

**PROCEEDINGS
OF THE
MACON COUNTY BOARD**

SEPTEMBER 13, 2018

Jay A. Dunn
Chairman

Stephen M. Bean
Clerk

The Chairman called the meeting to order at 6:00 p.m. with the Sheriff and State's Attorney present.

The Roll Call showed all members present with the exception of Mr. Bird, Mrs. Dawson, Mr. Dudley, Mr. Hogan, Ms. Joy, and Mr. Noland.

Mrs. Taylor led the members in prayer.

All led in the Pledge of Allegiance.

A. APPROVAL OF THE MINUTES OF THE AUGUST 9, 2018 MEETING

MOTION

Mrs. Kraft moved, seconded by Mrs. Cox to approve the minutes of the August 9, 2018 meeting.

There were no questions or comments from the board floor.

ROLL CALL.

Ayes: Brown, Buckner, Cox, Drobisch, Dunn, Greenfield, Jackson, Kraft, Mattingley, Meachum, Oliver, Potts, Smith, Taylor, Zimmerman

Nays: (None)

AYES = 15

NAYS = 0

MOTION CARRIED.

B. PROCLAMATIONS

There were 3 Proclamations presented. The first proclamation was recognizing Decatur Day Care's 100th Anniversary, and was presented to the Director, Janice Baldwin. The other two were recognizing Childhood Cancer Awareness Month and Suicide Prevention Awareness Month.

ZONING/SUBDIVISIONS

1. Ms. Buckner presented Resolution Z-1198-09-18 which is regarding Case S-01-08-18, a petition submitted by Mark Highcock for renewal of a Special Use Permit to allow the operation of the sale and transfer of firearms business in (R-1) Single Family Residential Zoning on property commonly known as 4666 E. Fitzgerald Rd., Decatur, IL 62521. After hearing the evidence, the Zoning Board of Appeals voted to recommend approval of the subject petition to the County Board with 6 stipulations. The EEHW

Committee met and reviewed the petition and recommended the County Board approve the petition subject to the 6 stipulations recommended by the Zoning Board of Appeals.

MOTION

Ms. Buckner moved, seconded by Mr. Brown to approve Resolution Z-1198-09-18 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

2. Ms. Buckner presented Resolution Z-1199-09-18 which is regarding Case S-02-08-18 a petition submitted by Great Lakes Dredge & Dock Company/Steve Gensler for a Special Use Permit for use as a temporary contractor's yard in (R-1) Single Family Residential Zoning on property located on Birch Church Road in Whitmore Township. After hearing the evidence, the Zoning Board of Appeals voted to recommend approval of the subject petition to the County Board with 2 stipulations. The EEHW Committee met and reviewed the petition and recommended the County Board approve the petition subject to the 2 stipulations recommended by the Zoning Board of Appeals.

MOTION

Ms. Buckner moved, seconded by Ms. Cox to approve Resolution Z-1199-09-18 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

B. CORRESPONDENCE

Two letters from Comcast regarding changes to channel line-up.

A letter from Illinois Department of Transportation regarding a Construction Engineering Agreement for Section 16-00282-00-GR, Project WZM5(680).

REPORTS

- Sheriff's Report – August 2018
- Treasurer's Fund and Investment Report – August 2018
- Macon County Collector Report – August 2018
- Coroner's Report – August 2018
- Public Defender's Report – August 2018
- Auditor's Report – July 2018

MOTION

Mr. Smith moved, seconded by Mr. Potts to approve the Correspondence and Reports and that they be placed on file by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

3. CLAIMS

MOTION

Mrs. Cox moved, seconded by Mrs. Kraft to approve the claims that have been approved and paid by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

C. APPOINTMENTS

The appointments are being presented on the Consent Calendar.

