

formerly closed - now open
as of April, 2014 Board Mtg.

Resolution G4074-4-14
2 sections left closed until
next review

BUILDING SUB COMMITTEE CLOSED MINUTES January 7, 2013

MEMBERS PRESENT

David Drobisch – Chair
Tim Dudley
David Williams
Jerry Potts
Kevin Meachum
Gary Minich

COUNTY PERSONNEL PRESENT

Jerry Lord, DPBC
Jay Dunn, Board Chairman
Mike Baggett, Asst. State's Attorney
Sheriff Tom Schneider
Tony Brown, Jail Supt

Board Chair Jay Dunn reported that the last time this sub-committee met, there was an appraisal from Fitzgerald on the Steven Tick Property and an appraisal from Fitzgerald on the Franklin Mall. The owners of both of those entities went out and got their own appraisals. We were about \$75,000 - \$80,000 difference on the Tick Properties and \$35,000-\$40,000 difference on the Franklin Mall. We left it as our appraisal price, \$256,000, is where we would stay. The appraisal price includes building demolition. I would like to get the Franklin Mall property if we could at some point. I don't know if it will sell in any big hurry.

Dave Drobisch: Have we given them any kind of communication?

Jerry Lord: They are using their appraisal, \$295,000. This includes building demolition also.

Dave Drobisch: What did they base that on? I did some basic research and I couldn't come up with any vacant ground that compared. I questioned where they came up with those figures and sales.

Jerry Lord: They were looking at 4410 Maynor Street priced at \$200,000 – just outside of Rt 36.

Jerry Potts: That isn't downtown. It's way out east.

Jerry Lord: They compared the medical property over here on the corner @ \$190,000. That was the 2nd Comparable. 2505 N. Main was at \$400,000.

Dave Drobisch: That's close to DMH between Pershing & Harrison.

Jerry Lord: Then 501 S. Franklin.

Dave Drobisch: When did those sales occur?

Jerry Lord: N. Main St. was January, 2011; This property was April, 2011; Maynor St was Sept 2011 and the appraisal was done May 15, 2012

Gary Minich: Did we approach the owners with our offer?

Jerry Lord: Yes, we did. We actually said we are willing to pay this appraisal price.

Gary Minich: And they didn't come back with a compromise?

Jerry Lord: They came back with their appraisal.

Jerry Potts: Well, let's sit on it then. I'm not willing to budge.

Question: What are we looking at then?

Dave Drobisch: We need document storage and recycling.

David Williams: Are we looking at it for parking or just strictly document storage more than anything?

Jay Dunn: Right now, more than likely, it would be document storage.

David Williams: Do we envision that the new facility would cover the same footprint that the existing building is or would it cover more?

Dave Drobisch: The architect did give us a footprint.

Jerry Lord: That was very, very preliminary. This is something we might want to be

Jay Dunn: Not sure. He drew up some drawings. I can't remember the square footage, but you would actually have access from one level.

Dave Drobisch: Wasn't it between 10 & 11, 000 sq ft area that he had?

Jay Dunn: I don't remember, but we need 10,000. We were talking about building a 20,000 just for future space. We need 10. We can fill up 10 with what we've got. This is kind of in the mix, which is why I wanted to bring it up. **(one sentence removed from these minutes which is to remain confidential pursuant to Section 2 (c)(6) of the Open Meetings Act:)** I have spoken with the City Manager. It's not public yet, but they are moving out of the LEC.

Dave Drobisch: I hope they just leave the communications.

Jay Dunn: They are going to leave the communications. Our logic was to probably move Probation over there. It is my understanding that the Building Commission and the ETSB, if there is enough room, wouldn't mind moving over there. If this deal goes through, we will have 3 empty floors which the building commission is kind of limited on who they can lease that out to.

Dave Drobisch: Jay and I have had a discussion about possible sites for our functions.

