

AGENDA
MACON COUNTY BOARD MEETING
January 10, 2019 6:00 P.M.
141 SOUTH MAIN, ROOM 514
(Caucuses held at 5:30 p.m.)

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. OPENING PRAYER**
- 4. PLEDGE OF ALLEGIANCE**
- 5. APPROVAL OF MINUTES OF PRIOR MEETING**
- 6. RECOGNITIONS**
Lifesaver Award presented by Sheriff Brown
- 7. ZONING/SUBDIVISIONS**
Z-1207-01-19 **Macon County Board Resolution Regarding Case R-02-11-18, A
Petition for Rezoning Submitted by Douglas Henderson**

Z-1208-01-19 **Macon County Board Resolution Regarding Case R-01-12-18, A
Petition for Rezoning Submitted by Michael & Linda Mathis**
- 8. CORRESPONDENCE**
- 9. CLAIMS**
- 10. APPOINTMENTS**
- 11. CONSENT CALENDAR**
G-4951-01-19 **Macon County Board Resolution to Execute Deeds to Convey Property on
which Taxes were Delinquent**

G-4952-01-19 **Macon County Board Resolution Appointment Electrical Commission –
Terry Rhodes**
- 12. JUSTICE COMMITTEE**
G-4953-01-19 **Macon County Board Resolution Entering into an Agreement with Peoria
County for the Sale of Juvenile Detention Bed Space**

G-4954-01-19 **Macon County Board Resolution Approving Donation from the Howard G.
Buffett Foundation to Fund the Macon County Drug Court Probation
Officers for FY 2019**

- G-4955-01-19** **Macon County Board Resolution Approving Expenditures from the Howard G. Buffett Foundation Grant for the Special Response Team (SRT)**
- G-4956-01-19** **Macon County Board Resolution Approving Donation from the Howard G. Buffett Foundation for Personal Patrol Vehicle (PPV) Program**
- G-4957-01-19** **Macon County Board Resolution Amending the Rules, Regulations, and Requirements of the Macon County Merit Commission for the Macon County Sheriff's Office**
- G-4958-01-19** **Macon County Board Resolution Amending the Public Defender's FY2019 Budget for the Payment of an Expert for Forensic Computer Examination and Report**
- 13. EEHW COMMITTEE**
- G-4959-01-19** **Macon County Board Resolution Approving Increase in Appropriations in the FY 18 and FY 19 Health Fund Budget for CDC Tips**
- G-4960-01-19** **Macon County Board Resolution Approving Increase in Appropriations in the FY 18 and FY 19 Health Fund Budget for Let's Talk: Teen Health**
- G-4961-01-19** **Macon County Board Resolution Approving Increase in Appropriations in the FY 18 and FY 19 Health Fund Budget for Car Seat Check Program**
- G-4962-01-19** **Macon County Board Resolution Approving Increase in Appropriations in the FY 18 Health Fund Budget for Starting Point**
- G-4963-01-19** **Macon County Board Resolution Approving Increase in Appropriations in the FY 18 Health Fund Budget for Year End Addition & Cleanup**
- 14. OPERATIONS AND PERSONNEL COMMITTEE**
- 15. LEGISLATIVE COMMITTEE**
- 16. FINANCE COMMITTEE**
- G-4964-01-19** **Macon County Board Resolution Accepting One Year Proposal from Midwest Employers Casualty for Workers Compensation Excess Liability Insurance Coverage**
- G-4965-01-19** **Macon County Board Resolution Approving Appropriation of Funds for Macon County Auditor's Office Accounting System Upgrade**
- 17. NEGOTIATIONS COMMITTEE**
- 18. TRANSPORTATION COMMITTEE**
- H-2134-01-19** **Macon County Board Resolution Approving Amendment #1 to the Radford Run Letter of Credit**
- H-2135-01-19** **Macon County Board Resolution Appropriating Funds for the Joint City-County Micro-surfacing Project**
- H-2136-01-19** **Macon County Board Resolution Approving the Purchase of Right-of-Way**

Parcel #001 from William Penhallegon, Barbara McKay, and G. Patton Penhallegon for the Schellabarger Road Bridge Replacement Project, Section 16-07116-00-BR

H-2137-01-19

Macon County Board Resolution Approving the Purchase of Right of Way Parcel #003 from the Township of Oakley for the CH24 Reas Bridge Road Project, Section 14-00268-03-EG

- 19. EXECUTIVE COMMITTEE**
- 20. SITING, RULES & ORDINANCE SUB-COMMITTEE**
- 21. BUILDING SUB-COMMITTEE**
- 22. CITIZENS' REMARKS (Public Comment Limited to Total of 20 Minutes, 5 Minutes Maximum Per Person)**
- 23. OFFICEHOLDERS' REMARKS**
- 24. OLD BUSINESS**
- 25. NEW BUSINESS**
- 26. CLOSED SESSION**
- 27. ADJOURNMENT**

**MACON COUNTY BOARD RESOLUTION
REGARDING CASE R-02-11-18, A PETITION
FOR REZONING SUBMITTED BY
DOUGLAS HENDERSON**

RESOLUTION NO. Z-1207-01-19

WHEREAS, a petition filed by Douglas Henderson for rezoning approximately 5.11 acres from (R-4) Single Family Residential Zoning to (RE-5) Single Family Estate Zoning. This property is legally described as:

Lot Seven (7) of Mike's Corner, as per Plat recorded in Book 1405, Page 104 of the Records in the Recorder's Office of Macon County, Illinois.

The property is commonly known as: 4129 N Prairie View Road, Oakley, IL 62501
Oakley Township PIN: 14-08-26-428-004

WHEREAS, at the required public hearing on December 5, 2018 your Zoning Board of Appeals heard the testimony presented and voted to recommend approval to the County Board, the petition be granted.

WHEREAS, on December 20, 2018 your EEHW Committee heard the summary report and voted Approval of the petition to the County Board.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board to approve the subject petition for rezoning 5.11 acres from (R-4) Single Family Residential Zoning to (RE-5) Single Family Estate Zoning.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 10th day of January, 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REGARDING CASE R-01-12-18, A PETITION
FOR REZONING SUBMITTED BY
MICHAEL & LINDA MATHIS**

RESOLUTION NO. Z-1208-01-19

WHEREAS, a petition filed by Michael & Linda Mathis for rezoning approximately 5.01 acres from (A-1) Agricultural Zoning to (RE-5) Single Family Estate Zoning. This property is legally described as:

The South 18 acres of the East Half of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 13 Township 16 North, Range 1 East of the 3rd P.M., except that part heretofore platted as L.F. Simpson's Addition, as per Plat recorded in Book 982, Page 81 of the Records in the Recorder's Office of Macon County, Illinois, and except beginning at a point on the East line of the Southeast Quarter (SE ¼) of said Southeast Quarter (SE ¼) of said Section 13, 965.3 feet Northerly of the Southeast Corner of the Southeast Quarter (SE ¼) of said Section 13, thence Northerly along said East line, 257.4 feet to a point 1419.65 feet Southerly of the Northeast Corner of the Southeast Quarter (SE ¼) of said Section 13, thence Westerly on a line forming an angle of 90 degrees 0 minutes to the left of said Section line, 255 feet to a point, thence Southerly on a line parallel with the said East line of the Quarter Section 257.4 feet to a point 5 feet Westerly of the Northwest Corner of Lot 1 of said L.F. Simpson's Addition, thence Easterly to and along the North line of said Lot 1 of said L.F. Simpson's Addition, 255 feet to the point of beginning, except that portion heretofore dedicated for Roadway Purposes. Also except that part taken by Circuit Court Case No. 75-ED-7, for highway purposes, described as follows: Beginning at the Southeast corner of Section 13; thence south 87 degrees 54 minutes 01 seconds West a distance of 667.80 feet along the South line of said East Half (1/2) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) to the Southwest corner thereof; thence North 00 degrees 19 minutes 24 seconds East a distance of 28.44 feet along the West line of said East Half (1/2) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼); thence North 88 degrees 11 minutes 36 seconds East a distance of 469.41 feet; thence North 77 degrees 37 minutes 49 seconds East a distance of 136.37 feet to the existing Westerly right of way line of C.H. 41; thence North 88 degrees 11 minutes 36 seconds a distance of 65.04 feet to the East line of said Section 13; thence South 00 degrees 14 minutes 19 seconds West a distance of 50.03 feet along the East line of said East Half (1/2) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) to the point of beginning, containing .48 of an acre, more or less, which includes .07 of an acre, more or less, within the existing limits of C.H. 41. Also except beginning at a point 50.00 feet West and 524.30 feet North of the Southeast corner of said Section 13; thence North on the Westerly right of way line of Wyckles Road 100.00 feet; thence West deflecting 89 degrees 57 minutes 25 seconds left a distance of 200.00 feet; thence South deflecting 90 degrees 02 minutes 35 seconds left a distance of 100.00 feet; thence East deflecting 89 degrees

57 minutes 25 seconds left a distance of 200.00 feet to the point of beginning. The bearings in the above description refer to Grid North in the Illinois State Plane Coordinate System. Situated in Macon County, Illinois.

Harristown Township PIN: 06-11-13-476-009

WHEREAS, at the required public hearing on December 5, 2018 your Zoning Board of Appeals heard the testimony presented and voted to recommend approval to the County Board, the petition be granted.

WHEREAS, on December 20, 2018 your EEHW Committee heard the summary report and voted Approval of the petition to the County Board.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board to approve the subject petition for rezoning 5.01 acres from (A-1) Agricultural Zoning to (RE-5) Single Family Estate Zoning.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 10th day of January, 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
TO EXECUTE DEEDS TO CONVEY PROPERTY
ON WHICH TAXES WERE DELINQUENT**

RESOLUTION NO. G-4951-01-19

WHEREAS, the County of Macon has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases where the taxes on same have not been paid pursuant to 35 ILCS 200/21-90; and

WHEREAS, pursuant to this program the County of Macon, as Trustee for the taxing districts involved, has acquired an interest in the real estate described in the attachment to this resolution; and

WHEREAS, it appears to the Macon County Board that it would be to the best interest of the taxing districts of Macon County to dispose of this interest in said property.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that the Chairman of the Macon County Board is hereby authorized to execute a deed of conveyance of the county's interest, authorization, or the cancellation of the appropriate certificate of purchase as the case may be on the following real estate for the sums shown on the attachment and to be disbursed as shown and according to law.

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED the 10th day of January, 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

Macon County Monthly Resolution List - January 2019

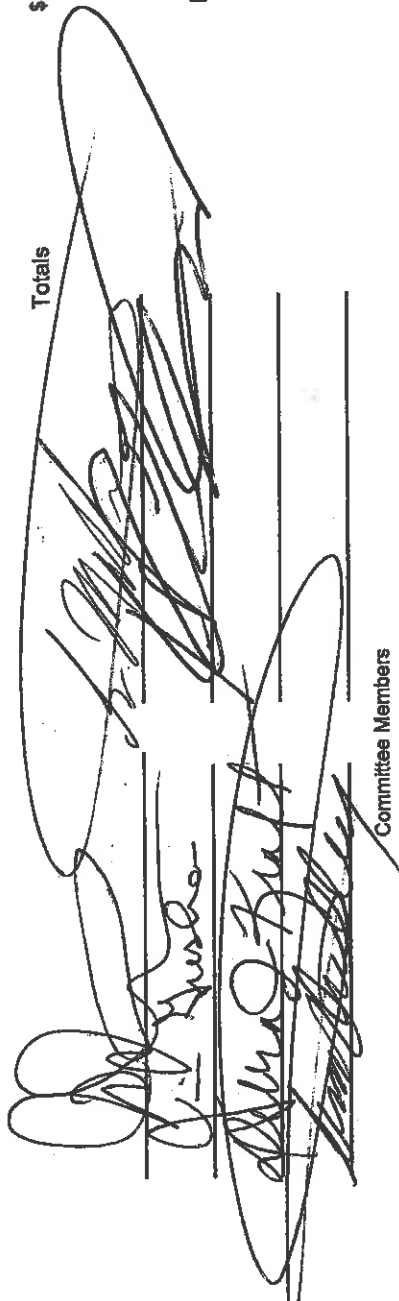
12/27/2018

RES#	Account	Type	Account Name	Parcel#	Township	Total Collected	County Clerk	Auctioneer	Recorder/ Sec of State	Agent	Treasurer
01-19-001	1018046B	SAL	FRANSEN HWONG	04-12-11-107-001	DECATUR	689.00	0.00	6.00	63.00	350.00	250.00
01-19-002	1018053B	SAL	CASEY R WATSON	04-12-11-177-011	DECATUR	2,335.50	0.00	22.50	63.00	562.50	1,687.50
01-19-003	1018054B	SAL	FRANSEN HWONG	04-12-11-180-001	DECATUR	689.00	0.00	6.00	63.00	350.00	250.00
01-19-004	1018055B	SAL	DORRELLE MA WORD	04-12-11-232-021	DECATUR	2,588.00	0.00	25.00	63.00	625.00	1,875.00
01-19-005	1018059B	SAL	FRANSEN HWONG	04-12-11-433-014	DECATUR	689.00	0.00	6.00	63.00	350.00	250.00
01-19-006	1018061B	SAL	TYLER L MADDING	04-12-12-152-011	DECATUR	3,850.50	0.00	37.50	63.00	937.50	2,812.50
01-19-007	1018084B	SAL	DWIGHT BAILEY	04-12-14-276-022	DECATUR	2,083.00	0.00	20.00	63.00	500.00	1,500.00
01-19-008	1018088B	SAL	FRANSEN HWONG	04-12-14-286-011	DECATUR	689.00	0.00	6.00	63.00	350.00	250.00
01-19-009	1018091B	SAL	MARCEL C. WHITFIELD	04-12-14-328-032	DECATUR	7,133.00	0.00	70.00	63.00	1,750.00	5,250.00
01-19-010	1018111B	SAL	FRANSEN HWONG	04-12-24-126-035	DECATUR	689.00	0.00	6.00	63.00	350.00	250.00
01-19-011	1018115B	SAL	BACH INVESTMENT GROUP, LLC	07-07-26-355-003	HICKORY POINT	23,293.00	0.00	230.00	63.00	5,750.00	17,250.00
01-19-012	1018118B	SAL	EAST PERSHING LLC	07-07-36-376-005	HICKORY POINT	130,353.00	0.00	1,290.00	63.00	32,250.00	96,750.00
01-19-013	201400217	SUR	VICTOR C ROBB	04-12-10-279-004	DECATUR	1,641.35	80.00	0.00	0.00	583.20	822.15
01-19-014	201400346	SUR	RANLAN RENTALS LTD	04-12-11-180-026	DECATUR	2,682.44	80.00	0.00	0.00	1,031.94	1,394.50
01-19-015	201400554	SUR	VICTOR C ROBB	04-12-14-252-007	DECATUR	2,896.95	80.00	0.00	0.00	913.23	1,747.72
01-19-016	1018080B	SAL	JUSTIN STENSBY	04-12-14-251-006	DECATUR	669.00	0.00	6.00	63.00	350.00	250.00
01-19-017	201400456	DEF-RE	TIMIKA NEAL	04-12-13-131-009	DECATUR	826.00	0.00	0.00	0.00	338.13	487.87
01-19-018	1018037B	SAL	HARVEY L WILLIAMS	04-12-10-380-008	DECATUR	2,588.00	0.00	25.00	63.00	625.00	1,875.00
01-19-019	201300329	DEF-RE	PATTY CARTER AND JACOBS WELL COMPELLING MINISTRY	04-12-10-427-008	DECATUR	568.00	0.00	0.00	0.00	337.01	230.99
01-19-020	201300221	DEF-RE	JACOBS WELL COMPELLING	04-12-10-230-009	DECATUR	1,349.00	0.00	0.00	0.00	504.41	844.59