D. CONSENT CALENDAR

4. Resolution G-4890-09-18 – Executing deeds to convey property on which taxes were delinquent

Resolution G-4891-09-18 – Appointment to the Macon County Board of Review

Brittany Lamb, 3410 E. Chestnut Ave., Decatur, IL 62521
Term Expires: May 31, 2019

Resolution G-4892-09-18 – Appointment to the Macon Mosquito Abatement District Board of Trustees

Susan Kretsinger, 2370 S. Taylor Rd., Decatur, IL 62521
Term Expires: December 31, 2018

Resolution G-4893-09-18 – Reappointment of Friends Creek Union Drainage Dist. #3 Commissioner

Robyn Jackson, 5120 Swashbuckler Ct., Decatur, IL 62521
Term Expires: 1st Tuesday September, 2021

Resolution G-4894-09-18 – Reappointment of Pleasant View Drainage Dist. #2
Commissioner

Kevin Bafford, 10600 Damery Rd., Blue Mound, IL 62513
Term Expires: 1st Tuesday September, 2021

Resolution G-4895-09-18 – Reappointment of Milam Drainage Dist. #1 Commissioner

John Freeland, 10587 Stocks Rd., Dalton City, IL 61925
Term Expires: 1st Tuesday September, 2021

MOTION

Mr. Meachum moved, seconded by Mr. Brown to approve the Consent Calendar by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

The Justice Committee had nothing to submit at the meeting.

EEHW COMMITTEE

5. Ms. Buckner presented Resolution G-4896-09-18 which is awarding the demolition for the Macon County Flood Mitigation Assistance Program.

MOTION

Ms. Buckner moved, seconded by Mrs. Cox to approve Resolution G-4896-09-18 by prior roll call vote.

QUESTIONS:

Mr. Smith: Mr. Smith asked if anyone knew when this demolition was going to take place.

Jennifer Gunter: Mrs. Gunter said if it is approved tonight they, will start on Monday.

MOTION CARRIED.

6. Ms. Buckner presented Resolution G-4897-09-18 which is approving increase in appropriations for vehicle purchases in FY 18 budget.

MOTION

Ms. Buckner moved, seconded by Mrs. Cox to approve Resolution G-4897-09-18 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

The Operations and Personnel Committee had nothing to submit at the meeting.

The Legislative Committee had nothing to submit at the meeting.

FINANCE COMMITTEE

7. Mr. Greenfield presented Resolution G-4898-09-18 which is approving increase in appropriations in the Treasurer's Office.

MOTION

Mr. Greenfield moved, seconded by Mr. Jackson to approve Resolution G-4898-09-18 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

NEGOTIATIONS COMMITTEE

Mr. Dunn: Mr. Dunn said there are negotiations coming up on the on the 26th of this month.

TRANSPORTATION COMMITTEE

8. Mr. Meachum presented Resolution H-2128-09-18 which is appropriating funds to purchase Right of Way Parcel #19 from Richard T. and Judith A. Tilton for the CH 57 Dalton City Blacktop Bridge Replacement Project.

MOTION

Mr. Meachum moved, seconded by Mr. Jackson to approve Resolution H-2128-09-18 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

The Executive Committee had nothing to submit at the meeting.

SITING, RULES & ORDINANCE SUB-COMMITTEE

9. Mr. Potts presented Ordinance O-131-09-18 which is amending Chapter 155 of the Macon County Code (Zoning Ordinance) to include solar regulations.

MOTION

Mr. Potts moved, seconded by Mrs. Cox to approve Ordinance O-131-09-18 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

The Building Sub-Committee had nothing to submit at the meeting.

CITIZENS' REMARKS:

David Wilhour: Mr. Wilhour lives at 2171 S. Imboden Place in Decatur, IL. He said what he wanted to address, and he knows they are not there yet, but he hoped each one of the board members have received, he held up copies of the information on the composting facility, and had studied it. Mr. Wilhour said he is a community activist. He has been retired 16 years from Caterpillar. For those that know him, he has a lot of energy. First, he wanted to thank the Buffet Foundation for buying the ground. He thinks it is an opportunity for this community to move forward in quality of life issues. Mr. Wilhour said he is not a tree hugger; his daughter is. She is an environmental science major and lives in Oregon. He said he calls her tree hugger and she laughs. She got him recycling and he carries a cloth bag to the grocery store. We need to make it customer friendly and convenient. Mr. Wilhour thinks the plan does that. It is year around and not special. He wanted to tell them a little story. He lives at Imboden Place. The paint recycle was to be held at Imboden Court. At that particular time when Google googled that, they made his cul-de-sac Imboden Court. During the first paint collection they were backed up down Route 51 because that's what most people did. He said 96 cars came through his cul-de-sac. He has to read his paper in his garage each morning and the cars started going through and people started to roll down their windows. He told them that his address is on Place not Court. Mr. Wilhour said they have since been able to get with Google to get that changed. Landfills can be a good neighbor if they are operated properly. He had the good fortune of going out to the landfill last Wednesday and had a tour of it. Mr. Wilhour wanted to commend them for the way the landfill is operated. He served on this board a long time ago when we expanded the landfill. He said it is a world of difference with what it is. This recycle center could be a model for other communities in the Midwest. He said the thing about the landfill is that they have a quality control process plan in place so we are not endangering the environment. That's the thing with the recycle; we are burying household waste every week, hazardous waste every week, which we should be able to recycle. Mr. Wilhour said he has a lot of energy, as he told