Jay Dunn: This thing is all kind of up in the air. But, we are pretty sure the City is going to move out. They are going to leave dispatch. I am appointing Police Chief Walker's designee to the ETSB Thursday night. So, we will have a representative there from the Mayor, which is Jerry Dawson; The Fire Chief. It's going to be mainly the users. We are still discussing about having the ETSB run dispatch. By the City leaving that there, I think that is a good idea. There are a lot of things coming up. I just wanted to keep everybody in the loop on what is going on. If we get something formal, we can try to take some action. I am concerned – I think I brought it up before, but for the new members, the County does not have parking for the customers other than the parking lot across the street. I asked the city and they are not interested in selling. They potentially might want to use it for commercial development. If they do, we won't have any customer parking.

Kevin Meachum: You are talking about Franklin Mall. Looking at long term, if you are wanting to build document storage, wouldn't we want to be looking at building it big enough that we could put offices in there additional to the space that is going to become available by the police department moving out of there.

. **(section removed from these minutes which is to remain confidential pursuant to Section 2 (c)(6) of the Open Meetings Act:)**

Dave Drobisch: My main concern was the communications. Remember this is a closed session. Do not take it outside these walls. We'll have happen to us what happened down here at the IP

Plaza that we were going to buy and IP came in and snuck it right out from under us because the word got out.

Motion to go back to open session made by Kevin Meachum, seconded by Gary Minich and motion carried 6-0.

Closed minutes submitted by Jeannie Durham
Macon County Board Office

BUILDING SUB COMMITTEE CLOSED MINUTES
Purpose: Purchase of real property for the use of the public body
Pursuant to: State Statute Section 2 (c) (5)
February 6, 2013

MEMBERS PRESENT

Dave Drobisch, Chair
Jerry Potts
Gary Minich
Kevin Meachum

MEMBERS ABSENT

David Williams
Tim Dudley

COUNTY PERSONNEL PRESENT

Jerry Lord, Public Building Commission
Mike Baggett, State's Attorney's Office
Jay Dunn, Board Chairman
Amy Stockwell, Auditor

Jeannie Durham, County Board Office

OTHERS PRESENT

Rick Bright, DPBC
Larry Livergood, Architectural Expressions

Jay Dunn recapped some of the information that was gone over before and said he wants to talk about some new stuff.

We asked Architectural Expressions to give us a drawing and a ballpark figure on costs on document storage. We are looking for around 20,000 sq ft. They did that and gave us an estimated cost for space at the Animal Control Shelter, which we own and also an estimate for at the Franklin Mall area. The Franklin Mall estimate was figured two ways. One estimate was for 20,000 sq. ft and one expanded it to 23,400 sq. ft. It was, back then when we were just looking at it as document storage, about \$2.5 million for one and \$1.8 million for 16,000 sq ft at the Animal Control. Then we got an appraisal on the Franklin Mall. The county's appraisal, done by Fitzgerald who has now passed away, was for \$256,000 if it is demolished and \$220,000 as is. Andy Chiligris, who owns the Franklin Mall, got an appraisal from Webster. Their appraisal was for \$295,000 demolished and \$255,000 as is. Recently, we received a proposal from Mr. Chiligris to sell for \$256,000 as is. I did talk to him via the phone last week and I understood from the conversation that he would be willing to sell that at our as is appraisal rate of \$220,000. We were about \$36,000 difference, but I think he would be willing, if we made the offer, to sell it at our appraisal figure with the building still being there.

He had some issues with the City on demolishing it because they wanted him to tear up all existing blacktop. If you erect a building on it, you might not necessarily need to tear up all the blacktop. He and the City were never able to come to agreement, so he wanted to sell it as is. Apparently, the building, after being sturdyed up, does not have a problem as far as it falling down or anything. As far as environmental studies, I'm not sure where we are. There are two stages. I'm not sure if he did stage 1 or stage 2. That would probably be a concern.

Dave Drobisch wondered if there was a record of any buried tanks.

Jay did not know. Jerry Lord stated that they had asked about that and he didn't know of any either.

Jay had asked Jerry Lord to put together a letter in regard to the situation of "if" the city moves out, what the County would do with the LEC. I asked Lori Long to look at her operation and square footage to see if she still needed that much, if she could live with less and how it would work out. I think she toured the LEC with Jerry and they found the area pretty much fits the square footage they are using now. Actually, it would segregate the juveniles from the adults a lot better than the 6th / 7th floor current situation does.

