induction of Devnet. The amount that is still owed for mobile home taxes is around \$84,000. Mobile home taxes are taxed in the year that is current. In all the years after Devnet came along it adds up to \$331,000 still owed in mobile home taxes and penalties. Most other counties sell the mobile home taxes with mixed results. Most taxpayers will not invest in a mobile home. Duncan advised that our tax assessors visit these sites to ensure it is still existing. Some of these taxes are for non-existent mobile homes. They are spending time doing this. If we can sell these

taxes, our tax agent, Joseph Meyer & Associates, will visit the property prior to selling. This will help us clean up our records and stop billing for non-existent mobile homes. Stark moved, seconded by Golden to approve the resolution. Upon the call of roll, the following members voted yes, to-wit: Baughn, Golden, Green, Walls, Thatcher, and Stark. 6- Yes, 1-absent.

Agenda Item 7 Resolution: Internal Policies

Baughn Jr. explained to the committee that the attached resolution occurred as a result from some new grant funding as well as our new auditor. The new external auditor was asking for some of our internal controls and then we found we didn't have all of them in place.

Walls moved, seconded by Green to approve the resolution. Upon the call of roll, the following members voted yes, to-wit: Baughn, Golden, Green, Walls, Thatcher, and Stark. 6- Yes, 1-absent.

Agenda Item 8 – Executive Session

None required.

Agenda Item 9 – Items of Information

Baughn Jr. indicated that Law Enforcement Appreciation Day is upcoming on Friday September 27th.

Quick update on wind farms, looks as if it will take in Catlin & McKendree townships among a couple others. More than likely they are trying to lock land leases before coming to the County and spend the money on the permit process.

The hog farm proposal at rural Ridge Farm will have an information meeting on October 10, 2019 @ 6:00 at the Palmer Arena. It is not hosted by the County, it is hosted by the Illinois Department of Agriculture.

The solar farm is turning in paperwork daily. They have almost provided the County with everything needed to sit down with the newly formed committee.

Sandy Cook is currently tying things up and expects to have all of the full reports together the week of October 7th and will hopefully be delivering the audit to our office the week of October 21st.

Agenda Item 10 – Adjournment

Baughn adjourned the meeting at 5:20 P.M.

Minutes by: Jennifer Jenkins, CB Office

ORDINANCE

RE: Regulations Concerning Cannabis Business Placement

WHEREAS, Illinois law allows a county to regulate the placement of cannabis businesses or dispensaries pursuant to 410 ILCS 705/55-25; and,

WHEREAS, in the exercise of that statutory authority and by virtue of the general police powers of the County to protect the health and welfare of the county residents, the County desires to make rules concerning the location of such businesses; and

WHEREAS, the County deems it appropriate to regulate such business placement in the same fashion as they do retail liquor establishments.

NOW THEREFORE BE IT ORDANED THAT the following ordinance be enacted into law.

SECTION 1. This ordinance shall be known as the Cannabis Business Location Ordinance

Section 2. No cannabis dispensary shall be located within 100 feet of any church, school, hospital, home for the aged or indigent persons, or veterans, their wives or children, or any military stations.

Section 3. Any Cannabis Dispensary must obtain a permit from the County of Vermilion which shall indicate its location and verify that it is in compliance with this ordinance. The fee for such permit shall be \$50.00.

Section 4. Any Cannabis Dispensary which fails to obtain a permit shall be fined \$500.00 until a permit is obtained and there is proof of compliance with this ordinance. Each day shall constitute a separate violation and may be fined separately until a permit is obtained and proof is shown of compliance with the placement requirements of this ordinance.

Section 5. Severability. If any provision of this Ordinance, or the application of any provision of this ordinance, is held unconstitutional or otherwise held invalid, such occurrence shall not affect other provisions of this ordinance, or their application, that can be given effect without the constitutional or invalid provisions or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this ordinance.

Section 6. Effective Date. This ordinance shall be effective immediately upon passage by the Vermilion County Board.

APPROVED BY EXECUTIVE COMMITTEE:

Larry Baughn, Jr. <i>Committee Chairperson</i>	Y	N	A
Craig Golden	Y	N	A
Steven Fourez	Y	N	A
Kevin Green	Y	N	A
Crisi Walls	Y	N	A
Greg Thatcher	Y	N	A
Becky Stark	Y	N	A

ORDINANCE

RE: CANNABIS RETAILER'S OCCUPATION TAX

WHEREAS, THE County of Vermilion has the authority to adopt ordinances regarding the taxation of the retail sale of cannabis and to regulate certain aspects of the sale of cannabis that protect the public health, safety and welfare of citizens; and

WHEREAS, the State of Illinois has authorized a tax at 55 ILCS 5/5-1006.5 to be imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act, at retail in the county on the gross receipts from these sales made in the course of that business, and

WHEREAS, this ordinance is intended to impose such a tax as authorized by State law which will be collected by the Illinois Department of Revenue.

NOW THEREFORE IT BE ORDAINED by the County Board of Vermilion County, Illinois, a body politic, as follows;

Section 1. Recitals. The facts and statements set forth above are found to be true and correct and adopted as part of this ordinance.

Section 2. Adoption of Tax – Unincorporated Areas. A tax is hereby imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Program Act, at retail in the unincorporated jurisdictions of Vermilion County at a rate of 3.75% of the gross receipts from those sales made in the course of that business.

Section 3. Adoption of Tax – Municipalities. A tax is hereby imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Program Act, at retail in the municipal jurisdictions of Vermilion County at a rate of 3% of the gross receipts from those sales made in the course of that business.

Section 4. Collection of Taxes. (A) The taxes imposed by this ordinance shall be remitted by such retailers to the Illinois Department of Revenue (Hereinafter "Department"). Any tax required to be collected pursuant to or as authorized by this ordinance and any such tax collected by such retailer and required to be remitted to the Department shall constitute a debt owed by the retailer to the State. Retailers may reimburse themselves for their seller's tax liability hereunder by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with any State tax that retailers are required to collect.

(B) The taxes hereby imposed, and all civil penalties that may be assessed as incident thereto shall be collected by and enforced by the Department. The Department shall have full power to administer and enforce the provisions of this article.

Section 5. Severability. If any provision of this Ordinance, or the application of any provision of this ordinance, is held unconstitutional or otherwise held invalid, such occurrence shall not affect other provisions of this ordinance, or their application, that can be given effect without the constitutional or invalid provisions or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this ordinance.

Section 6. This ordinance shall be in full force and effect upon its passage, provided however, that the tax provided for herein shall take effect for all sales on or after the first day of January, 2020.

APPROVED BY EXECUTIVE COMMITTEE:

Larry Baughn, Jr. <i>Committee Chairperson</i>	Y	N	A
Craig Golden	Y	N	A
Steven Fourez	Y	N	A
Kevin Green	Y	N	A
Crisi Walls	Y	N	A
Greg Thatcher	Y	N	A
Becky Stark	Y	N	A