Totals

\$188,201.74 \$240.00 \$1,756.00 \$882.00 \$48,807.92 \$136,027.82

Clerk Fees \$240.00
Recorder/Sec of State Fees \$882.00
Total to County \$137,149.82



Committee Members

**MACON COUNTY BOARD RESOLUTION
APPOINTMENT TO THE MACON
COUNTY ELECTRICAL COMMISSION**

- Terry Rhodes

RESOLUTION G-4952-01-19

WHEREAS, it is the desire of the Macon County Board Chairman to appoint the following individual to the Macon County Electrical Commission for the remainder of a three year term set to expire November 30, 2020 vacated by the resignation of Jay Dunn:

Terry Rhodes
1910 N. Sunnyside Dr
Decatur, Illinois 62526
Term Expiring: November 30, 2020

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby appoints Terry Rhodes to the Macon County Electrical Commission, term set to expire on the 30th of November, 2020.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 10th day of January, 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
ENTERING INTO AN AGREEMENT WITH
PEORIA COUNTY FOR THE SALE OF
JUVENILE DETENTION BED SPACE**

RESOLUTION NO. G-4953-01-19

WHEREAS, Macon County Probation and Court Services Department has currently had an intergovernmental agreement with Peoria County for the sale of five (5) reserved juvenile detention bed spaces, in exchange for a financial payment for the past year; and

WHEREAS, Macon County Probation and Court Services believes that it is in the best interest of Macon County to contract for juvenile detention bed space at the Peoria County Juvenile Detention Center for Macon County juvenile offenders, and recommends the approval of the attached Intergovernmental Agreement; and

WHEREAS, the proposed Intergovernmental agreement was discussed by the Macon County Justice Committee on December 20, 2018 and recommended for approval to the Macon County Finance Committee; and

WHEREAS, the proposed Intergovernmental Agreement was discussed by the Macon County Finance Committee on January 2, 2019 and recommended for approval by the full Board, and

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby authorizes the Board Chairman and Director of Court Services to enter into the attached Intergovernmental Agreement for the Sale of Secured Bed Space in the Peoria County Juvenile Detention Center pursuant to the attached agreement for a term of January 1, 2019, to December 31, 2019.

BE IT FURTHER RESOLVED that this Resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 10th day of January, 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**INTERGOVERNMENTAL AGREEMENT
FOR SALE OF SECURED BED SPACE
IN THE PEORIA COUNTY JUVENILE CENTER**

Whereas, the County of Peoria (hereinafter referred to as "Host County") and the County of Macon (hereinafter referred to as "Home County") are units of local government authorized by Section 10 of Article 7 of the Constitution of the State of Illinois to contract to obtain services; and

Whereas, the Home County desires to obtain reserved bed space in the Peoria County Juvenile Detention Center (hereinafter referred to as "the Center") in exchange for a financial payment; and

Whereas, the Host County will guarantee bed space to the Home County according to the terms of this agreement; and

Whereas, this intergovernmental agreement (hereinafter referred to as "contract") is executed to provide the Home County a specific amount of guaranteed bed space in the Center;

Therefore, it is agreed between the parties hereto as follows that:

1. In exchange for financial and other consideration listed below, the Home County expressly states its desire and commitment to contract with the Host County for the use of five (5) guaranteed detention beds for a period of 365 days each contract year beginning on January 1, 2019. The Home County expressly states its commitment to renew the terms of this contract for an additional THREE (3) YEARS beyond the initial contract period stated above according to the terms, conditions, and consideration contained in this Intergovernmental Agreement. Contract years shall run consecutively without break or interruption. At the end of this term or any future term, if both parties mutually agree, this contract may be extended for an additional year, pursuant to the provisions of paragraph 4 below. Guaranteed bed space must be used within the period of each contract year. Bed days will not accumulate from one contract year to the next.

2. The Home County shall pay to the Host County the sum of **\$245,542.41** for the five (5) guaranteed beds for the year and for transportation costs as outlined in this contract. This sum represents five (5) guaranteed beds annual rented at a rate of \$134.54 per bed day; and transportation costs for one officer for a total of \$245,542.41. Additionally the Home County shall pay to the Host County the sum of \$18.00 per hour for detainee transports that require the assignment of a second officer. Situations that require the assignment of a second transportation officer shall be mutually agreed upon in advance by both the Home County and the Host County (ex. gender of detainee transported, number of detainees transported at any one time, detainee determined to be high safety or flight risk by home county or host county, etc.). The Host County shall provide the Home County an invoice of the additional detainee transports on a monthly

basis and the Home County shall pay the billed amount within 90 days of the invoice date.

3. The Home County shall pay the amounts due to Peoria County in equal quarterly payments, in advance, said payments will be due and payable for the quarters of the year beginning in January 1, April 1, July 1, and October 1 of the contract year.

4. If both the Home County and the Host County mutually agree to extending the contract for another 3 years, the daily charge for bed space each year shall be increased at a rate equal to the Consumer Price Index (i.e., CPI-U; U.S. City Average; all items; not seasonably adjusted) published by the United States Department of Labor. The change in payment shall be directly proportional to the percent change in the CPI Index between January of the current year and January of the preceding year. The change in payment shall not, however, increase more than 5% or less than 3% from the preceding contract year.

5. The Home County has the option to contract for additional detention beds as space is available during any contract year, provided that any payments due the Center are not delinquent. Additional detention beds space is dependent on the Host County's current population, availability of transportation services, and will be determined solely by the Host County. The cost for each additional bed shall be \$80.00 (without transportation) and \$134.54 (with transportation) per day for the first contract year. For the second and any subsequent years of the contract the additional beds shall be charged adjusting for the inflation and growth as discussed in paragraph 4 above. The Host County shall provide the Home County an invoice of the additional detention bed space on a monthly basis and the Home County shall pay the billed amount within 90 days of the invoice date.

The Home County agrees to request that the Court call juvenile detainee cases at the beginning of the docket whenever reasonably possible.

6. The Host County shall provide transportation services: (a) between the Home County and the Center within three (3) hours after a detention determination has been made and the Host County has been notified; and (b) between the Host County and the Home County for scheduled Court appearances on Monday, Wednesday, and Friday at a set time, whenever reasonably possible, so long as such arrangements fall within statutory time constraints, consistent with the Host County's policies related to transportation. There may be times when transportation services are not available and/or be able to accommodate three (3) hour time period, due to unforeseen situations such as, but not limited to inclement weather, mechanical breakdowns, and emergency staffing situations.

The Host County's failure to comply with this provision shall not provide grounds for a breach of contract claim. Instead, non-compliance with this provision will be resolved administratively through the respective Department's Directors.

7. The Host County agrees to provide the referred minor with shelter, supervision, routine medical care, and nutrition in accordance with the Illinois Department of Juvenile Justice (IDJJ) and Administrative Office of Illinois Courts (AOIC) standards and regulations for juvenile detention facilities.

8. The Host County shall provide non-emergency, routine medical care to juveniles detained in the Center. The Host County shall not, however, be financially liable or responsible for Home County juveniles who receive "non-routine" medical and/or dental treatment while detained in the Center. The Home County is responsible for guaranteeing payment of all costs associated with non-routine medical care. Non-routine medical care includes emergency room care, hospitalization, emergency medical transportation, emergency dental treatment, and all medical expenses including prescription medications, incurred by Home County's detainees while the juvenile is in the Center.

The Host County will direct all treating entities to directly bill the legally "responsible party" (i.e., parents, medical insurance company, legal custodian, or Medicaid) prior to seeking remuneration from the Home County. The sole exception to this provision will involve those circumstances where a Macon County detainee requires prescription medication, in which case the Home County may be billed directly. Otherwise, the Home County will assume financial responsibility only in the event said juvenile has no medical coverage or ability to pay, or in the event that a balance exists after a payment by others.

9. In the event that a juvenile detained by the Home County must be admitted to a Peoria area hospital or other local medical/mental treatment facility for a period that will exceed six hours, the Home County agrees to immediately petition the Court for an Order releasing the minor into the custody of the minor's parent or legal guardian, or make arrangements to provide qualified juvenile staff from the Home County to supervise the minor, or reimburse the Host County for all personnel costs necessary to provide additional juvenile staff to supervise the minor, if requested to do so by the Home County.

The agreed upon cost for the Host County to supervise the Home County juveniles who have been admitted to a Peoria hospital or other local medical treatment facility for a period that will exceed six hours, is \$37.00 per hour per officer.

10. When a Home County's juvenile causes property damage or physical injury to another person while detained at the Center, the Host County agrees to initially seek compensation for any and all costs arising out of those damages from the juvenile's legally "responsible party" (i.e., parents, medical insurance company, legal custodian, State of Illinois, or Medicaid) prior to seeking remuneration from the Home County. The Home County will assume financial responsibility only in the event said juvenile has no insurance coverage or ability to pay, or in the event that a balance exists after a payment by others.

11. The Home County agrees to save and hold harmless, indemnify and defend the Host County, its employees, officers and agents from all responsibility, claims, damages, or lawsuits for latent injuries or illness that its detainee may be harboring at the time of entering the Center, excluding any wanton and willful misconduct of the Host County, its employees, officers and agents.

12. The Home County agrees to use a detention screening **instrument approved by the Probation Division, Administrative Office of the Illinois Courts** to determine the appropriateness of secure detention. The parties recognize that the use of secure detention for minors charged with status offenses (e.g., truancy, runaway situations, and illegal consumption of alcohol) is inappropriate and inconsistent with State and Federal guidelines. The parties agree that status offenders will not be ordered into secure detention. All minors must be an adjudicated delinquent in accordance with the provisions of the Illinois Compiled Statutes, Chapter 705, Section 405/5, or charged with, or under warrants, for a criminal offense as defined by a penal statute of the State of Illinois, or in violation of a Court Order for Probation. This includes youth on warrants and/or charged with contempt of court when the original offense is a status offense.

13. The Host County has tendered a Certificate of Liability Insurance which has been accepted by the Home County. Liability of the Host County arising out of the services provided in this contract is expressly limited to any amounts payable from that insurance. The Home County shall be provided with thirty (30) days prior notice, in writing, of any Notice of Cancellation or material change of said insurance coverage.

14. The parties to this contract acknowledge that this contract is binding and enforceable on both parties that the Host County is obligated to provide guaranteed bed space in the quantities agreed to and that the Home County is obligated to pay for those services according to the charges, terms and conditions outlined above. The parties may declare this contract null and void for good cause based upon gross negligence, criminal misconduct or failure to abide by the terms and conditions of the contract on the part of either party. The parties may also declare this contract null and void where the substantial performance of the contract has been altered by unforeseen, accidental or events beyond the control of the parties.

15. Should the Home County repudiate this contract for any reason other than as provided in paragraph 14 above, the Home County shall pay to the Host County the costs for each contracted bed and for the number of bed days that had not been prepaid, according to the contract rate specified in this agreement with the Center, and in addition, the Home County shall pay to the Host County a penalty equal to SIXTY (60) DAYS at the contract rate for contract year in force at the time of the repudiation of this contract. The Host County shall also be entitled to any legal or attorney fees necessary to enforce the Host County's rights under the provisions of this paragraph of the contract.

16. The Center and the Home County agree to provide a contact person available on a twenty-four hour basis. The Center's contact person shall be identified as the Assistant Superintendent or Superintendent and can be contacted at the Center at the

following telephone exchange (309) 634-4201. The Host County has a member of management present or on call 24 hours a day - 365 day year. The Home County's contact person shall be identified as the Director and can be contacted at the following exchange (217) 424-1444 during regular business hours. After normal business hours, the Home County's on-call contact person can be contacted via the Macon County Sheriff's Office at the following exchange (217) 424-1321.

17. Nothing in this agreement shall be construed to create a relationship of employer/employee or principal and agent between the parties hereto. In the performance of this agreement, the Center, its employees and agents shall act as and shall be deemed at all times to be independent contractor of the Home County.

18. This document constitutes the entire agreement of the parties and suspends all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous agreements presently in effect between the parties relating to the subject matter hereof. This agreement and all the provisions hereof are intended to be whole and entire, no provision or any part thereof is to be severable.

19. The rights and duties under this agreement may not be assigned or transferred without the prior written permission of the other party.