A couple of things have come up. Jerry has indicated that he wouldn't mind moving over there. I talked to Rick Bright about moving the ETSB over there. There is a possibility that if we do this – move all of those over there – we would have 3 empty floors in the 141 S. Main building. Being proactive, I asked the DPBC attorney, Ed Booth about the statute and who they can rent to. It seemed a little limiting. This language comes from Bill Mitchell's office. Linda Little and I met with him and I asked him to introduce for us. I also sent it to Andy Manar to introduce it. It would give us more flexibility in being able to lease out the top 2 to 3 floors. We've got two floors if we move Probation. I just thought we were a little limited in who we could rent to. I have asked the ROE to look at their leases. He hasn't gotten back to me yet. I know they are leasing about 7 different places. Matt seemed very interested in being able to combine. Plus, there's a chance they are going to be combining with other ROE's. He might actually be picking up at least one more county in his group. I checked with Mental Health, but they are in a 5 year lease. I did try to check into getting the statute changed to give us more flexibility.

Section removed : February 6, 2013, Closed Session of the Building Sub-Committee

- a. The Sub-Committee finds that the fourth paragraph on Page 2 and reference is made on Page 3 that relate to the discussion of security procedures in the Law Enforcement Center have a continuing need to remain confidential and recommends that such portions remain closed pursuant to Section 2(c)(8) of the Open Meetings Act.
- b. The Sub-Committee finds that the need for confidentiality as to such portions of these minutes will not cease and therefore recommends that these portions remain confidential in perpetuity.
- c. The Sub-Committee finds that the remainder of the minutes from this closed session do not have a continuing need for confidentiality and therefore recommends that the remainder of the closed session minutes be opened for public inspection.

I think we are probably not going to get this property much cheaper. I know Chiligris paid about \$150,000 at an auction, but we're not adaptable enough to go buy a piece of property at an auction. He has put some money into it as far as asbestos abatement. I think it would behoove us to look into getting that property for at least, document storage, plus potentially the EOC or an office for the DPBC. I'd like to see ETSB get an office close to the dispatch center. The City is planning on

moving out, but they are going to leave dispatch. I'm not sure in 4 to 5 years when they can become a little more economically feasible, that they might want to move it. In my opinion, it will cost 5 to 7 million dollars to move that. I'd like to see it stay where we have a little better control over it. I have been trying to see if we could put the center under E911. That's been a slow process. Dave Drobisch commented that he, too, thinks that the city plans to move it eventually. Jay stated that he had been working on revamping that board and it is now made up of members that are users like the fire dept, rural fire, police dept, sheriff's dept. There is also a geeky tec on there that we hope never leaves. He brings a lot to the table for E911. We are a lot in agreement in getting there, it's just how we get there. Some depends on the City Manager's research. It's been a couple of years and we haven't gotten anything yet. Last time we met, I asked about the City and the County both putting up a little money to get someone that just dedicates themselves to rewrite the by-laws and make sure everything is legal. Looking at the funding to determine if it is possible to even do it because based on user fees, my guess is that the City would be paying more than they are now, but at least we'll have a better feel for what they're paying. Right now, I think, E911 owns 75% of the equipment. I just think that if there's a way to do it, that's the way we should go. We still have to look into the finances and the legalities and get by-laws drawn up, but it is something that I think the majority of the members want to move forward on. If the DPBC does take it over, that's where the office ought to be. We've got to fit the different pieces in and I would like to expand the EOC. Just today, I met with the State's Attorney and his investigator, who is basically his IT person. We were discussing the Business Continuity Plan that we all have to go through as far as backing up data.

Section removed: February 6, 2013, Closed Session of the Building Sub-Committee

- a. The Sub-Committee finds that the fourth paragraph on Page 2 and reference is made on Page 3 that relate to the discussion of security procedures in the Law Enforcement Center have a continuing need to remain confidential and recommends that such portions remain closed pursuant to Section 2(c)(8) of the Open Meetings Act.
- b. The Sub-Committee finds that the need for confidentiality as to such portions of these minutes will not cease and therefore recommends that these portions remain confidential in perpetuity.
- c. The Sub-Committee finds that the remainder of the minutes from this closed session do not have a continuing need for confidentiality and therefore recommends that the remainder of the closed session minutes be opened for public inspection.