Jay he is on board and if they can use his energy he welcomes that. He said if people have interest he has photos of a recycle center in Oregon where people drive-thru. They have curb side recycle and curb side yard waste. His daughter says she pays them to take her yard waste and she buys it back in the spring as compost. He said it is really interesting and not hard to do. It is simple and will save the environment.

Aaron Wemple: Mr. Wemple lives at 1340 W. Eldorado Apt. #1 in Decatur. He thanked the board members for listening. He said they have a family child support group, a parents' group called CLU where they help parents navigate family law here in town. He wanted to explain why parents like them are looking forward to the resolution that is coming up. He would give the top 3 reasons. Number 1: Children like his are falling through the cracks. This resolution would be a safety net for kids. Number 2: Parents have no right to counsel in family law or family court when they can't afford it. This resolution would be a safety net for the financially challenged parents or parents who are already going through a hard time. Number 3: Mr. Wemple said it is really scary, he does not know why, but it is scary to talk in court. A lot of times common people don't know the steps, so this resolution would be a safety net for them. It would be a healthy communication stopgap. They call it a family court stopgap and it will make the steps safer in family court. He sees this as an opportunity for Macon County. Macon County already has an advanced Mental Health Court system. They already have the drug court program that has really advanced. So, this could be a great opportunity for Macon County to continue its lead in the court system by improving family law in the family court system. Mr. Wemple said he feels the California Bar Association has already been trying to get a little ahead of us. They are trying to relax their ethics rules to let practices other than lawyers own law firms. He had a printout from the July 27, 2018 American Bar Association Journal. Mr. Wemple read from it, "A sizeable portion of the public struggle to afford a lawyer, and a sizeable portion of the bar struggle to find sufficient fee paying client work. Legal regulators need to seriously evaluate whether the consumer protection benefits of these ethics rules are worth the cost or not." So, family law is evolving. He feels like Macon County could be on top and this resolution would be a safety net times 3 and make them look good, he feels like, all over the country.

Dan Cooley: Dan Cooley lives at 5911 Hogan Rd. in Dalton City. He thanked the chairman for having them and listening to what they had to say. He said they are all aware because we have been in communications with many of you via e-mail and other methods that we are proposing a Second Amendment Resolution for Macon County. At this point 33 counties in Illinois have passed a similar resolution. Many of them are much more in depth than what we asked for. Some are actually using sanctuary city terms and that is not what we have asked for at all. We are asking for a bigger voice in Springfield. All the legislation you are seeing right now is usually generated out of Chicago trying to restrict the Second Amendment and the Constitution for that matter. Mr. Cooley feels this is a very important issue. It goes much further than just firearms. Each one of you took an oath here in this office to support the Constitution. The Second Amendment is still part of the Constitution. There are many out there that would like to erode that and have been pretty successful in places. We would like as a collective effort here and you guys could give us a bigger voice in Springfield. We as individuals have