_____ County of Peoria	_____ Title	_____ Date
_____ County of Peoria	_____ Title	_____ Date
_____ County of Macon	_____ Title	_____ Date
_____ County of Macon	_____ Title	_____ Date

**MACON COUNTY BOARD RESOLUTION APPROVING
DONATION FROM THE HOWARD G. BUFFETT
FOUNDATION TO FUND THE MACON COUNTY
DRUG COURT PROBATION OFFICERS FOR FY 2019**

RESOLUTION NO. G-4954-01-19

WHEREAS; an emergency situation has occurred where the probation department is in dire need of funding for FY 19 for the Macon County Drug Court Program; and

WHEREAS, the probation department has seen a need for two full time probation officers to supervise the Drug Court Program; and

WHERESEAS, the Macon County Drug Court Program, supervises a probation population of high risk and high need offenders who need intensive treatment and supervision services; and

WHEREAS, the Howard G. Buffett Foundation has graciously agreed to donate \$126,316.37 for two full time Drug Court Probation Officer's salaries and fringes

Donation	001-130-4970	\$126,316.37
----------	--------------	--------------

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the Macon County Probation Department to accept these funds that will be used for the Macon County Drug Court Program

WHEREAS, the Justice Committee met on December 20, 2018; and

WHEREAS, the Finance Committee met on January 2, 2019; and

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 10th day of January, 2019

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
APPROVING EXPENDITURES FROM THE
HOWARD G. BUFFETT FOUNDATION GRANT
FOR THE SPECIAL RESPONSE TEAM (SRT)**

RESOLUTION NO. G-4955-01-19

WHEREAS, the Sheriff's office FY'19 budget was approved by the County Board; and

WHEREAS, the sheriff's office is requesting an amendment to the FY19 Law Enforcement Safety Tax Budget to create an expenditure line for SRT equipment to be purchased with remaining grant funds from a donation given by the Howard G. Buffett Foundation in FY'18; and

WHEREAS, the full Macon County Board approved accepting this donation of \$53,456.00 which established this purchase of SRT equipment at its January 11, 2018 board meeting (G-4753-01-18); and

WHEREAS, the awarded funds were received in FY'18 but not all purchases of equipment were made in that year; and

WHEREAS, unforeseen circumstances have arisen which give rise to an emergency situation in that this equipment needed cannot be purchased without the amending of this budget; and

WHEREAS, the proposed budget amendments were discussed by the Macon County Justice Committee on December 20th, 2018 and recommended for approval to the Macon County Finance Committee, and

WHEREAS, the proposed budget amendments were discussed by the Macon County Finance Committee on January 2nd, 2019 and recommended for approval by the full Board, and

WHEREAS, the Finance Committee has agreed to the amending of the Sheriff's LEST FY'19 budget as follows;

Expenditures
002-215-9040

Equipment - SRT

\$ 42,512.68

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the amendment of the sheriff's budget as above.

BE IT FURTHER RESOLVED BY THE Macon County Board that this Resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, and APPROVED this 10th day of January, 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
APPROVING DONATION FROM THE
HOWARD G. BUFFETT FOUNDATION FOR
PERSONAL PATROL VEHICLE (PPV) PROGRAM**

RESOLUTION NO. G-4956-01-19

WHEREAS, the Macon County Sheriff's Office implemented a Personal Patrol Vehicle Program in 2018 to allow eligible Patrol Deputies to participate in a take-home vehicle program. The objectives of the Personal Patrol Vehicle Program are to provide an enhanced police presence, a deterrence of criminal activity, increased community relations, supplement on-duty personnel, reduce vehicle fleet costs, enhance productivity and efficiency, and faster response times in emergencies; and

WHEREAS, this program will not require any new budgeted funds until 2033; and

WHEREAS, Per resolution G-4752-01-18 the Howard G. Buffett Foundation agreed to donate up to \$2,141,477.00 (Two Million One Hundred Forty-One Thousand Four Hundred Seventy-Seven Dollars) for the implementation of the PPV Program for the purchase of vehicles, required emergency response equipment (including installation/transfer costs), radios, in-car camera systems, and vehicle markings as Macon County Sheriff's Office patrol vehicles. Vehicles and related equipment purchased in FY'18 totaled \$1,174,823.36 leaving a remaining amount to be budgeted in FY 19 as follows:

Revenue	093-565-4500-000	Up to \$ 966,653.64
Vehicles/Equipment	093-565-9060-000/093-565-9040-000	Up to \$ 966,653.64

WHEREAS, unforeseen circumstances have arisen which give rise to an emergency situation in that this equipment needed cannot be purchased without the amending of this budget; and

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the Macon County Sheriff's Office to accept the funds from the Howard G. Buffett Foundation that will be used for the implementation of the Personal Patrol Vehicle Program and the purchase of new vehicles and required emergency response equipment.

WHEREAS, the Justice Committee met on December 20, 2018; and

WHEREAS, the Finance Committee met on January 2, 2019; and

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 10th day of January, 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD
RESOLUTION AMENDING THE
RULES, REGULATIONS, AND
REQUIREMENTS OF THE MACON
COUNTY MERIT COMMISSION FOR
THE MACON COUNTY SHERIFF'S
OFFICE**

Resolution No. G-4957-01-19

WHEREAS, Macon County has adopted and implemented a merit system as provided by the Sheriff's Merit System Law (55 ILCS 5/3-8001, et seq.); and

WHEREAS, the Macon County Merit Commission was created fulfill the requirements of that law; and

WHEREAS, the Macon County Merit Commission has adopted certain rules, regulations, and requirements governing the hiring and promotion of sworn officers of the Macon County Sheriff's Office; and

WHEREAS, Section 7 of the Sheriff's Merit System Law provides that the position of chief deputy may be exempted from coverage by the Merit Commission by resolution of the County Board; and

WHEREAS, the position of chief deputy is presently included within the jurisdiction of the Merit Commission; and

WHEREAS, as a result of the position's inclusion within the jurisdiction of the Merit Commission, the Sheriff is unable to appoint a person of his independent choosing into the number two position within the Sheriff's Office, depriving him of the ability to control the internal operations of his office; and

WHEREAS, the Sheriff is the only elected official or department head in Macon County who may not presently appoint a chief deputy or second-in-command of his own independent choosing; and

WHEREAS, the Sheriff desires to be allowed to appoint a chief deputy of his choice who shall serve at the pleasure of the Sheriff; and

WHEREAS, the Justice Committee met on December 20, 2018 to consider this Resolution and recommends its approval.

NOW, THEREFORE, BE IT RESOLVED that the "Rules and Regulations of the Macon County Merit Commission" adopted as amended September 14, 2017, be amended as indicated in the attached Exhibit A.

BE IT FURTHER RESOLVED that this Resolution shall be effective upon its adoption.

PRESENTED, PASSED, and APPROVED this 10th day of January, 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner
Macon County Clerk

Kevin R. Greenfield, Chairman
Macon County Board



RULES AND REGULATIONS OF THE MACON COUNTY MERIT COMMISSION

ARTICLE I

Governing Law

Section 1. The Macon County Merit Commission (hereafter referred to as the "Commission") is created pursuant to the provisions of the "Sheriff's Merit System Law" (55 ILCS 5/3-8001 et seq.) and shall conduct its business in accordance with that Act.

Section 2. In the event of conflicts between any provision of these Rules and Regulations and the provisions of the "Illinois Public Labor Relations Act" (5 ILCS 315/1 et seq.) or any collective bargaining agreements negotiated pursuant to the provisions of that Act, then the provisions of the Illinois Public Labor Relations Act or the collective bargaining agreement shall control.

Section 3. The Commission has been established pursuant to an ordinance adopted by the County of Macon entitled "An Ordinance Creating and Establishing a Sheriff's Department Merit Commission In The County of Macon, Illinois" on March 8, 1966, and effective on December 13, 1966.

ARTICLE II

Definitions

Section 1.

1. **Applicant.** Person who has filed an application for employment as a deputy sheriff in the Macon County Sheriff's Department.
2. **Appointment.** Acceptance of an applicant for employment on a full-time basis by the Sheriff.
3. **Candidate.** The status of a person qualified by reason of having successfully completed appropriate examination and screening.
4. **Certified.** Candidates whose names have been placed on the eligibility list by the

Commission.

5. Certified Employee. Any full-time deputy sheriff who has completed all phases of examination and screening by the Commission and has been appointed by the Sheriff.
6. Commission. Refers to the Macon County Merit Commission.
7. Demotion. A lowering or reduction in rank.
8. Department. Macon County Sheriff's Department.
9. Dismissal. Complete discharge and separation of a certified employee from the Macon County Sheriff's Department.
10. Member. A certified employee of any rank.
11. Tenure. Employment or rank attained according to these Rules, and which can only be terminated or reduced according to these Rules.
12. Probation and Probationary. The status of a certified employee during a trial period following an original or promotional appointment.
13. Promotion. The advancement to a position of higher rank.
14. Reprimand. A disciplinary measure involving a written or oral warning.
15. Sheriff. Person serving as duly elected Sheriff of Macon County, Illinois, or successor as provided for by law.
16. Suspension. A disciplinary measure involving a temporary separation of a certified employee from the Macon County Sheriff's Office.

ARTICLE III

Administration

Section 1. Officers of the Commission.

The Officers of the Commission shall be:

Chairman
Vice-Chairman
Secretary

The Chairman shall preside at all meetings and proceedings and shall perform all duties required of him/her by these procedures, rules and regulations.

The Vice-Chairman shall preside at meetings in the absence or disability of the Chairman.

The Secretary shall keep the minutes and records of the Commission.

The term of office of all officers shall be two (2) years or until his/her term of office as a member of the Commission shall expire, whichever is shorter.

The Commission may hire or utilize an administrative secretary.

Section 2. Office. The Commission shall maintain an office in Decatur, Illinois, where its files and records shall be kept.

Section 3. Confidential Matters. The files of the Commission relating to all personnel matters of the individuals under the jurisdiction of the Commission shall be confidential, except that any member of the Department shall be permitted, upon written request and after reasonable notice, to examine his/her file, in the office of the Commission.

Section 4. Regular Meetings. A regular meeting of the Commission shall be held quarterly at the call of the Chairman. The Commission may postpone a regular meeting to such other time as the Chairman may fix.

Public notice of all regular meeting shall be given pursuant to the applicable requirements of the "Open Meetings Act." (5 ILCS 120/1.01 et seq.) All actions of the Commission shall be pursuant to that Act.

Section 5. Special Meetings. Notices of special meetings shall be given by the Chairman to each of the Commission members specifying the time and place of such special meetings at least five (5) working days before the date thereof. Such notice may be waived in accordance with law by the unanimous consent of the Commission. Public notice of special meetings shall be given pursuant to the applicable requirements of the "Open Meetings Act."

Section 6. Voting. On all matters, the concurrence of a majority of the Commission members in attendance shall be necessary to render a decision, and the action of such a majority shall be the action of the Commission.

Section 7. Quorum. At all meetings three (3) members of the Commission shall constitute a quorum and shall conduct any and all business of the Commission.

Section 8. Commissioners. The five (5) members of the Commission shall be referred to as Commissioners and shall be nominated by the Sheriff, and elected to the Commission, upon a majority approval of the County Board of Macon County, Illinois, hereinafter referred to as the Board. The term of office of a Commissioner shall be for six (6) years.

Section 9. Commissioners shall serve without compensation, but may be reimbursed for actual expenses incurred in the conduct of the Commission's business. The Sheriff shall furnish to members of the Commission such identification as may be appropriate to recognize such persons as Commissioners.

Section 10. Change in Procedures, Rules and Regulations. Any member of the Commission may at any regular or special meeting present a motion to amend, adopt or rescind any rules and regulations. Notices of any proposed change shall be submitted to the Sheriff and to all certified employees by delivering a copy of any proposed changes to the Sheriff and by posting

a notice of any proposed changes in the squad room of the Sheriff's Office at least ten (10) working days prior to the meeting at which time the proposed changes shall be voted upon. Any proposed changes shall automatically be brought up for vote at the next regular meeting following the date that any such amendment may be proposed. A four-fifths (4/5) approval of the Commission shall be required to amend, adopt, or rescind any rule or regulation of the Commission.

Section 11. Minutes and Records. The Commission shall keep and maintain minutes of meetings in which will be recorded the actions of the Commission and the decisions rendered at each meeting. Such minutes shall be maintained in accordance with the applicable sections of the "Open Meetings Act." The Secretary will give minutes to each Commission member.

Section 12. Jurisdiction. All certified employees of the Macon County Sheriff's Department shall be considered under the jurisdiction of the Commission. The Sheriff shall be exempt from the jurisdiction of the Commission.

Section 13. Reports of the Sheriff to the Commission. The Sheriff shall promptly notify the Commission of all appointments, permanent and temporary, all promotions, suspensions, resignations or vacancies from any cause when requested by the Commission or any member. The Sheriff shall furnish the Commission a report on discipline issued by the Commission as the Commission may reasonably request.

Section 14. Inspections. At the request of the Sheriff, or at the discretion of the Commission, the Commission may periodically inspect and investigate the morale and efficiency of members of the Department, and shall report any findings to the Sheriff in writing. The Commission may make such recommendations to the Sheriff based upon its inspection an investigation as it deems appropriate.

ARTICLE IV

Equal Opportunity Employer

The Commission represents that it conforms to the following:

It will not discriminate against any employee or applicant for employment because of race, creed, color, political affiliation or beliefs, veteran's status, sex or national origin. This shall include, but not be limited to, the following: employment, assignments, promotion or transfer, or other forms of compensation, and selection for training.

It will, in all solicitations or advertisements for employees placed by or on behalf of the applicant or the employing agencies, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, national origin, sex, veteran's status, political affiliation or beliefs.

None of the foregoing shall be construed to prevent the Commission from utilizing bona fide duty-related criteria in hiring and promotion. The Commission recognizes that police officers may be required to possess special or unique qualifications to enable them to discharge their duties properly to the Department and the public.

ARTICLE V

Appointment to the Department

Section 1. Eligibility Requirements. Certified employee candidates must meet the following requirements. However, one or more of the requirements may be waived at the discretion of the Commission according to law. The Sheriff shall appoint as certified employees only those persons who have been certified to him, in writing, by this Commission as being eligible for appointment. The requirements are as follows:

1. Be no younger than twenty-one (21) years of age at the time his/her application is received by the Commission.
2. Have vision corrected to 20/20 and weight proportional to height.
3. Be free of color blindness as demonstrated by successfully passing the test known as the H-R-R- Pseudo Isochromatic Plates produced by the Instrument Division of the American Optical Company or substantially similar test.
4. Not have any physical or mental disability which would render him/her incapable of performing the duties of the position.
5. Have completed one of the following:
 - a. 60 hours of college education,
 - b. 30 hours of college education and 2 continuous years of employment as a Macon County Correctional officer, or
 - c. 30 hours of college education and 4 years of military service
6. Have passed such examinations as the Commission may prescribe from time to time.
7. Be acceptable to the Commission on oral interview.
8. Be acceptable to the Commission on investigation as to reputation and character.
9. Have a valid Illinois driver's license at the time of examination not subject to suspension or revocation.
10. Successfully complete physical agility tests as the Commission may prescribe.
11. Successfully complete such medical and psychological tests as the Commission may prescribe.
12. Be a citizen or legal resident of the United States.
13. Be fingerprinted under supervision of the Macon County Sheriff's Department.

14. No applicant shall have been previously convicted of a felony offense or crime of moral turpitude under the laws of Illinois or any other state.
15. Reside within a 40 miles radius of the Sheriff's Department Headquarters , within one (1) year after appointment as a certified employee, and remain a resident within 40 miles during the time of his/her appointment.