Rick Bright, speaking on the 911 aspect, agreed with the Chairman that it would probably be a good move to move the office over there and have a little more control of the com center. The possibility of taking over the com center has been resurrected the past two months. Whether it is user based or the Sangamon County model, that is still not clear. The biggest problem that Rick has in taking over the center is the funding. If the 911 board takes sole responsibility for the funding and the City or County cannot pay their bill one month, who gets stuck with the bill? That would be the 911

board. Dave Drobisch stated that it is a service you have to have and he just can't imagine it not being budgeted for. Rick stated that being close and in control, the model that shows the new EOC, if we ever have a major disaster and the 911 is responsible for the control, you are going to need a central disaster area to bring in the city, the county, fire, state, EMA, etc... We don't have the room to do that now. I have been through the ice storm and the mock drills and we were just on top of each other. Communication is lost because it is so cramped. Rick thinks it is a good project and a good asset to the County.

Kevin Meachum stated that he agrees with what Jay presented. He added that he doesn't think Franklin Mall will get any cheaper and we need to seize the opportunity. We could use the lot for parking until we get ready build. We'll still be able to gain some parking even after we build – right? Jay thought maybe some, but not sure how much. Jerry Lord said that we would probably gain about 20 spaces. Kevin thought that would be good and that we need to proceed and go forward. Dave Drobisch wondered that since the City was giving Chiligiris such a hard time if they might be a little more lenient with the County. Jay answered that we don't have to do anything until we start the building process. Once you have a design and you use part of the existing asphalt, they're fine with leaving it. It's just when you don't have a design in place and you want to demolish it, they want it all gone. I don't see the logic, but that's how they are. That will need to be looked into as the offer is made. We can make it contingent on that. Jerry may have more concerns. Jerry Potts questioned whether the intent is to temporarily use the building. Jay said they intend to buy it and let it sit for now. We are not 100% sure the City is moving yet. Most likely, but not official. We don't want to get too far behind this. We could use this property whether the city moves or not.

Dave Drobisch questioned whether the sub-committee would like to take the issue to a closed session of the full board and ask for permission to have the DPBC instructed to proceed in purchasing the building? Jay stated that is what he'd like to see. Kevin Meachum agreed with it. He thinks this is an opportunity we need to take. It is adjacent to what we own. We can't get it any closer. History has shown that Macon County has drug feet and missed out on buildings. We need to seize the property and buy as close to our buildings as we can. Jay stated that he had put up a couple of pictures from Chiligiris. He wants to propose a design and build plan for us. That will be up to the DPBC. Jay stated that he feels better with Jerry in charge of the project rather than let somebody else build it. Even if the City does not move out, we still need document storage and to expand the EOC. Not sure if we need more engineering to give a ballpark figure and whether it needs to be done now or later. Dave Drobisch stated he thinks we should secure the building first. Amy Stockwell agreed that engineering services are premature. We need to move the pieces around in our heads before we ask them to do any drawings.

Motion to go back to open session made by Jerry Potts, seconded by Kevin Meachum and motion carried 4-0.

Closed minutes submitted by Jeannie Durham
Macon County Board Office

BUILDING SUB COMMITTEE CLOSED MINUTES

Purpose: Purchase of real property for the use of the public body
Pursuant to: State Statute Section 2 (c) (5) of the Open Meetings Act
January 30, 2014

MEMBERS PRESENT

Dave Drobisch, Chair
Jerry Potts
Gary Minich
David Williams
Tim Dudley (arrived @ 5:35 p.m.)

COUNTY PERSONNEL PRESENT

Jerry Lord, Public Building Commission
Kevin Greenfield, Board Member
Jay Dunn, Board Chairman
Sheriff Tom Schneider
Jeannie Durham, County Board Office