been over for all of the different events they have had. We sent our witness slips and we all participate very heavily in that, but we don't have much of a voice in Springfield. That is something you folks can provide us. There again he brings them back to their oath of office and it is the Second Amendment. So, it is a very important issue to us and we are asking for your support. He said he contacted Jay back in May of this year and requested this. He immediately got a reply back from him. Jay sent him a prior resolution that had been passed some 8 years earlier by the county board and wanted to know if that would meet our needs. It was less than we wanted. The wording was not exactly what we had been after, but we decided it was still a voice and that is what this is about. We are not here to rewrite any laws. We are not here to change any ordinances. We merely wanted a voice in Springfield. So we decided to go ahead and accept that at its face value as what it was. The only the additions we made to that was that we requested that all the legislatures and the governor all get a copy of that resolution if it was passed in Macon County. He said he didn't hear anything and didn't hear anything and in July he contacted Chairman Dunn again and requested when we would be put on the agenda, and was informed that it would be the November meeting before that could happen. Mr. Dunn was concerned about the cost of mailing all of these copies of the resolution to the legislature in Springfield. Dan Caulkins graciously came forward and volunteered to pay that postage so the county would not incur any cost, which we thought was more than fair. We thought that was resolved. We have been trying to get this moved up to get it placed in a timely manner. It is most effective right now. To show you somewhat how effective it has been, there is a House resolution being proposed in Springfield admonishing the counties that have done this very thing. We have their attention. They are seeing all of these counties saying the same thing. We don't want to see further erosion of our Second Amendment and our Constitutional right. This has been very effective and is getting noticed in Springfield. That is why we want to get on board with the game. Mr. Cooley does not see the reason for the delay. We've had plenty of discussion about this. Chairman Dunn has talked to Jay Scott and Sheriff Buffett as well. He has no idea of what the outcome of that was, but they have been informed. He does not see any reason to delay it. Our request is to go ahead and get this put on the agenda for next month so this can be passed in a timely fashion and no one can question whether politics was involved in delaying this. One could come to that conclusion that no one wants to take a stand right before an election. That is unfortunate if that is the case. We are ready to do this and we represent about 7,000 people who are on our e-mail list down at the Bullet Trap that are following this closely as well. Everyone is interested and we want to see it happen and that is what we would like to request.

Tony Cacomo: Mr. Cacomo lives at 3658 E. Maynard in Decatur. He wanted to just speak slightly in opposition to the gentleman that just spoke for one very simple reason. Upholding the Constitution is a wonderful program and for the issue that's being brought up for the State Legislature about gun rights and gun control is a wonderful issue. He finds it difficult to understand why it is going through counties rather than through the State Representatives. That part bothers him a little. It seems like they are trying to add politics to something that should be our government process. So, he has difficulty understanding why they are asking counties to tell the legislature rather than us telling our own legislatures. That is what our governments are for, and when we do this we may

be adding some levels that are going to hurt us in the long run. It seems like we are adding some different levels. We have wonderful legislatures. We have representatives and state senators and a governor, and that is the appropriate process to go through. He said that while he won't take any issue with the concept, he is concerned about the process that is trying to be established here.

Jim Root: Jim Root lives at 2480 S. Baltimore. He said many of them know him, but he was here tonight as a private citizen. He was at the meeting to support those that have been silenced or those who are afraid to speak up. The State of Illinois government is much in line with Cook County in trying to restrict and eliminate the Second Amendment rights. Cook County has some of the strictest gun laws in the country and yet there are more shootings and gun violence there than anywhere else. Restrictions on the Second Amendment and creating additional laws and ordinances will only affect law abiding citizens. Criminals who illegally use guns will not be deterred by additional ordinances and laws. I fear that local elected official who are voted in by people of this county are losing sight of the fact that they swore an oath to uphold the Constitution. It seems as though the rights of law abiding citizens are being infringed upon by lawmakers, and only punishes those who obey the law. Again, more laws only punish law abiding citizens. You are probably thinking, we don't pass laws. Well you're right, but you have the authority to pass and enforce ordinances and you have the authority to speak up for law abiding citizens; and you are elected to do so. People who vote for you do so because they want you to represent them and be their voice. He knows some of you agree with him and some of you don't. No matter what your view is, you took an oath to uphold the Constitution, he would like for you to do that.

There were no officeholder remarks presented at the meeting.

There was no old business presented at the meeting.

There was no new business presented at the meeting.

MOTION TO ADJOURN

Mr. Oliver moved, seconded by Mr. Potts to adjourn until Thursday, October 11, 2018 at 6:00 p.m.

MOTION CARRIED.

Meeting adjourned at 6:33.