Section 2. Lateral Transfer-Law Enforcement. Any member of a police agency within the State of Illinois may be certified by the Commission for appointment to the Macon County Sheriff's Department if the following criteria are met:

1. The applicant shall have had service with another police agency for no less than 2 years under the Police and Fire Board Act, Sheriff's Merit System, Civil Service Commission, or like organization.
2. The applicant shall have successfully completed the State of Illinois basic course in police training at a state-approved academy and shall be ineligible for appointment if the applicant had an overall score of less than 80%.
3. The applicant shall consent to a background investigation being made with his former employer conducted by the Commission or its designated representative.
4. The applicant shall not be under any supervision or other discipline by another police agency.

If the applicant meets all of the above requirements, the Commission shall require the following before certifying the applicant for appointment:

- a. Proof that the applicant is no younger than 21 years of age at the time of his application.
- b. The applicant is a citizen or legal resident of the United States.
- c. Reside within a 40 miles radius of the Sheriff's Department Headquarters , within one (1) year after appointment as a certified employee, and remain a resident within 40 miles during the time of his/her appointment.
- d. The applicant's background investigation shall have found him/her acceptable for employment and his/her work record free of evidence of professional misconduct.
- e. The applicant be acceptable to the Commission on oral interview.
- f. All applicants accepted will enter as deputy sheriff.
- g. Upon employment, the individual provisionally certified by the Commission shall serve an initial 12-month probation period. The Sheriff may discharge any appointee during his/her probation period or, in the alternative, may extend his/her probationary period not to exceed three (3) months.

- h. The Commission at its discretion may waive any of the above requirements in this Section for good cause shown.

Section 3. Illinois Police Corps. A graduate of the Illinois Police Corp program who also has B.S. or B.A. degree from an Illinois college or university may be certified by the Merit Commission for appointment to the Sheriff's Department if the graduate also meets all of the following criteria:

1. Be no younger than twenty-one (21) years of age at the time his/her application is received by the Commission.
2. Have vision corrected to 20/20 and weight proportional to height.
3. Be free of color blindness as demonstrated by successfully passing the test known as the H-R-R- Pseudo Isochromatic Plates produced by the Instrument Division of the American Optical Company or substantially similar test.
4. Not have any physical or mental disability that would render him/her incapable of performing the duties of the position.
5. Be acceptable to the Commission on oral interview.
6. Be acceptable to the Commission on investigation as to reputation and character.
7. Have a valid Illinois driver's license at the time of examination not subject to suspension or revocation.
8. Be a citizen or legal resident of the United States.
9. Be fingerprinted under supervision of the Macon County Sheriff's Department.
10. Not have been previously convicted of a felony offense or crime of moral turpitude under the laws of Illinois or any other state or federal jurisdiction.
11. Reside within a 40 miles radius of the Sheriff's Department Headquarters , within one (1) year after appointment as a certified employee, and remain a resident within 40 miles during the time of his/her appointment.

Section 4. Certification. The Commission may certify for appointment to the Department more persons than there are vacancies to be filled at the time of such certification. In such cases, the Sheriff may initially select from this group persons to fill the existing vacancies and shall, from date of certification, as additional vacancies occur, appoint others from the remaining group. The certification list shall remain in force until the next written examination is authorized and given by the Commission, or twelve (12) months have elapsed from the certification date, whichever happens first, or the Commission terminates the list.

Section 5. Rejection. If the Sheriff rejects any person certified to him by the Commission, the Sheriff shall promptly notify the Commission in writing of such rejection.

Section 6. Probation. All persons appointed as certified employees shall serve an initial 12-month probation period, with the exception of lateral transfer appointees. The Sheriff may discharge any appointee during his/her probation period or, in the alternative, may extend his/her probationary period not to exceed three (3) months.

Section 7. Political Affiliation. All appointments shall be made in accordance with the rules and regulations of the Commission as well as applicable law without consideration of the political affiliation of any applicant.

Section 8. Renewal of Certification List. The Commission may renew its certification list for a period no longer than twelve (12) months. No certification list may be renewed more than two times.

Section 9. Completion of Probation. Upon successful completion of the period of probation, the Sheriff shall report to the Commission that the member has established non-probationary status with the Department.

Section 10. Discharge or Discipline of Probationary Employees. The Sheriff may discipline or discharge probationary employees upon good cause shown. The Sheriff shall report such discipline or discharge to the Commission in writing.

Section 11. Withdrawal of Applicant. The Sheriff shall withdraw from the eligibility list the name of any applicant who declines to accept an appointment to the Department within five (5) working days after he/she is offered such appointment and shall notify the Commission of such action.

ARTICLE VI

Ranks

Section 1. Classification of Ranks. The ranks, allowed by the Commission for the purpose of administration and operation of the Department, shall be as follows:

- ~~1. Chief Deputy~~
1. ~~2.~~ Captain
2. ~~3.~~ Lieutenant
3. ~~4.~~ Sergeant
4. ~~5.~~ Deputy Sheriff/Detective
5. ~~6.~~ Deputy Sheriff

Section 2. Positions and Assignments.

1. The ranks of ~~Chief Deputy~~, Captain, Lieutenant, Sergeant, and Deputy Sheriff are considered positions rather than assignments and persons meeting the necessary requirements can attain tenure in these ranks.
2. The designation of Deputy Sheriff/Detective is considered an assignment rather than a

tenured position and may be filled by any member of the Department at the discretion of the Sheriff, for whatever period of time he/she deems appropriate. When a member is removed from this assignment, he/she reverts back to his /her previously attained rank at the appropriate grade or pay scale with regard to the member's seniority with the Department.

3. ~~The position of Chief Deputy is a rank protected by Merit Commission rules and procedures. It is considered a management position that is salaried, does not have sick pay or personal days that are part of the salary. This position is not entitled to overtime pay. In the absence of the Sheriff or by direction of the Sheriff, the Chief Deputy shall have all of the powers and duties of the Sheriff, including those outlined in these rules and regulations. The Chief Deputy position is superior to all ranks other than Sheriff.~~

ARTICLE VII

Promotion in the Department

or

Section 1. Promotion. To be eligible for promotion to Sergeant, Lieutenant,^V Captain, ~~or Chief Deputy~~ a candidate must:

1. Have served successfully as a full-time member at the rank described below the one for which he/she is a candidate, according to the following:
 - a. Three years for Deputy Sheriff to Sergeant.
 - b. One (1) year for Sergeant to Lieutenant.
 - c. One (1) year for Lieutenant to Captain.
 - d. ~~One year as Captain or two years as Lieutenant for Chief Deputy plus 10 years of total service on the department.~~
2. At the time of notification of holding of examination for promotion, the candidate must not be in any of the following categories:
 - a. Under suspension.
 - b. On leave of absence, except for military service, for fifteen (15) or more days.
 - c. Possess above average performance evaluation report for the previous year.

Section 2.

1. **Application Process.** All eligible candidates for promotion shall be notified by the Commission of the scheduled promotional examination. All interested candidates must request, in writing, an application to take the promotional examination within the time limits set by the Commission. All candidates shall complete an application form prescribed by the Commission, if required, and return the application to the Commission within the time set by the Commission.
2. **Written Examination.** The Commission shall give a written examination to all eligible candidates who complete the application process and who appear on the examination date. The written examination may be obtained from a professional testing company and

shall meet the standards of validation established under federal and Illinois state law. The Commission shall make available to each applicant such reference material that is provided by the testing company, or the reference material which is recommended by the testing company for the specific test to be given. The Commission may waive the requirement of a written test for the positions of Lieutenant, Captain, and Chief Deputy.

The Commission shall notify all applicants of the minimum score necessary for successful completion of the written exam.

A candidate must achieve at least the minimum score established by the Commission on the written examination to be eligible for promotion and to be eligible to proceed with the oral examination provided for in this Article. No member who has failed to successfully complete the written examination shall be eligible for promotion.

The Commission shall notify all applicants of the examination date, which shall be no sooner than sixty (60) days after the reference materials are made available to the applicants.

3. Evaluation Reports. Prior to oral examinations, the Sheriff shall furnish to the Commission performance evaluation reports for applicants successfully completing the written examination.
4. Oral Examination. All candidates who successfully complete the written examination shall be interviewed by the Commission. Oral interviews shall be conducted by the Commission at a time and place established by the Commission. Upon successful completion of both the written examinations and oral interview, the Commission shall establish a promotional eligibility list, without order of preference.

Section 3. Eligibility List. A list of eligible candidates shall be prepared, by the Commission, and prominently posted at the completion of each promotional examination and interview procedure. The Commission shall list the eligible candidates alphabetically. The list shall remain in force for one (1) year or until exhausted by the whole or partial acceptance or rejection, by the Sheriff, of those listed, whichever is shorter.

Section 4. Certification. The Commission may certify more candidates for promotion than there are vacancies to be filled at the time of such certification. In such cases, the Sheriff may initially select from this group the persons to fill the existing vacancies and shall, as additional vacancies occur, select others from the remaining group.

Section 5. Ineligibility for Promotion. Upon notification to the Commission by the Sheriff that he has taken disciplinary action against a person on the certification list by suspension for a period of over five (5) working days, or a person has been granted a leave of absence in excess of over thirty (30) working days, the Commission will deem that person ineligible for promotion during the period of suspension or leave of absence.

Section 6. Probationary Period and Tenure.

1. Probationary Period. Upon promotion by the Sheriff, the candidate shall serve a probationary period of twelve (12) months, during which time he/she is subject to be

returned to his/her tenured rank by the Sheriff after written notification of cause is filed with the Commission. The written notification of cause for return to former rank shall be given to the Commission and the candidate by the Sheriff, within ten (10) days after such return. After successfully completing the above promotional procedure, he/she shall be certified as tenured at the appropriate position and rank by the Commission.

2. Tenure. After successfully completing the probationary period, the Sheriff shall certify, to the Commission, the member as having established his/her tenured rank.

Section 7. Voluntary Reduction in Rank.

1. In the event that a member desires to be released from a from a tenured rank above that of Deputy Sheriff, he/she may make such a request in writing and forward it to the Sheriff.
2. If in the opinion of the Sheriff, the voluntary reduction in rank is in the best interests of the Department, the Sheriff may approve the request and forward it to the Commission for consideration.
3. Approval of a voluntary reduction in rank by the Commission shall require a majority of those Commissioners present and voting.
4. Upon the approval and direction of the Commission, the Sheriff shall cause the member to be reinstated at the designated rank, grade and pay scale and shall adjust all records and files accordingly.
5. Upon the creation of a vacancy in the rank formerly held by the member, the Sheriff may fill the position as provided for in these Rules and Regulations.

Section 8. Waiver of Promotion and Eligibility. Inasmuch as a minimum of 5 years' tenure would be required to be appointed to the position of Captain, 4 years for the appointment to the rank of Lieutenant, and 3 years for the appointment to the rank of Sergeant, and in cases where no member of the Department can meet the qualifications to be eligible for the rank listed, the Commission may select the most qualified eligible candidates for appointment to said positions without regard to length of service. The Commission, in this instance, may consider time in service and experience as a certified law enforcement officer of the State of Illinois. This section shall apply only so long as it is impossible for any member to meet the requirements for promotion set forth above.

Section 9. Political Affiliation. All promotions shall be made in accordance with the provisions of the Rules and Regulations of the Commission and applicable law, without consideration of the political affiliation of any applicant.

ARTICLE VIII

Leaves of Absence

Section 1. Provisions for Granting. Leaves of absence, without pay, may be granted by the Sheriff to any member, upon written request. Any and all leaves of absence, granted by the

Sheriff, must be approved by the Commission prior to the beginning of said leave. The leave shall be from the position and rank that he/she holds at the time the leave is granted.

Section 2. Reasons for Granting Leaves of Absence. Leaves of absence without pay may be granted for the following reasons:

1. Illness of a certified employee or a member of his/her immediate family.
2. Extended military or naval service of the United States during a period of national emergency.
3. Training in an institution of higher learning if job-related.
4. To seek any political office.
5. As may be permitted or required by law.
6. For other causes acceptable to the Sheriff and Commission.

Section 3. Length of Leave. All leaves of absence, except for military service, shall be for six (6) months or less. An extension of leave, on or before the expiration of the first leave, may be considered by the Sheriff and the Commission.

Section 4. Penalties. Any member on leave of absence who accepts another position of employment, other than that for which leave is granted, without written approval of the Sheriff and the Commission, shall be deemed to have resigned from the Department. Any member who fails to return to his/her position following the granted leave or to request and be granted a new leave, on or before the expiration date of his/her first leave, shall be deemed to have resigned.

Section 5. Approval. The Sheriff shall judge the appropriateness, reason and purpose for which a leave is requested, and upon approval, shall establish the conditions of any such leave.

Section 6. Absent Without Leave. Any member who fails to report for assigned duty for three (3) consecutive days without properly notifying the Sheriff is considered absent without leave and shall be deemed to have resigned from the Department absent extraordinary circumstances and good cause shown.

Section 7. Documentation. Any member that has been on leave of absence for more than three (3) months shall be required to produce a written documentation of activities during the leave, or perform other necessary procedures as described and allowed in these Rules and Regulations, as deemed necessary by the Commission in order to determine the member's eligibility to again perform the duties and function properly as member of the Department prior to reinstatement. The Sheriff, at his discretion, may request that the Commission review those members that have been on leave for less than three (3) months prior to reinstatement with the Department.

Section 8. Early Termination of Leaves of Absence. A leave of absence without pay may be terminated before the normal expiration of the time originally specified if it is not in the best interests of the Department, or upon the written request of the certified employee on leave.

ARTICLE IX

Resignations, Reinstatements, and Retirement

Section 1. Resignation. Any member who resigns, or is deemed to have resigned, from the Department for any reason will not be reinstated.

Section 2. Rehiring. Should a former member desire to again affiliate him/herself with the Macon County Sheriff's Department, he/she must once again meet the basic requirements for appointment to the Department and successfully complete the application for employment process in competition with all other applicants. No former member shall be eligible for reaffiliation with the Department if that person resigned with less than one year's service and has not reimbursed the Department for any costs or expenses incurred by the Department in the hiring, training, or qualification of that person.

Section 3. Election to Sheriff. Any tenured member running for Sheriff, if elected or appointed, will retain his/her tenured position on completion of his/her elective office.

Section 4. Retirement. Notwithstanding any other provisions of these Rules and Regulations, all members reaching the age of 65 years shall be retired from service at the end of the month following their 65th birthday.

ARTICLE X

Rules and Regulations

For the Conduct of Members of the Sheriff's Department

Section 1. Disciplinary Action. Any member who shall be guilty of any of the following shall be subject to disciplinary action by the Sheriff and the Merit Commission.

Section 2. Rules and Regulations of Conduct.