MEMBERS ABSENT

Kevin Meachum

OTHERS PRESENT

Rick Bright, DPBC

David Drobisch asked Jerry Lord if he had the contract back. Jerry Lord confirmed that he had a signed contract from Andrew Chiligris on the property on Franklin Street. He said that it is the same contract we submitted to them. There are no counter offers. It is an acceptance of what we offered. Gary Minich asked how much that was. Jerry Lord said \$220,000. David Drobisch said that was the amount of our appraisal. Jerry Lord confirmed and said that that is the property "as is". David Drobisch asked if that included the Phase I Environmental. Jerry Lord said that that was done separately and he has just received the report. He said he has given a copy of it to Larry Livergood to look at and make sure that when they come back with a recommendation, everyone is on the same page. There were some issues. Typically, a lot of them are common to downtown Decatur. There is asbestos in the mastic of the roof, there are some tile that have asbestos although it is not a large amount, and it was used as a filling station by several different companies. The good news there is that it was used as a filling station with the bad news being that there are no records of any underground storage tanks ever being there so, we don't know. There is no guarantee that there was never one there. We are going to try to get an assessment. There is no mineshaft directly under the property, but it is nearby. David Drobisch asked if, at one time, there was an automobile dealership there. Jerry Lord confirmed saying that there was a hydraulic lift which could have given the potential of contaminated soil. All of these are mentioned to let you know that there may be an issue there, but there's no substantiated evidence. David Drobisch said there's no public record of it. Jerry Lord confirmed.

Section Removed: January 30, 2014, Closed Session of the Building Sub-Committee

- a. The Sub-Committee finds that the references on Pages 1 and 2 to the potential purchase of a particular property by the County and the potential sale of County-owned property have a continuing need for confidentiality as they relate to the purchase or lease of real property by a public body for the public body's use and the possible sale of property

owned by a public body and therefore recommends that such references remain closed pursuant to Section 2(c)(5) and 2(c)(6) of the Open Meetings Act, respectively.

- b. The Sub-Committee recommends that such portions be reviewed at the next semi-annual review to determine if the need for confidentiality still exists.
- c. The Sub-Committee finds that the remainder of the minutes from this closed session do not have a continuing need for confidentiality and therefore recommends that the remainder of the closed session minutes be opened for public inspection.

David Drobisch asked Chairman Dunn if he had anything to add. Chairman Dunn said he thought the idea that if this got a head nod to come out of this committee, it would go to Finance for another head nod. If it gets out of Finance, then it will go to the full board with the proper resolution. In that resolution, it mentions the Phase I Environmental Study. That Resolution is basically telling the Building Commission that we would like for them to purchase it. It still has to go through their board. There are several places where it can still be stopped if we wanted to. David Williams asked if there had been any other discussion as to what is going to transpire with the parking lot to the East. Jay said no, he had asked them if they'd be willing to sell it and they said no. David asked if there were conversations where they were talking about developing part of that. Jay said the word was that a couple of commercial properties, one being a bank and he was not sure what the other was, had, at one time, shown interest in buying the parking lot and building on it.

Jerry Potts asked Jerry Lord if it was pretty standard procedure for us to take responsibility for all the fuel tanks and problems on the property. Jerry Lord said it could go either way. If it is "as is", it's like buying a house. You know what is there and you are accepting the price. Like if you wanted a 2 car garage, but there's only a one car, if you accept the one car, then you have to deal with how you are going to put the two car in there. The key to it is to understand exactly what you are going into as much as possible. You need to know what the risks are, what the remedies are and what the costs associated with it are. Jerry Potts asked if they were there to firm the deal up.

David Drobisch said that what they want to do is take a consensus from the members to send this on to the Finance Committee for them to do a closed session. If they pass it on to the full board, they would consider it and take vote on the resolution. No formal vote will be taken here. Jay Dunn said that Larry Livergood will be at the full board meeting to answer any questions. He said he assumed that the current owner has to disclose anything he knows about. Right now, nobody knows whether there are tanks there and you won't know unless you drill down or do construction. Larry will be able to give an idea of potential risks and their costs. Jay said he didn't think there was anything unusual from any other property in the down town area. There have been a lot of different businesses there. David Drobisch asked if there was reference in the Phase I report as to when the building first had tanks there. Jerry Lord said he thought it was 1910 to 1915. Prior to that it was residential area. Then it was leased to an oil company, then another oil company. The lady that did the Phase I survey indicated that normally the companies that had them kept detailed records and she has not found any. That doesn't guarantee that there are not any though. David Drobisch said

he just wondered what the risk was. He said he thought it was fairly low, but "who knows". Jerry Lord said that is why he is working with Larry Livergood and would go through it deeper so a recommendation could be made.

