

MINUTES OF THE LIVINGSTON COUNTY
REGIONAL PLANNING COMMISSION MEETING
HELD ON NOVEMBER 6, 2023, STARTING AT 7:00 PM
IN THE LIVINGSTON COUNTY HISTORIC COURTHOUSE
112 W. MADISON ST. PONTIAC, ILLINOIS

The meeting was called to order at 7:14 p.m.

Roll call was taken.

Those present were: Joel Barickman, Dee Woodburn, Jim Davis, Keith Bahler, Dean Wahls, and Rudy Piskule

Those absent were: Michael Haberkorn, Shane Long, Ed Hoerner, and Verne Taylor

Board Members Present: James Carley, Rebekah Fehr, Linda Ambrose, and Gerald Earing

Also Present: Zoning Administrator Brittney Miller, Administrative Assistant Trish Merlino, County Board Executive Director Alina Hartley, and Michael Schafer

APPROVAL OF THE AGENDA:

The agenda to this meeting was motioned by Barickman, Wahls moved, seconded by Woodburn that the agenda for this meeting be approved as presented for this November 6, 2023 meeting. This motion carried by a unanimous voice vote.

APPROVAL OF MINUTES

Minutes from the August 28, 2023 meeting were then mentioned by Barickman. Woodburn moved, seconded by Piskule that the minutes be approved as amended. The motion carried by a unanimous voice vote.

BUSINESS:

Case SU-18-23- Schafer

This zoning case pertains to the review of a proposed special use to operate a dog breeding kennel on property located in an AG, Agricultural District in unincorporated Chatsworth. King gave an overview of the case to RPC members.

Schafer stood before the committee discussing his dog breeding kennel, mentioning that the Department of Agriculture required him to obtain a breeder's license, due to owning 5 or more unsprayed female dogs. Schafer stated that state law requires him to obtain a breeder's license even if he does not sell any puppies, to which Schafer also stated that he only occasionally sells the puppies. Schafer also stated that all of the dogs are in his home and do not have outside living quarters, as he is licensed for.

Barickman clarified with Schafer on the reason for his breeder's license, reiterating that Schafer stated that he is only occasionally selling puppies, to which Schafer agreed. Barickman also questioned Schafer on how long he has been selling puppies as opposed to when he obtained his license, to which Schafer stated that he started selling in 2021 and obtained his license a few months later.

Schafer stated that each dog that he owns has been to Prairie Oak Veterinary Center [in Normal, IL], are up to date on all vaccines, and are seen annually after all vaccines are updated.

Woodburn questioned how many litters per year he has, to which Schafer stated that the total number of puppies that he has reported to the state are 143 in one year, however, not all at one time. Barickman questioned if all the animals are in Schafer's home and if he is taking care of all the puppies himself, to which Schafer answered yes to both questions. Schafer stated that he is home at all times and does not have any employees. Woodburn questioned if Schafer has outside runs for the dogs, to which Schafer stated that all dogs go outside at necessary times and are all house trained. Schafer stated that he does not have a large fence, but a smaller fence that circles his house. Woodburn stated that Schafer owns Great Pyrenees, which require a lot of exercise, to which Schafer stated that he likes for the dogs to stay indoors for security purposes as well as fear of a coyote attacking.

Piskule questioned how many puppies Schafer sold between June 2021 to June 2023, to which Schafer stated that held back 12 and sold around 125. Piskule also questioned if the sales were taxed, to which Schafer stated that he is meeting with a lawyer to make sure taxes are being allocated appropriately. Schafer also stated that he was unaware of having to pay taxes and that he knows this factor sounds like he was running a puppy mill, but he was never told to pay taxes until recently. Piskule asked Schafer if he sells to any pet shops to which Schafer stated that each sell is private sell.

Schafer stated that he has a great relationship with his clients to which Barickman mentioned the exhibits that were handed to him with his packet showed complaints from clients. Schafer then discussed the social media negativity as well as the investigations regarding harassment.

Bahler questioned how many Great Pyrenees Schafer has to which Schafer stated that he 55 dogs and puppies; 28 female Cocker Spaniels, 3 male Cocker Spaniels, 1 male Great Pyrenees, 1 Newfoundland/Saint Bernard mix, 1 Newfoundland/Great Pyrenees mix, with the rest of the total being puppies. Barickman questioned if Schafer regulates dog breeding, to which Schafer stated that there is regulation with the breeding and that he does not sell any sick dogs. Barickman questioned if all the dogs are in kennels or in the house. Schafer stated that some cocker spaniel puppies are in kennels, whereas the senior cocker spaniels are house broken and are able to stay out of the kennels.

Schafer expressed to the committee that his property is free of feces and that he is trying to fix up his house so that the dogs can have a better home. Schafer stated that Donnie Simmons from the Livingston County Health Department made a visit to the home and did not have any instructions for Schafer.

With little discussion and there being no further questions, Barickman made a motion, seconded by Davis this zoning case not be recommended as presented for approval. Motion carried by a unanimous roll call vote. **Ayes:** Wahls, Woodburn, Piskule, Barickman, Davis and **Nays:** None **Abstain:** Bahler **Absent:** Haberkorn, Long, Hoerner, Taylor

OTHER BUSINESS:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

Davis moved, seconded by Piskule, that the meeting be adjourned. This motion carried by a voice vote of all ayes.

This meeting was then adjourned at 7:52 p.m.

Respectfully submitted,

Patricia Merlino, Administrative Assistant
Livingston County Regional
Planning Commission