No member of the Department shall:

1. Violate any State Law or Statute, or any Law or Statute of the United States of America.
2. Violate any Ordinance of a County or Municipal Government or Rule of State or Federal Court Ruling pertaining to the position or duties of the member.
3. Violate any orders, special orders or rules, regulations, or procedures of the Department which are not inconsistent with these Rules and Regulations of the Commission.
4. Fail to obey a lawful order.
5. Willfully mistreat any person.
6. Be insubordinate to or show disrespect for a superior officer.

7. Negligently or carelessly use any weapon.
8. Knowingly make a false official report.
9. Neglect to perform duties or perform duties with gross inefficiency or incapacity.
10. Engage in any conduct unbecoming a member of the Department which tends to reflect discredit on the Department.
11. Leave a post of duty without permission or without being properly relieved.
12. Willfully destroy or damage any Department property, or use such property without proper authority.
13. Receive, solicit or attempt to receive or solicit money or anything of value for performing or failure to perform an assigned duty.
14. Solicit business, clients or customers for any business establishment or any business or professional person.
15. Drink any kind of intoxicating liquor while on duty or while in uniform, except when such action is required and properly authorized in the performance of the assigned duty; nor use any unlawful drug or substance.
16. Disseminate or release any information concerning essential police matters, except where properly authorized to do so.

Section 3. Political Activity.

1. No On-Duty Political Activity. Members shall not engage in the activities or interests of any political party or candidate for public office or nomination thereof while on duty and at no time shall they use the Macon County Sheriff's Department's name and/or their position with the Department for political gain or endorsement. Nothing herein shall be deemed to interfere with the right of:
2. Any member to vote for any candidate and upon any issue as his/her reason and conscience may dictate, or
3. Any tenured member to run for the office of Sheriff. If a tenured member elects to run for the office of Sheriff, he/she shall be placed on a leave of absence according to Article VIII, as follows:
 - a. No member shall be required to commence a leave of absence prior to that member filing a written statement of candidacy with the Clerk of Macon County, Illinois, as may be required by law.
 - b. No leave of absence shall be required for a member to run as a candidate for the office of Sheriff in an uncontested party primary for the office. If a party primary for

which a member files a written statement of candidacy is contested, that member shall be placed on a leave of absence not to exceed thirty (30) calendar days prior to the contested party primary.

- c. No leave of absence shall be required for a member to run as a candidate for Sheriff in an uncontested general election for the office. If a general election for the office of Sheriff is contested, that member shall be placed on a leave of absence not to exceed forty-five (45) calendar days prior to the contested general election.
- d. A member placed on leave of absence pursuant to this Section may actively campaign for office during the period of the leave of absence, provided however, a member shall not do so while in uniform or engage in any activity implying the endorsement of the member by the Department.
- e. A member may obtain secondary employment during a leave of absence pursuant to this Section without permission of the Sheriff or the Commission.
- f. Upon abandonment of his or her campaign; or following an unsuccessful contested primary or general election; or completion of a term of office as Sheriff; a member, upon written application to the Commission, shall be reinstated to his or her former tenured rank, if otherwise eligible to do so under these Rules and Regulations.
- g. The rules in this Section requiring a leave of absence for political activity do not apply to sitting elected or appointed Sheriff who seeks reelection.

Section 4. Prohibited Activity. No member shall engage in public political activity, or engage in any public demonstration or protest, if such would be inimical to the orderly administration of the Department, and the discharge by the Department to its duties to the public.

Section 5. Outside Employment.

- 1. **Limitation.** No member shall engage in any other occupation outside of the Department for more than twenty (20) hours in any week, except by permission of the Sheriff.
- 2. **Interference.** In the event the Sheriff determines that a member's outside employment interferes with the discharge of the member's duties in the Department, the Sheriff may request the member reduce or eliminate his/her outside employment.

Section 6. Violation. Any member who violates any prohibition set forth in this Article may be subject to discipline or discharge as provided for in these Rules and Regulations.

ARTICLE XI

Discipline

Section 1. Rights of Members. Whenever a member of the Macon County Sheriff's Department is under investigation or subjected to interrogation by the Department, for any reason which could lead to disciplinary action, demotion or dismissal, the Sheriff will determine

if a formal investigation is warranted. If so, formal investigation or interrogation shall be conducted under the following conditions:

- (a) The formal interrogation shall be conducted at a reasonable hour preferably at a time when the member is on duty;
- (b) The formal interrogation shall take place at the office of command of the investigating officer;
- (c) The member under formal interrogation shall be informed of the name, rank, and command of the officer in charge of the investigation, the interrogating officer, and all persons present during the interrogation;
- (d) The member under formal investigation shall be informed of the nature of the complaint prior to any interrogation;
- (e) Interrogating sessions shall be for reasonable periods and there shall be times to allow for such personal necessities and rest periods as are reasonably necessary;
- (f) Any member under interrogation shall not be threatened with transfer, dismissal, or disciplinary action;
- (g) A complete record of any interrogation shall be made, and a complete transcript or copy shall be made available to the member under investigation without charge and without undue delay. Such record may be electronically recorded. If recorded, a duplicated copy of the recording will be made available to the member prior to departing from the hearing place if requested.
- (h) If any member under interrogation is under arrest, or is likely to be placed under arrest as a result of the interrogation, he shall be completely informed of all of his rights prior to the commencement of the interrogation;
- (i) At the request of any member under interrogation, he shall have the right to be represented by legal counsel of his choice who shall be present at all times during the interrogations. The interrogation shall be suspended for a reasonable time until representation can be obtained;
- (j) No law enforcement agency shall insert any adverse material into any file of the member unless the member has an opportunity to review and receive a copy of said material in writing regarding the adverse material, unless the member waives these rights in writing;

Section 2. Any member in the Macon County Sheriff's Department who is guilty of violating any of the internal departmental Rules and Regulations shall be subject to disciplinary action or dismissal by the Sheriff and the Commission. A member shall be subject to discipline or dismissal even though on leave of absence or suspension.

Section 3. By the Sheriff.

1. The Sheriff, without filing charges with the Commission, may suspend, without pay, for a

reasonable period of time not to exceed a total of thirty (30) working days within a twelve-month period, any member for infractions of internal departmental rules and regulations.

2. The Sheriff may suspend any such certified employee for a period in addition to the above limited thirty (30) working days, provided charges based upon said internal departmental rules and regulations against that person have been filed with the Commission during the original period of suspension, and pending the decision of the Commission on these charges.
3. The Sheriff, without filing charges with the Commission, may take the following disciplinary measures for infractions of internal departmental rules and regulations in addition to, or in place of, suspension as the above described.
 - a. Assign extra duty in a certified employee's regular assignment.
 - b. Reprimand a certified employee in writing.
 - c. Reprimand a certified employee orally.
 - d. In his discretion, combine any of the foregoing measures.
 - e. Dismiss any certified employee during his/her probationary period.
4. No other disciplinary measures shall be taken by the Sheriff except as authorized by the Commission.

Section 4.

1. The Sheriff may suspend any member of the Department for an unspecified period only when a complaint of formal charges against the member is to be filed, by the Sheriff, with the Commission. The Sheriff shall cause to have delivered, to each Commissioner, a copy of the complaint against the member in question within five (5) working days, starting with the member's first day of suspension. Service of the complaint may be made by United States Mail or by personal service to each Commissioner. It shall be the responsibility of each Commissioner to notify the Chairman that they are in receipt of the complaint against a member.
2. The Chairman shall set a disciplinary hearing date no more than fourteen (14) days after the date certified notification of complaint was made against a member except for good cause shown.

Section 5. Complaints. In all cases where the Sheriff desires to discipline a certified employee beyond measures prescribed in Section 3 of this Article, he/she shall file with all Commissioners a written complaint setting forth a disciplinary plan and concise statement of facts upon which the complaint is based and the specific Section or Sections of the internal departmental rules and regulations which the accused is charged with violating. The Commission will not consider any complaint based upon conduct which occurred more than one year prior to the date the

complaint is filed, unless a criminal offense is alleged to have taken place or the conduct was not discovered for over one year after its occurrence.

Section 6. Notification of Hearing.

1. Upon the filing of the complaint by the Sheriff, the Commission shall send a letter to the accused certified employee along with a copy of the complaint, by certified mail, return requested. The letter shall advise of the filing of the complaint and set forth the time and place of hearing on the charges contained in the complaint. Said hearing shall be held not less than fourteen (14) days from the date of the letter notifying the accused certified employee of the complaint and hearing except for good cause shown.
2. A copy of the letter shall be mailed to the Sheriff by certified mail, return receipt requested, and shall constitute due notice to him/her of the time and place of the hearing on the complaint.

Section 7. Filing of Papers.

1. All papers may be filed with the Commission by mailing them to the Macon County Merit Commission, 333 South Franklin Street, Decatur, Illinois 62523. All papers may also be filed by delivering the same to the Commission's office in Macon County, Illinois, personally or by messenger. For the purpose of these procedures and rules and regulations, the filing date of any paper, filed by delivery, shall be the date it was received in the Commission's office. In the event the paper is delivered by mail, then the filing date shall be the postmarked date on the envelope.
2. All papers filed in any proceeding shall be typewritten or printed and shall be on one side of the paper only.
3. If typewritten, the lines shall be double spaced except that long quotations may be single spaced and indented.
4. All papers shall not be larger than 8 1/2 inches wide by 11 inches long and shall have side margins of not less than one (1) inch.
5. The original of all papers filed shall be signed in ink by the party filing the paper or by their counsel.
6. If papers are filed by an attorney, his or her name and address shall appear thereon.
7. All papers required to be served shall be delivered personally to the party designated or mailed by United States mail in an envelope properly addressed, with postage prepaid, to the designated party at his/her last known address. Proof of service of any paper may be made by certification of any person so mailing the paper or delivering the same to the designated party personally or by filing a return receipt requested, at a party's address where it was received by a named party. Service on the Sheriff may be made in a similar manner.

Section 8. Hearing on Complaint.

1. All hearings will be conducted according to the Open Meetings Act.
2. The accused shall be afforded full opportunity to be heard in his/her own defense and to produce proof of his defense.
3. The Sheriff and the accused certified employee may be represented by counsel, if they desire.
4. All proceedings before the Commission during the hearing shall be recorded and transcribed for the benefit of the Commission.
5. A transcript of the proceedings may be requested by any party to the hearing. The cost of said transcript shall be borne by the person requesting it.
6. All witnesses shall be sworn by a member of the Commission prior to testifying.
7. The Commission may have its own counsel or may conduct its own examination of witnesses.
8. The Commission will first hear the witnesses substantiating the charges which have been made against the certified employee. Thereafter, the certified employee may present and examine those witnesses whom he desires the Commission to hear. All parties shall have the right to cross-examine witnesses presented by the opposite party.
9. Subpoenas. Either the Sheriff or the certified employee may, at any time before the hearing, make application to the Commission by filing with it a written request for subpoenas for individuals to appear for a hearing or have them produce books, papers, records, accounts, and other documents as may be deemed by the Commission to be relevant to the hearing. On the filing of such application, subpoena will be issued for the named persons. The Commission will not undertake the service of subpoenas. They may be served by any person designated by the party requesting the subpoenas. Application for subpoenas should contain the names and addresses of the individuals to be subpoenaed, and the identity of any documents which they are to produce.
10. Compelling Testimony and Production of Books and Papers at Hearings. Any person who shall be served with a subpoena to appear and testify, or to produce books and papers, issued by the Commission, or by any member thereof, and who shall refuse, or neglect to appear, or to testify, or to produce books and papers relevant to such investigation, as commanded in the subpoena, shall be guilty of a Class B misdemeanor upon referral to the State's Attorney of Macon County, Illinois.
11. Fees of Witnesses. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit court of this State in civil cases.
12. Perjury. Any circuit court of this State, or any judge thereon, upon application of any member of the Commission or any person acting under the orders of the Commission, may, in his discretion, compel the attendance of witnesses, the production of books and papers, and giving of testimony before the Commission by an Attachment for Contempt,

or otherwise in the same manner as production of evidence may be compelled before the court. Every person who having taken oath or made affirmation before a member of the Commission, shall willfully swear or affirm falsehoods, shall be guilty of perjury and upon conviction shall be punished accordingly.

13. Continuances. No hearing shall be continued at the request of any of the parties to these proceedings or their attorneys unless such request is either made orally to the Chairman of the Commission, in the case of an emergency, or received in writing at the Commission office, at least five (5) working days before the scheduled hearing date. The Chairman reserves the right to deny a continuance if, in his opinion, it is necessary to do so.

Section 9. Decision of the Commission.

1. Decision. After the hearing, the Commission shall render a written decision and Order. It shall be mailed to the accused certified employee by certified mail, return receipt requested, no longer than forty-eight (48) hours after the decision has been made. A copy of said decision shall be mailed to the Sheriff.
2. Finding of Guilt. If the charges against an accused certified employee are established by the preponderance of the evidence, the Commission shall make a finding of guilty and order disciplinary measures to be taken pursuant to provisions of Section 10 below.
3. Finding of Innocence. If the charges against an accused certified employee are not established by the preponderance of the evidence, the commission shall make a finding of not guilty and order restoration and/or reimbursement pursuant to the provisions of Section 10 below.

Section 10. By the Commission.

1. Discipline. The Commission, after hearing the written charges as prescribed by these rules and regulations, if it shall make a finding of guilty, may order any of the following disciplinary measures which, in the opinion of the Commission, the offense merits:
 - a. Discharge and removal from the Macon County Sheriff's Department.
 - b. Reduction in rank.
 - c. Suspension for a period not to exceed a total of 180 working days. A certified employee suspended for a period exceeding thirty (30) working days may, at the discretion of the Commission, lose his/her seniority for the period of the suspension.
 - d. Such other disciplinary measures which, in the opinion in the Commission, the offense justifies as set forth in Section 3 of this Article.
2. If the Commission makes a finding of not guilty, it shall require the Sheriff to:
 - a. Restore the certified employee to duty forthwith at the rank and position from which he/she was suspended.

- b. Make provision to continue the certified employee's seniority as if it had never been interrupted.
 - c. See that the certified employee is properly reimbursed for any loss of salary during the suspension.
3. The Sheriff is prohibited from using his or her own power of discipline in any manner to punish any member for the alleged act for which the Commission has found the member not guilty.

Section 11. Default. When in the opinion of the Commission, any accused member fails to properly appear, in person, at the time that a disciplinary hearing is called to order, and having failed to make a proper request, in writing, of the Commission, prior to the hearing being called to order, for a continuance for a just cause, and be granted such a request by the Commission, the accused member may be found guilty as charged by default and deemed to have resigned from the Department.

Section 12. Prohibitions. No matter that is currently being decided by any Court of competent jurisdiction shall be acted upon by the Commission until disposition has been made by said court, to include any appeals, if any member, Macon County, Illinois, the Sheriff, or any other party directly associated with the Department or the County is a part of said court action.