Jerry Potts asked if any cost estimates would be done before the final deal so we'll know what it would cost to take out tanks or clean up. David Drobisch said that we are buying the property "as is", so we are taking 100% of the risk. Jerry Potts said he thought it might be nice to know what the risk would be. David Drobisch said it would depend on how deep the contamination would run.

David Williams commented that he wondered if there are tanks there, if they are not actually under the highway and if that's the case, what would County liability be. Tim Dudley said that even if the tanks are under the road, the contamination could still have drifted over onto the property. David Williams said that if it is under the road, which is not the property we are buying . . . David Drobisch said he thought the county would only be liable for what is within the property boundaries. Tim Dudley agreed. Jay Dunn said that in 1910, the tanks were above ground he thought.

David Drobisch asked what the consensus of the committee was – to go forward with it? Everyone agreed.

Jerry Lord informed the committee members that he had planned to bring this before the Building Commission next Thursday and he assumed that if they approve it, it would be contingent on County Board approval.

David Drobisch said that after Monday's Finance Committee meeting, if they go along with this and that makes two committees approval, then the full board would probably go along with it too.

Motion to go back to open session made by Gary Minich, seconded by Tim Dudley and motion carried 5-0.

Closed minutes submitted by Jeannie Durham
Macon County Board Office

1. February 21, 2013, Closed Session of the Environmental, Education, Health & Welfare Committee
 - a. The Sub-Committee finds that the minutes from this closed session do not have a continuing need for confidentiality and therefore recommends that the closed session minutes be opened for public inspection.

These minutes opened for public inspection at April, 2014 Board Meeting.

EEHW COMMITTEE CLOSED MINUTES

**Purpose: Rental / Purchase of real property for the use of the public body
Pursuant to: State Statute Section 2 (c) (5)
February 21, 2013**

MEMBERS PRESENT

Tim Dudley, Chair
Jerry Potts
Patty Cox
Kevin Meachum
Kevin Greenfield
Phil Hogan

COUNTY PERSONNEL PRESENT

Deb Garrett, Environmental Mgmt
Mike Baggett, State's Attorney's Office
Jay Dunn, Board Chairman

MEMBERS ABSENT

Merv Jacobs

Jeannie Durham, County Board Office

Deb Garrett stated that the warehouse space currently being rented at the City of Decatur Center has been rented since 2002. The lease has not been renewed as of yet. They have sent a letter indicating they are going to increase the rent. Currently it is @ \$180 / sq. ft and we have 1863 sq. ft. The annual cost runs between \$5,000 to \$6,000 plus \$105 flat rate for utilities which will be raised to \$200 / month with the rent going to \$225/sq ft with a promise of it going to \$375/sq ft in the next year. A forklift has to be rented to take recycle containers out for recycling events, to drag pallets out to collect paint on. It is very inefficient and time consuming. Also, in the Fall, when it begins to get dark early and with the collections running until 5:30 p.m. there is no exterior lighting available. Senior ladies are apprehensive to come out there. We've been looking to get out of there for a couple of years because it just isn't working for us. The number of phone calls we get in a typical month for the paint program is around 25 on average.

- In 2012, we processed 20,000 gallons of paint for 233 residents.
- The Event Recycling program, in it's 2nd year, handled 18 events with 4,700 lbs

realizing 166 containers.

- Through the Drop off Trailer recycling program, although most trailers are out in communities, the details are handled in that space.
- The thermostat recycling program brought in 30
- The rechargeable battery recycling took in 451 lbs.
- The CFL recycling was over 2,000 lbs.

The issue here is to approve a lease agreement for a building that is located at 1750 N. Locust St. It is just west of 22nd St. near Bodine Electric. It is in a commercial area and is perfect for what we do. Customers can walk right up to the door. There is security and lighting. It's just much better. It will be a little more expensive. Annual cost is approximately \$6,000 per year.

Tim Dudley: But the high visibility and location will probably increase business there. It is exponential what it can do there. It has a very small office space. Comparison between the two is night and day.

Tim Dudley: It will give credence to what we do. This department's purpose is to recycle and if we are not doing that effectively and we can go to a place where we can get higher visibility and increase that – that's what it is all about.