Section 13. Administrative Review. The provisions of the "Illinois Administrative Procedure Act," (5 ILCS 100/1-1 et. seq.) and all amendments and modifications thereof, and the rules adopted pursuant thereof, shall apply to and govern all proceedings for the judicial review of any order of the Commission rendered pursuant to this Article.

ARTICLE XII

Review of Discipline by Sheriff

Section 1. Petition for Review.

- 1. Any certified employee who completed his/her probationary period who received a discipline pursuant to Article XI, Section 3, Paragraphs 1 and 2 by the Sheriff, may petition the Commission for a hearing to review discipline.
- 2. The petition shall be on letter-sized stationery and prepared pursuant to Article XI, Section 7 of these Rules and Regulations. In addition, the petition shall set forth the following information:
 - a. Name, rank and address of petitioner.
 - b. Date of entry on duty.
 - c. Date and time the notice of suspension was received and date and time it was to begin or began.
 - d. A copy of the notice of suspension or the quoted contents of the notice of suspension.

e. A statement showing the reason the petitioner feels the suspension should be reviewed by the Commission.

3. The petition for review shall be filed with all Commissioners.

4. The petition for review must be filed within three (3) days of the time the formal notice of suspension is provided to the certified employee. Failure to so file will result in an automatic dismissal of the petition. Any member desiring to seek review of any other discipline administered by the Sheriff must submit a petition pursuant to this Article no later than seven (7) days after exhausting all departmental grievance policies and procedures. Failure to so file will result in an automatic dismissal of the petition.

5. The petition for review and all papers pertaining to the Commission's hearing said petition shall be filed pursuant to Article XI, Section 7 of these Rules and Regulations.

Section 2. Notification of Hearing. Upon receipt of the petition, the Commission will deliver two copies to the Sheriff advising him of the receipt of the petition and setting forth the date, time, and place of hearing on said petition which shall be not less than fourteen (14) working days from the date of the notification. A copy of such letter, without the enclosures, will be mailed, certified mail, return receipt requested, to the petitioner and his/her attorney, if any, which copy shall be notification to him/her of the time and place of the hearing.

Section 3. Hearing on Petition for Review. All hearings by the Commission shall be conducted in the same manner as provided in Article XI, Section 8 of these Rules and Regulations.

Section 4. Decisions of the Commission.

1. **Decision.** After the hearing, the Commission shall render a written decision and Order. It shall be mailed to the petitioner by certified mail, return receipt requested, no longer than forty-eight (48) hours after the decision has been made. A copy of said decision shall be mailed to the Sheriff.
2. By its decision and Order, the Commission may sustain the action of the Sheriff, or may reverse or modify it with the instructions that the certified employee receive his/her pay for the period involved.

Section 5. Failure to Appear. When in the opinion of the Commission, a member fails to properly appear, in person, at the time that the hearing is called to order, and having failed to make a proper request, in writing, of the commission, prior to the hearing being called to order, for a continuance for a just cause, and be granted such a request by the Commission, the member's petition shall be determined as unfounded by default.

Section 6. Prohibitions. No matter that is currently being decided by any Court of competent jurisdiction shall be acted upon by the Commission until disposition has been made by said court, to include any appeals, if any member, Macon County, Illinois, the Sheriff, or any other party directly associated with the Department or the County is a party of said court action.

ARTICLE XIII

Miscellaneous Provisions

Section 1. Governing Law. These Rules and Regulations shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 2. Venue. Venue for all court proceedings under these Rules or Regulations or involving the Commission shall be in the Circuit Court of Macon County, Illinois.

Section 3. Use of Pronouns. Whenever either the masculine or feminine pronouns appear in these Rules and Regulations, it shall be deemed to include both.

Section 4. Severability. Should any part of these Rules and Regulations be held invalid by a Court of competent jurisdiction, that part shall be deemed withdrawn by amendment.

Section 5. Effective Date. These Rules and Regulations shall become effective immediately upon their adoption and approval by the Macon County Board and all amendments are effective upon their adoption by the Commission in the manner set forth in Article III, Section 10.

**MACON COUNTY BOARD RESOLUTION
AMENDING THE PUBLIC DEFENDER'S
FY2019 BUDGET FOR THE PAYMENT OF
AN EXPERT FOR FORENSIC COMPUTER
EXAMINATION AND REPORT**

Resolution No. G-4958-01-19

WHEREAS, the law requires that a County Board pay out of the County treasury necessary other expenses incurred by the Public Defender in the defense of cases after the Circuit Court of the County approves such expenses (55 ILCS 5/3-4009); and

WHEREAS, the Macon County Public Defender's Office is in need of an expert to examine a computer to become prepared in a pending Criminal Matter that it represents an appointed client; and

WHEREAS, the Public Defender has received an estimate Andrew Garrett, a forensic computer expert in the amount of \$3,000.00 to perform said examination and other services incident to the needs of the case as an Expert Witness; and

WHEREAS, by prior consensus of this Board, appropriations to pay for Expert Witnesses and Opinions conducted pursuant to court orders are to be made on an ad hoc basis because of the impossibility of predicting with certainty the amount necessary to fund such during a fiscal year; and

WHEREAS, unforeseen circumstances have arisen which give rise to an emergency situation in that the Expert Witnesses and Opinions that Macon County is obligated to pay cannot be paid without the amending of the Public Defender's FY2019 budget; and

WHEREAS, this Resolution was presented and discussed at the Justice Committee on December 20, 2018 and to the Finance Committee on January 2, 2019, and Finance Committee voted to recommend approval of this Resolution by the full County Board.

NOW THEREFORE BE IT RESOLVED by the Macon County Board, assembled in regular session at Decatur, Illinois, that the Public Defender's FY2019 budget be amended as follows:

<u>Account</u>	<u>Amount</u>
<u>Increased Expense</u>	
001-120-7300	3,000.00

BE IT FURTHER RESOLVED this Resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, and APPROVED this 10th day of January, 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

BY:

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION APPROVING INCREASE IN
APPROPRIATIONS IN THE FY 18 and FY 19 HEALTH FUND BUDGET FOR
CDC Tips
Grant 791 Project 791**

RESOLUTION NO. G-4959-01-19

WHEREAS, the Macon County Health Department has received notice of amendments to the Illinois Tobacco-Free Communities Grant from the Illinois Department of Public Health; and

WHEREAS, provisions for this award was not included in the FY18 and FY19 budgets; and

WHEREAS, unforeseen circumstances have arisen which give rise to an emergency situation in that valuable services will be compromised and lost without the amending of the Health Fund budget; and

WHEREAS, the amendments are for a media campaign to provide tobacco cessation education and promote the Illinois Tobacco Quitline; and

WHEREAS, the campaign shall utilize CDC Tips from Former Smokers (TIPS) media materials obtained from the CDC Media Campaign Resource Center; and

WHEREAS, the amendment funding runs through July 31, 2019; and

WHEREAS, the Macon County Board of Health discussed and approved the amendment on December 18, 2018, the EEHW Committee discussed and approved this increase on December 20, 2018 and the Finance Committee discussed and recommended approval on January 2, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the amending of the Health Department's FY18 and FY 19 budget by increasing appropriations as follows:

	<u>FY18</u>	<u>FY19</u>
<u>Increased Revenue</u>		
020-790-4500-000 Grant 791 Project 791 Grant Revenue	\$51,720	\$40,000
<u>Increased Expense</u>		
020-790-5108-000 Grant 791 Project 791 Professional/Direct Care	\$4,724	\$4,035
020-790-5109-000 Grant 791 Project 791 Supervisory I	\$1,897	
020-790-5110-000 Grant 791 Project 791 Supervisory II	\$2,550	\$3,150
020-790-5111-000 Grant 791 Project 791 Health Insurance	\$2,189	\$1,675
020-790-6011-000 Grant 791 Project 791 Social Security	\$650	\$550
020-790-6012-000 Grant 791 Project 791 IMRF Retirement	\$920	\$590
020-790-7250-000 Grant 791 Project 791 Contractual	\$38,790	\$30,000

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 10th day of January, 2019

AYES _____ NAYS _____

**MACON COUNTY BOARD
MACON COUNTY, ILLINOIS**

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
APPROVING INCREASE IN APPROPRIATIONS
IN THE FY 18 and FY 19 HEALTH FUND BUDGET FOR
Let's Talk: Teen Health
Project 796**

RESOLUTION NO. G-4960-01-19

WHEREAS, the Macon County Health Department has received notice of an agreement for Let's Talk: Teen Health with from the Community Foundation; and

WHEREAS, provisions for this award was not included in the FY18 and FY19 budgets; and

WHEREAS, unforeseen circumstances have arisen which give rise to an emergency situation in that valuable services will be compromised and lost without the amending of the Health Fund budget; and

WHEREAS, the agreement is for the Spring 2018 and Fall 2018 semesters at MacArthur and Eisenhower High Schools; and

WHEREAS, Health Educators will hold health education/programming sessions including one on one conversations, education with posters, demonstration models and other displays, and purchase condoms for distribution; and

WHEREAS, the Macon County Board of Health discussed and approved the amendment on December 18, 2018, the EEHW Committee discussed and approved this increase on December 20, 2018 and the Finance Committee discussed and recommended approval on January 2, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the amending of the Health Department's FY18 and FY 19 budget by increasing appropriations as follows:

		<u>FY18</u>	<u>FY19</u>
<u>Increased Revenue</u>			
020-790-4500-000 Project 796	Grant Revenue	\$2,611	\$1,812
<u>Increased Expense</u>			
020-790-5109-000 Grant 796	Supervisory I	\$1,011	
020-790-5110-000 Grant 796	Supervisory II	\$790	\$341
020-790-6011-000 Grant 796	Social Security	\$138	\$26
020-790-6012-000 Grant 796	IMRF Retirement	\$180	\$34
020-790-7120-000 Grant 796	Travel	\$60	\$20
020-790-7200-000 Grant 796	Other Expenditures	\$35	
020-790-8027-000 Grant 796	Grant Supplies	\$397	\$1,391

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 10th day of January, 2019

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION APPROVING INCREASE IN
APPROPRIATIONS IN THE FY 18 and FY 19 HEALTH FUND BUDGET FOR
Car Seat Check Program
Grant 793**

RESOLUTION NO. G-4961-01-19

WHEREAS, the Macon County Health Department has reintroduced car seat checks in the community; and

WHEREAS, provisions for this was not included in the FY18 and FY19 budgets; and

WHEREAS, unforeseen circumstances have arisen which give rise to an emergency situation in that valuable services will be compromised and lost without the amending of the Health Fund budget; and

WHEREAS, during a car seat check, certified child passenger safety technicians will check car seats and educate parents and caregivers on how to choose the correct car seat and install them properly in their vehicles; and

WHEREAS, an income eligible household may qualify for a new car seat through a distribution program with a suggested \$20 donation; and

WHEREAS, the Macon County Board of Health discussed and approved the amendment on December 18, 2018, the EEHW Committee discussed and approved this increase on December 20, 2018 and the Finance Committee discussed and recommended approval on January 2, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the amending of the Health Department's FY18 and FY 19 budget by increasing appropriations as follows:

		<u>FY18</u>	<u>FY19</u>
<u>Increased Revenue</u>			
020-790-4900-000 Grant 793	Miscellaneous Revenue	\$657	\$2,500
<u>Increased Expense</u>			
020-790-7120-000 Grant 793	Travel	\$30	\$100
020-790-7210-000 Grant 793	Dues	\$510	\$510
020-790-8027-000 Grant 793	Grant Supplies	\$1,310	\$4,000

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 10th day of January, 2019

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
APPROVING INCREASE IN APPROPRIATIONS
IN THE FY18 HEALTH FUND BUDGET FOR
*Starting Point***

RESOLUTION NO. G-4962-01-19

WHEREAS, the Health Department has just received notification of various small grants with the East Central Illinois Area Agency on Aging, and

WHEREAS, provision for these grants were not included in the FY 18 budget; and

WHEREAS, unforeseen circumstances have arisen which give rise to an emergency situation in that valuable services will be compromised and grant funding lost without the amending of the Health Fund budget; and

WHEREAS, these grants include: Caregiver Enhanced Funding and SIS Enhanced Funding to purchase office equipment, production and distribution of materials to promote consumer awareness of programs and services available in the CPOE service area and salary supplements; and

WHEREAS, Caregiver GAP and Grandparents Raising Grandchildren (GRG) GAP for temporary assistance to an adult caregiver providing care to older adults (60+) or to grandparents raising grandchildren (18 years and younger) to help the caregiver in carrying out his/her care giving responsibilities; and

WHEREAS, Medicare Improvements for Patient & Provider Act (MIPPA) and Senior Health Insurance Program (SHIP) to conduct outreach activities regarding Medicare Savings Program, the Low-Income Subsidy Program, prescription coverage available under Medicare Part D drug plans and expand application assistance services and advertise and hold Medicare enrollment events; and

WHEREAS the increase was discussed and approved by the Macon County Board of Health on December 18, 2018, the Macon County EEHW committee discussed and approved this grant increase on December 20, 2018, and the Finance Committee discussed and recommended approval of this grant on January 2, 2019; and

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the amending of the Health Department's FY17 and FY18 budget by increasing appropriations as attached:

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 10th day of January, 2019

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

Revenue**OVERALL revenue**

Grant 757 Project 763	Caregiver Enhanced	7,067.00
Grant 757 Project 757	Caregiver GAP	2,237.00
Grant 757 Project 758	GRG GAP	3,674.00
Grant 758	SHIP	4,317.00
Grant 761	MIPPA	4,868.00
Grant 760 Project 762	SIS Enhanced	17,460.00

Expenses**OVERALL expenses**

Grant 757 Project 763	Caregiver Enhanced	7,067.00
Grant 757 Project 757	Caregiver GAP	2,237.00
Grant 757 Project 758	GRG GAP	3,674.00
Grant 758	SHIP	4,317.00
Grant 761	MIPPA	4,868.00
Grant 760 Project 762	SIS Enhanced	17,460.00

Caregiver Enhanced Grant 757 Project 763

020-750-7120-000	Travel	150.00
020-750-7250-000	Contractual	3,897.00
020-750-8027-000	Supplies	3,020.00

Caregiver GAP Grant 757 Project 757

020-750-7250-000	Contractual	2,237.00
------------------	-------------	----------

GRG GAP Grant 757 Project 758

020-750-7250-000	Contractual	3,674.00
------------------	-------------	----------

SHIP Grant 758

020-750-5104-000	Clerical Support III	120.00
020-750-5108-000	Professional Direct Care	219.00
020-750-6011-000	Social Security	26.00
020-750-6012-000	IMRF Retirement	37.00
020-750-7120-000	Travel	29.00
020-750-7250-000	Contractual	3,886.00

SIS Enhanced Grant 760 Project 762

020-750-5108-000	Professional Direct Care	6,311.00
020-750-6011-000	Social Security	1,908.00
020-750-7250-000	Contractual	7,388.00
020-750-8027-000	Supplies	398.00
020-750-9040-000	Equipment	1,455.00

MIPPA Grant 761

020-750-5104-000	Clerical Support III	913.00
020-750-5108-000	Professional Direct Care	2,785.00
020-750-6010-000	Health Insurance	490.00
020-750-6011-000	Social Security	272.00
020-750-6012-000	IMRF Retirement	386.00
020-750-7120-000	Travel	22.00

**MACON COUNTY BOARD RESOLUTION
APPROVING INCREASE IN APPROPRIATIONS
IN THE FY18 HEALTH FUND BUDGET FOR
*Year End Addition & Cleanup***

RESOLUTION NO. G-4963-01-19

WHEREAS, the Health Department has implemented detailed budgeting and financial accountability by department and division over the last several years; and

WHEREAS, unforeseen circumstances have arisen which give rise to an emergency situation in that valuable services will be compromised without the amending of the Health Fund budget; and

WHEREAS, while a number of unexpected changes occur throughout the year, the Health Department is also faced with the challenge of budgeting several varying grant years on the Macon County Fiscal Year; and

WHEREAS, increases in appropriations were necessary in the Teen Pregnancy Prevention Program (Teen PREP), Breastfeeding Peer Counselor, High Risk Infant Follow-Up/ Healthworks Illinois (HRIF/HWIL), MIHOPE, Fussy Baby and Lead grant; and

WHEREAS, the increase in Teen PREP is due to a donation to pay for an awareness event; and

WHEREAS, the increases in Breastfeeding Peer Counselor is due to a contract increase; and

WHEREAS, we received additional funding for Lead to do case management in addition to lead testing; and

WHEREAS, HRIF/HWIL is a new grant that was formerly included as part of the Family Case Management grant. A portion of appropriations will be transferred from FCM to HRIF/HWIL but an increase was also necessary;; and

WHEREAS, funds were received for MIHOPE and Fussy Baby several years ago for research projects-we continue to spend down this money as needed; and

WHEREAS, various changes are also needed between departments without increasing overall appropriations; and

WHEREAS, the Macon County Board of Health discussed and approved implementing this amendment on December 18, 2018 and

WHEREAS, this amendment was discussed and approved by the Macon County EEHW committee on December 20, 2018 and

WHEREAS, this amendment was discussed and approved by the Macon County Finance Committee on January 2, 2019 and

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the amending of the Health Department's FY18 budget by increasing appropriations as attached:

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 10th day of January, 2019

AYES _____ NAYS _____

**MACON COUNTY BOARD
MACON COUNTY, ILLINOIS**

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

Revenue**OVERALL revenue**

020-790-4900-000 Grant 795	Teen Pregnancy Prevention	500.00
020-740-4500-000 Grant 742	Breastfeeding Peer Counselor	10,429.00
020-730-4500-000 Grant 732	High Risk Infant Followup/ Healthworks IL	71,542.00
020-730-4500-000 Grant 716	Lead	33,265.00

Expenses**OVERALL expenses**

Grant 795	Teen Pregnancy Prevention	500.00
Grant 742	Breastfeeding Peer Counselor	3,200.00
Grant 732	High Risk Infant Followup/ Healthworks IL	6,303.00
Grant 735	MIHOPE	160.00
Grant 737	Fussy Baby	4,274.00
Grant 716	Lead	33,265.00

Teen PREP Grant 795

020-790-7200-000 Grant 795	Other expenditures	500.00
----------------------------	--------------------	--------

BF Peer Grant 742

020-740-5104-000 Grant 742	Clerical Support III	1,023.00
020-740-5110-000 Grant 742	Supervisory II	48.00
020-740-5900-000 Grant 742	Allocated Admin Payroll	492.00
020-740-6010-000 Grant 742	Health Insurance	85.00
020-740-6011-000 Grant 742	Social Security	114.00
020-740-6012-000 Grant 742	IMRF Retirement	246.00
020-740-7115-000 Grant 742	Telephone	41.00
020-740-7116-000 Grant 742	Cell phone	66.00
020-740-7131-000 Grant 742	Building Lease	526.00
020-740-7230-000 Grant 742	Copy Machine	35.00
020-740-8027-000 Grant 742	Grant Supplies	285.00
020-740-8240-000 Grant 742	Admin expense	129.00
020-740-8320-000 Grant 742	Building Payment Interest	110.00

HRIF/HWIL Grant 732

020-730-7131-000 Grant 732	Building Lease	4,193.00
020-730-8240-000 Grant 732	Admin Expense	1,700.00
020-730-8320-000 Grant 732	Building Payment Interest	375.00
020-730-9040-000 Grant 732	Equipment	35.00

MIHOPE Grant 735

020-730-8027-000 Grant 735	Grant Supplies	160.00
----------------------------	----------------	--------

Fussy Baby Grant 737

020-730-7210-000 Grant 737	Dues	140.00
----------------------------	------	--------

020-730-8027-000 Grant 737	Grant Supplies	2,564.00
----------------------------	----------------	----------

020-730-9040-000 Grant 737	Equipment	1,570.00
----------------------------	-----------	----------

Lead Grant 716

020-710-5105-000	Administrative Support I	20,400.00
------------------	--------------------------	-----------

020-710-5110-000	Supervisory II	1,385.00
------------------	----------------	----------

020-710-5900-000	Allocated Admin Payroll	975.00
------------------	-------------------------	--------

020-710-6010-000	Health Insurance	4,825.00
------------------	------------------	----------

020-710-6011-000	Social Security	1,695.00
------------------	-----------------	----------

020-710-6012-000	IMRF Retirement	2,455.00
------------------	-----------------	----------

020-710-7115-000	Telephone	930.00
------------------	-----------	--------

020-710-8020-000	Office Supplies	600.00
------------------	-----------------	--------

Macon County Budget Transfer: Health Fund 020

Transfer from:

Transfer to:

Account	Grant	Project	Account	Grant	Project	Amount
020-710-5108-000	710		020-710-8027-000	710		40,000.00
020-710-5105-000	710		020-710-8027-000	710		10,000.00
020-730-5104-000	731		020-730-5104-000	732		4,011.00
020-730-5104-000	731		020-730-5106-000	732		2,236.00
020-730-5108-000	731		020-730-5106-000	732		254.00
020-730-5108-000	731		020-730-5108-000	732		28,380.00
020-730-5109-000	731		020-730-5109-000	732		885.00
020-730-5108-000	731		020-730-5110-000	732		2,940.00
020-730-5900-000	731		020-730-5900-000	732		5,200.00
020-730-5108-000	731		020-730-5900-000	732		908.00
020-730-6010-000	731		020-730-6010-000	732		74,650.00
020-730-6011-000	731		020-730-6011-000	732		3,060.00
020-730-6012-000	731		020-730-6012-000	732		4,455.00
020-730-7116-000	731		020-730-7115-000	732		280.00
020-730-7116-000	731		020-730-7116-000	732		90.00
020-730-7120-000	731		020-730-7120-000	732		86.00
020-730-7150-000	731		020-730-7150-000	732		88.00
020-730-7210-000	731		020-730-7210-000	732		15.00
020-730-7230-000	731		020-730-7230-000	732		607.00
020-730-7131-000	731		020-730-7250-000	732		810.00
020-730-8020-000	731		020-730-8020-000	732		196.00
020-730-8027-000	731		020-730-8027-000	732		60.00
020-730-5104-000	736		020-730-7131-000	736		3,362.00
020-730-5104-000	736		020-730-8027-000	736		799.00
020-730-5104-000	736		020-730-8240-000	736		915.00
020-730-5104-000	736		020-730-8320-000	736		627.00
020-770-5106-000			020-770-8027-000			500.00
020-750-5103-000	751		020-750-7120-000	751		2,166.00
020-750-5103-000	751		020-750-7131-000	751		1,263.00
020-750-5110-000	751		020-750-7131-000	751		854.00
020-750-5104-000	751		020-750-7200-000	751		339.00
020-750-5110-000	751		020-750-7200-000	751		1,061.00
020-750-5110-000	751		020-750-8027-000	751		1,120.00
020-750-5108-000	757		020-750-7250-000	757		2,462.00
020-750-6010-000	757		020-750-7120-000	757		200.00
020-750-6010-000	757		020-750-8027-000	757		415.00
020-750-6010-000	757		020-750-8240-000	757		115.00
020-750-6012-000	760		020-750-5110-000	760		5,000.00

**MACON COUNTY BOARD RESOLUTION
ACCEPTING ONE YEAR PROPOSAL FROM
MIDWEST EMPLOYERS CASUALTY FOR
WORKERS COMPENSATION
EXCESS LIABILITY INSURANCE COVERAGE**

RESOLUTION NO. G-4964-01-19

WHEREAS, Macon County is self-insured for its Workers Compensation Program; and

WHEREAS, Macon County purchases excess liability insurance for this program for catastrophic claims; and

WHEREAS, Macon County has asked our insurance agent, Arthur J Gallagher Risk Management Services, to go to the market for Excess Workers Compensation insurance, and they have done so; and

WHEREAS, the Operations and Personnel Committee met on December 17th, 2018 and the Finance Committee met on January 2ndth, 2019 and both discussed the proposal from Gallagher on a one year agreement with Midwest Employers Casualty; and

WHEREAS, the Finance Committee agreed to accept the recommendation of Gallagher to accept the attached proposal from Midwest Employers Casualty Company with a self-insured retention of \$500,000; and

WHEREAS, this proposal is for Excess Workers Compensation insurance for \$75,915 (subject to audit) for the period 12-31-18 to 12-31-19

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves accepting the attached proposal in its entirety from Midwest Employers Casualty Company.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED, and APPROVED this 10th day of January, 2019.

Ayes _____ Nays _____

**MACON COUNTY BOARD
MACON COUNTY, ILLINOIS**

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION APPROVING
APPROPRIATION OF FY'19 FUNDS FOR MACON COUNTY
AUDITOR'S OFFICE ACCOUNTING SYSTEM UPGRADE**

RESOLUTION NO. G-4965-01-19

WHEREAS, The Auditor's Office is the general accountant for Macon County and maintains all general ledger management, audits all claims and receipts, insures compliance with budget spending, and processes payroll; and

WHEREAS, prior resolution G-4460-03-16 was approved to provide for the use of the funds collected from wind energy conversion system permits by the Macon County Auditor for the purchase of an accounting package in an amount up to \$95,000; and

WHEREAS, the software conversion contract provided that the final 10% of the contract amount would not be payable until the completion of the project; and

WHEREAS, the implementation was not finalized until December, 2018 with the remaining 10% now due in the amount of \$8,606.30. The remaining appropriation from the original resolution lapsed at the end of FY '16.

WHEREAS, unforeseen circumstances have arisen which give rise to an emergency situation in that this amount owed cannot be paid without the amending of this budget; and

WHEREAS, this matter has been discussed and approved by the Finance Committee at their meeting on January 2nd, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that they hereby approve the appropriation of the remaining balance for the purchase of an accounting system upgrade in the amount of \$8,606.30, which represents the remaining 10% of the contract amount, to be paid out of the Wind Energy Fund for FY'19 as follows:

Account 019-000-9046-000 Software \$8,606.30

BE IT FURTHER RESOLVED that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, and APPROVED this 10th day of January, 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Joshua A. Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**Macon County Board Resolution
Approving the Amendment No. 1 to the
Twin Forks Wind Farm LLC Letter of
Credit**

RESOLUTION NO. H-2134-1-19

WHEREAS, the County of Macon required a Letter of Credit as part of the Road Use Agreement with Eon Climate Renewables for their Radford's Run (aka Twin Forks) Wind Farm LLC; and

WHEREAS, the road work required for Twin Forks Wind Farm LLC has been completed; and

WHEREAS, the Road Use Agreement allows for Twin Forks Wind Farm LLC to request a reduction in the amount of the Letter of Credit; and

WHEREAS, Twin Forks Wind Farm LLC has requested Amendment No. 1 to reduce the amount of the Letter of Credit from \$6,000,000.00 to \$120,000.00.

NOW THEREFORE, be it resolved by the Macon County Board that they hereby approve the Amendment No. 1 to the Letter of Credit; and

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED, AND APPROVED this 10th day of January 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

By:

Joshua Tanner, Clerk for the
County of Macon, State of Illinois

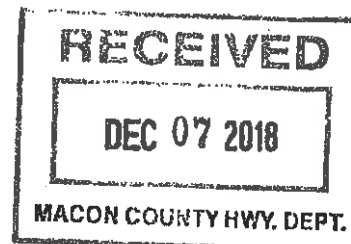
Kevin R. Greenfield, Chairman
Macon County Board

4. 2134-1-19
Attachment

JPMORGAN CHASE BANK, N.A.
GLOBAL TRADE SERVICES
131 SOUTH DEARBORN, 5th FLOOR
MAIL CODE: IL1-0236
CHICAGO, IL 60603-5508
SWIFT: CHASUS33

To
MACON COUNTY HIGHWAY DEPARTMENT
(REFER TO LC TEXT FOR FULL DETAILS)
2405 N. WOODFORD STREET
DECATUR, IL 62626

Date: 06 Dec 2018
Our Reference: TFTS-749087
Subject: AMENDMENT NO. 1



Dear Sir/Madam,

BENEFICIARY'S COMPLETE NAME AND ADDRESS:
MACON COUNTY HIGHWAY DEPARTMENT
("ROAD AUTHORITY")
ATTN: MACON COUNTY ENGINEER
2405 N. WOODFORD STREET
DECATUR, IL 62626

ACCOUNT PARTY:
TWIN FORKS WIND FARM, LLC
ATTN: TRANSMISSION MANAGER
701 BRAZOS ST., SUITE 1400
AUSTIN, TX 78701

WE HEREBY AMEND THE ABOVE REFERENCED STANDBY LETTER OF CREDIT AS
FOLLOWS:

DECREASED BY: USD5,880,000.00

NEW AMOUNT: USD120,000.00

ALL AMENDMENTS UNDER THIS STANDBY LETTER OF CREDIT AMENDMENT ARE
SUBJECT TO BENEFICIARY'S AGREEMENT. THIS AMENDMENT SHALL NOT BE
CONSIDERED OPERATIVE UNLESS THE BENEFICIARY COMMUNICATES THEIR
AGREEMENT TO THE AMENDED TERMS. PLEASE INDICATE YOUR ACCEPTANCE
/REJECTION BY SIGNING AND RETURNING A COPY OF THIS AMENDMENT VIA
FAX TO 856-294-5267 OR TO Email Address: gts.lb.standby@jpmchase.com

WE ACCEPT THIS AMENDMENT
MACON COUNTY HIGHWAY DEPARTMENT
("ROAD AUTHORITY")

SIGNATURE

PRINTED NAME & TITLE

DATE & TEL NO.