Kevin Meachum: Will they allow a sign on the building? Deb said yes, the Highway Dept will make one for us. They are really good at that.

Motion to go back to open session made by Jerry Potts, seconded by Patty Cox and motion carried 6-0.

Closed minutes submitted by Jeannie Durham
Macon County Board Office

FINANCE COMMITTEE CLOSED MINUTES

Purpose: Discussion of Work Comp Case

Per State Statute Section 2 (C) (11)

April 29, 2013

MEMBERS PRESENT

Keith Ashby, Chair
Jay Dunn, Vice Chair
Tim Dudley
Kevin Greenfield
Susanna Zimmerman
Patty Cox
Linda Little

COUNTY PERSONNEL PRESENT

Amy Stockwell
Carol Reed

Mike Baggett, Asst. State's Attorney
Jeannie Durham, County Board

April 29, 2013, Closed Session of the Finance Committee

- a. The Sub-Committee finds that all of Page 1 and all of the top continuing paragraph on Page 2 has a continuing need for confidentiality as they relate to the discussion on ongoing litigation and therefore recommends that those portions of the minutes remain closed pursuant to Section 2(c)(11) of the Open Meetings Act.
- b. The Sub-Committee further finds that due to the nature of the litigation, the need for confidentiality will not cease at any foreseeable time in the future and therefore recommends that these portions remain closed in perpetuity.
- c. The Sub-Committee finds that the remainder of the minutes from this closed session do not have a continuing need for confidentiality and therefore recommends that the remainder of the closed session minutes be opened for public inspection.

Mike also advised the committee that correspondence has been received from Ed Flynn and Erik Hubbard regarding the Leon Kallenbach situation. In January or February of this year, it came before the full county board. This is an issue where a sheriff's deputy had disregarded protocol with respect to using a battering ram and sustained an injury as a result of that. We had originally had an agreement to settle for approximately \$21,000. We received the arbitrator's decision today. We lost to the tune of approximately \$50,000. So, as I understand it from Mr. Flynn, appealing it to the Workers Comp Commission would, by law, begin the tolling of a 9% interest which would accrue from today's date, the date of the decision. There is no telling how long it would take the Workers Comp Commission to hear the evidence and make their decision. They would almost certainly adopt the decision of the arbitrator. So, that is where that is at. That is probably a resolution that will be coming before you next month and we will have more information attached to that.

Linda Little made a motion to go back into open session, seconded by Patty Cox, and motion carried 7-0.

Closed minutes submitted by Jeannie Durham
Macon County Board Office

Finance COMMITTEE CLOSED MINUTES

Purpose: Discuss of Purchase of real property for the use of the public body

Pursuant to: State Statute Section 5ILCS120/2(c)(5)

February 3, 2014

MEMBERS PRESENT

Keith Ashby, Chairman
Jay Dunn, Vice Chair
Kevin Greenfield
Linda Little
Patty Cox
Susanna Zimmerman
Tim Dudley

COUNTY PERSONNEL PRESENT

Amy Stockwell, Auditor
Jon Baxter, Board member
Jerry Lord, DPBC
Mike Baggett, State's Attorney's Office

MEMBERS ABSENT

Jeannie Durham, County Board Office

Chair Ashby called the Closed session to order.

Jay Dunn reported that this is something that has been in process for quite some time. Andrew Chiligris is the owner of the property. They've got an appraisal and we've got an appraisal. We offered to buy the property at our appraisal. We were wanting the Building Commission to make the purchase. They didn't want to do that. We had some discussion and they sent us an offer which was kind of irregular in the real estate world. The Building Commission attorney rewrote it and sent it back. They accepted it. It has gone through the Building Sub Committee. The advice of the State's Attorney's Office and the Building Commission was to keep this as quiet as possible until it got to the board just because it is a purchase of property. The Building Sub Committee gave it a head nod to take it to Finance. If it gets a head nod here, we'll take it to the Board where there will be a resolution and discussion on the property.