**Macon County Board Resolution Appropriating
Funds for the Joint City of Decatur-Macon County
Microsurfacing Project**

RESOLUTION NO. H-2135-1-19

WHEREAS, the funds need to be appropriated for the Joint City of Decatur-Macon County Microsurfacing Project, Section 18-00291-00-GM; and

NOW THEREFORE, BE IT RESOLVED by the Macon County Board as follows:

- (1) THAT there be appropriated and there is hereby appropriated as much as, but not to exceed Four Hundred Fifty Thousand Dollars and No Cents (\$450,000.00) from County Matching Line Item # 031-000-7780 (FY 18) to cover expenses for the County's share of the costs.
- (2) THAT there be appropriated and there is hereby appropriated as much as, but not to exceed Three Hundred Forty Five Thousand Five Hundred Twenty Seven Dollars and Ninety Six Cents (\$345,527.96) from County Bridge Line Item # 034-000-7730 (FY 18) to cover expenses for the County's share of the costs.

The total amount appropriated is \$795,527.96.

The above costs will benefit a highway facility owned by Macon County, are anticipated to be completely disbursed by November 30, 2018, and will be paid 100% by Macon County with no additional reimbursements.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED, AND APPROVED this 10th day of January 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

By:

Joshua Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

Joint City-County MicroSurfacing Project

2018 CLAIM

Section No. 18-00824-00-SC

H-2135-1-19 Attachment

Date November 27, 2018

City of Decatur
#1 Gary K. Anderson Plaza
Decatur, IL 62523

18-00291-00-GM

Invoice No. MC-1

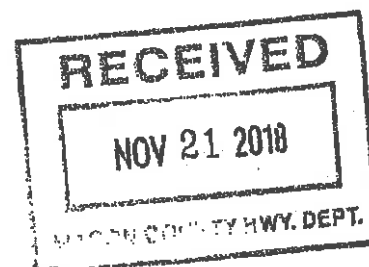
Appropriation No.	Amount
County Matching 031-000-7780	\$ 450,000.00
County Bridge 034-000-7730	345,527.96
TOTAL	\$ 795,527.96

Approved _____
County Engineer

40500063	CAPE SEAL, T2, MC (RURAL)	SQ YD	\$4.39	173,112.40	\$750,000.00
78001110	PAINT PAVEMENT MARKING, 4"	FOOT	\$0.12	158,621.00	\$19,034.52
X7010216	TRAFFIC CONTROL AND PROT (SPECIAL)	LSUM	\$18,000.00	0.71	\$12,780.00
Z0048665	RAILROAD PROTECTION LIABILITY INS	LSUM	\$3,750.00	1.00	\$3,750.00
COMPLETED AMOUNT					\$795,527.96
Amount Due					\$795,527.96

Remit Payment to:

Treasurer, City of Decatur
#1 Gary K. Anderson Plaza
Decatur, Illinois 62523



**Resolution Approving Funds for the purchase of Right of Way
Parcel 001 from William Penhallagon, Barbara McKay, and
G. Patton Penhallagon for the Schellabarger Road Bridge
Replacement Project, Section 16-07116-00-BR**

RESOLUTION NO. H-2136-1-19

WHEREAS, the County of Macon, State of Illinois, a body politic and corporate is desirous of protecting the viability, safety and consistency of the Macon County highway system.

WHEREAS, the Design Engineering of the Schellabarger Road Bridge Replacement Project has identified Right of Way needs along existing TR 29.

WHEREAS, a portion of this needed Right of Way is currently owned by William Penhallagon, Barbara McKay, and G. Patton Penhallagon.

WHEREAS, the Macon County Highway Department negotiated a settlement price for the proposed Right of Way for Parcel 001 with William Penhallagon, Barbara McKay, and G. Patton Penhallagon.

NOW THEREFORE, BE IT RESOLVED by the Macon County Board as follows:

- (1) THAT there be appropriated and there is hereby appropriated as much as, but not to exceed Three Thousand Dollars and No Cents (\$3,000.00) from County Matching Funds Line Items 031-000-7780 (FY 19) to cover above expenses for the County's share of the costs.

The above costs will benefit a highway facility owned by Illini Township, are anticipated to be completely disbursed by November 30, 2019, and will be paid 100% by Macon County with 50% reimbursements from Illini Township.

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED, AND APPROVED this 10th day of January 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

By:

Joshua Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

H. 2136-1-19 Attachment

1940364



Macon Co., Illinois
S.S. by Mary A. Eaton, Recorder

Book: 4653 Page: 846

Receipt #: 86611
Pages Recorded: 4

Recording Fee: Other

Authorized By *Mary A. Eaton*

Date Recorded: 11/29/2018 10:38:58 AM

Parcel A & B

T.R. 29 (Schellabarger Rd)

Section 16-07116-00-BR

Owners: William E. Penhallegon, Barbara L. McKay & G. Patton Penhallegon, Trustee

Station 8+00.00 LT/RT to Station 12+00.00 LT/RT

STATE OF ILLINOIS
MACON COUNTY HIGHWAY DEPARTMENT
DECATUR, ILLINOIS

DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES

THIS INDENTURE WITNESSETH, That the Grantor(s) **William E. Penhallegon, Barbara L. McKay & G. Patton Penhallegon, Trustees** of the County of Macon and State of Illinois for and in consideration of the sum of **Three Thousand Dollars (\$3,000.00)** in hand paid by the County of Macon, State of Illinois acting by and through it's County Highway Department, or on it's behalf, the receipt whereof is hereby acknowledged, and the benefits resulting from the maintenance of the public highway, herein referred to, do, by these presents, hereby grant, convey and dedicate to the People of the County of Macon, State of Illinois, for the purpose of a public highway, a tract of land situated in the County of Macon and State of Illinois, and described as follows:

PARCEL A

A part of the Southeast Quarter of Section 2, Township 17 North, Range 1 East of the Third Principal Meridian, Macon County, Illinois, more particularly described as follows:

Commencing at an iron pin with cap found at the southeast corner of Section 2, Township 17 North, Range 1 East of the Third Principal Meridian, per monument record recorded as document number 1913483 in book 4541 at page 236 of the records in the Recorder's Office of Macon County, Illinois; thence, along bearings reference to the Illinois State Plane Coordinate System, NAD83 (2011 Adjustment), East Zone, South 89 degrees 46 minutes 25 seconds West 1152.26 feet, along the south line of the Southeast Quarter of said Section 2, to the Point of Beginning; thence continue South 89 degrees 46 minutes 25 seconds West 400.00 feet along said south line; thence North 0 degrees 13 minutes 35 seconds West 20.00 feet; thence North 89 degrees 46 minutes 25 seconds East 50.00 feet along a line 20.00 feet distant north of and parallel to said south line; thence North 0 degrees 13 minutes 35 seconds West 13.00 feet; thence North 89 degrees 46 minutes 25 seconds East 300.00 feet along a line 33.00 feet distant north of and parallel to said south line; thence South 0 degrees 13 minutes 35 seconds East 13.00 feet; thence North 89 degrees 46 minutes 25 seconds East 50.00 feet along a line 20.00 feet distant north of and parallel to said south line; thence South 0 degrees 13 minutes 35 seconds East 20.00 feet to the Point of Beginning.

**Resolution Approving Funds for the purchase of Right of Way
Parcel 003 from the Township of Oakley for the CH 24 Reas
Bridge Road Project, Section 14-00268-03-EG**

RESOLUTION NO. H-2137-1-19

WHEREAS, the County of Macon, State of Illinois, a body politic and corporate is desirous of protecting the viability, safety and consistency of the Macon County highway system.

WHEREAS, the Design Engineering of the CH 24 Reas Bridge Road Project has identified Right of Way needs along existing FAU 7355.

WHEREAS, a portion of this needed Right of Way is currently owned by the Township of Oakley.

WHEREAS, the Macon County Highway Department negotiated a settlement price for the proposed Right of Way for Parcel 003 with the Township of Oakley.

NOW THEREFORE, BE IT RESOLVED by the Macon County Board as follows:

- (1) THAT there be appropriated and there is hereby appropriated as much as, but not to exceed One Thousand Six Hundred Dollars and No Cents (\$1,600.00) from County Matching Funds Line Item 031-000-7780 (FY 19) to cover above expenses for the County's share of the costs.

The above costs will benefit a highway facility owned by Macon County, are anticipated to be completely disbursed by November 30, 2019, and will be paid 100% by Macon County with 100% reimbursement from the State of Illinois.

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED, AND APPROVED this 10th day of January 2019.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

By:

Joshua Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

Owner Township of Oakley
 Address Reas Bridge Road
 Oakley, Illinois
 Route CH 24 Reas Bridge Road
 County Macon
 Job No. 6407
 Parcel No. 003TE No. 1 & 003TE No. 2
 P.I.N. No. 14-08-34-300-004
 Section 14-00268-03—EG
 Project No.
 Station 24+91 RT. to Sta. 25+30 (TE No. 1)
 Station 26+40 RT. to Sta. 26+85 (TE No. 2)
 Contract No.
 Catalog No.

TEMPORARY CONSTRUCTION EASEMENT
(Governmental Entity)

Township of Oakley, a governmental entity organized and existing under and by virtue of the laws of the State of Illinois and duly authorized to do business under the Statutes of the State of Illinois, (Grantor), by Andrew Fulk, Cemetery Trustee, Gary Miller, Cemetery Trustee, and Gary VanWinkle, Cemetery Trustee, for and in consideration of One Thousand Six Hundred and 00/100 Dollars (\$1,600.00), receipt of which is hereby acknowledged, and pursuant to the provisions of a certified resolution hereby represents that Grantor owns the fee simple title to and grants and conveys to the County of Macon, (Grantee), a temporary construction easement for the purpose of constructing bridge and road improvements and other highway purposes, on, over, and through the following described real estate:

Parcel 003TE No.1

Part of the Northwest Quarter of the Southwest Quarter of Section 34, Township 17 North, Range 3 East of the Third Principal Meridian, Macon County, Illinois, more particularly described as follows;

Commencing at a point 880.00 feet West and 143.22 feet North of the Southeast corner of the Northwest Quarter of the Southwest Quarter of said Section 34; thence along the Southerly line of premises conveyed by Lewright W. Wheeler and Margaret Wheeler to Robert E. Peck, Samuel G. Nickey and William H. Hlser, Township Cemetery Trustees by Quit Claim Deed dated June 17, 1911 and recorded November 18, 1911 as Document Number 87-58-36 in the Recorder's Office of Macon County, Illinois, said Southerly line of the premises conveyed bearing is based on the Illinois Coordinate System East Zone NAD83 (2011) Adjustment South 81 degrees 50 minutes 13 seconds East, a distance of 265.55 feet to the Southeast corner of said premises conveyed and the Point of Beginning for the following described parcel;

Thence North 81 degrees 50 minutes 13 seconds West along the Southerly line of premises conveyed, a distance of 39.18 feet; thence North 12 degrees 51 minutes 56

seconds East, a distance of 53.42 feet; thence South 87 degrees 55 minutes 23 seconds East, a distance of 27.49 feet to a point on the East line of said premises conveyed; thence South 0 degrees 35 minutes 08 seconds West along said East line, a distance of 56.65 feet to the Point of Beginning, containing 0.042 acres, more or less.

Parcel 003TE No.2

Part of the Northwest Quarter of the Southwest Quarter of Section 34, Township 17 North, Range 3 East of the Third Principal Meridian, Macon County, Illinois, more particularly described as follows;

Commencing at a point 880.11 feet West and 143.22 feet North of the Southeast corner of the Northwest Quarter of the Southwest Quarter of said Section 34; thence along the Southerly line of premises conveyed by Lewright W. Wheeler and Margaret Wheeler to Robert E. Peck, Samuel G. Nickey and William H. Hiser, Township Cemetery Trustees by Quit Claim Deed dated June 17, 1911 and recorded November 18, 1911 as Document Number 87-58-36 in the Recorder's Office of Macon County, Illinois, said Southerly line of the premises conveyed bearing is based on the Illinois Coordinate System East Zone NAD83 (2011) Adjustment South 81 degrees 48 minutes 23 seconds East, a distance of 71.74 feet to the Point of Beginning for the following described parcel;

Thence North 13 degrees 01 minutes 31 seconds East, a distance of 26.33 feet; thence South 87 degrees 55 minutes 23 seconds East, a distance of 30.00 feet; thence South 15 degrees 58 minutes 56 seconds East, a distance of 32.26 feet to the Southerly line of said premises conveyed; thence North 81 degrees 48 minutes 23 seconds West along the Southerly line of said premises conveyed, a distance of 45.26 feet to the Point of Beginning, containing 0.024 acres, more or less.

situated in the County of Macon, State of Illinois. The above-described real estate and improvements located thereon are herein referred to as the "premises."

The right, easement and privilege granted herein shall terminate on the completion of the proposed project.

Grantor shall have and retain all rights to use and occupy the premises and access to Grantor's remaining property, except as herein expressly granted; provided, however, that Grantor's use and occupation of the premises may not interfere with Grantee's use of the premises in the purposes herein described.

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the Grantor caused by the opening, improving and using the premises for highway purposes. This acknowledgment does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to the Grantor's remaining property.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

Dated this 26 day of October, 2018.

Township of Oakley
Name of Governmental Entity

By: Andrew Fulk
Signature

Andrew Fulk, Cemetery Trustee
Print Name and Title

By: Gary Miller
Signature

Gary Miller, Cemetery Trustee
Print Name and Title

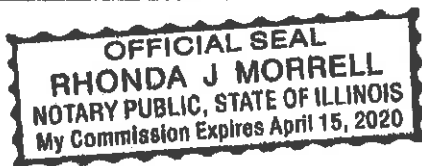
By: Gary VanWinkle
Signature

Gary VanWinkle, Cemetery Trustee
Print Name and Title

State of Illinois)
County of Macon) ss

This instrument was acknowledged before me on _____, 2018, by
Andrew Fulk, Gary Miller and Gary VanWinkle
of Township of Oakley

(SEAL)



Rhonda J. Morrell
Notary Public

My Commission Expires: April 15, 2020

This instrument was prepared by and after recording return to:

Macon County Highway Department
2405 N. Woodford Street
Decatur, Illinois 62526-4704