As you know, the City is moving the police department out of the LEC and the Probation Department will move in. The Building Sub Committee felt this would be a good buy to use, at least initially, for parking for probation employees and those people who attend probation. It also has enough space there for future needs, if we need them, for data storage, EMA expansion and an overhead tie in to the LEC. Keith Ashby asked how many square feet was being talked about. Jerry Lord said around 25,000 sq. ft. Keith asked if the price per square foot was at market value. Jerry Lord said the price came from the appraisal which came back at \$220,000. This is what the offer is as it stands right now. That was the appraisal that was requested by the DPBC. The owner got a second appraisal that came in at a higher value. Keith Ashby asked who the appraiser was. Jerry Lord said it was Ken Fitzgerald and it has been awhile since the appraisal, but it's been going back and forth for quite a while. Keith asked if it was over a year old. Jerry said yes.

Keith said the committee will not be voting, but just taking a consensus to send it on to the full board.

Kevin Greenfield asked if there was a cost as to what it would cost to tear the building down. Jerry Lord said the estimate was \$36,000 for the demolition. He said that estimate was given 2 years ago and that was included in both of the appraisals for the same amount.

Keith Ashby asked if the seller had agreed to our price. Jerry Lord said yes, they have a signed contract at the \$220,000.

Amy Stockwell asked if someone could say something about the status of the Environmental Study. Jerry Lord said that a Phase I study had been requested. It has been completed. There are issues, but there is nothing that says a Phase II is necessary. The issues range from asbestos in the roof mastic as well as some asbestos in a small amount of floor tile. That gives you an idea of what the concrete findings are. Mines and whether it is over a mine shaft was looked into. It is not over a mine shaft, but it is in the proximity. Keith Ashby asked about history of gas stations. Jerry Lord said that there is a history of gas stations and that is the prominent unknown. There is no record of any underground storage tanks under that property. It could be that the gas stations were there and the tanks were above ground, but there is nothing conclusive that says there is an issue underground. There were two different lease agreements to that property with petroleum companies. Keith Ashby asked if, at this time, there was no need for a Phase II study. Jerry Lord said they were not indicating that in the report. A copy has been given to Larry Livergood with Architectural Expressions so that he can give another opinion and try to evaluate some of the risks involved, if there are any before the County Board Meeting. One risk would be in the demolition with the asbestos on the roof and in the tiles. Jerry Lord said whether there were any requests to do any soil samples or whether the cost of that versus the cost of remediating anything contaminating may be considered to be a wash. He said that they are looking at it from that point of view.

Kevin Greenfield asked if just a parking lot was being considered or if there were plans to build on it. If it was just going to be used for a parking lot, even if there were contaminants, we should still probably be ok, but if you're going to start building on it, you may run into a problem. So, he asked if the 20 year plan was to build. Jay Dunn said that they have talked about 20,000 square feet for data storage. Right now, we need space for 10,000, but that is all subject to change in the future if some of it can be digitized. He said they've talked about a little space for back up servers for LEC and the County Building. He said they've talked about moving the EMA Office over because it doesn't have enough space in case of a real emergency. ETSB & DPBC would like to move over there. Obviously, providing some data storage area and moving EMA out would pretty much make that a fit. The Sheriff's Office, right now, has a huge room that has a lot of data storage in it and a lot of it could be moved off site. That would free up a lot of space plus the small space the EMA is in.

Section removed: February 3, 2014, Closed Session of the Finance Committee

- a. The Sub-Committee finds that the portion of the minutes from this closed session which relate to the possible purchase of a particular piece of real property for the use of the public body (occurring in two places at the bottom of Page 2) has a continuing need to remain confidential and therefore recommends that those references remain closed pursuant to Section 2(c)(5) of the Open Meetings Act.
- b. The Sub-Committee recommends that such portions be reviewed at the next semi-annual review to determine if the need for confidentiality still exists.
- c. The Sub-Committee finds that the remainder of the minutes from this closed session do not have a continuing need for confidentiality and therefore recommends that the remainder of the closed session minutes be opened for public inspection.

Chair Ashby asked if it was the consensus of the committee to move this on to the full board. Everyone agreed via head nod.

Jerry Lord said that the DPBC is meeting Thursday to act on this with the contingency that the full county board approves it.

Motion to go back to open session made by Patty Cox, seconded by Susanna Zimmerman and motion carried 7-0.

Closed minutes submitted by Jeannie Durham
Macon County Board Office

