

**PROCEEDINGS  
OF THE  
MACON COUNTY BOARD**

**FEBRUARY 14, 2008**

**Robert D. Sampson  
Chairman**

**Stephen M. Bean  
Clerk**

The Chairman called the meeting to order at 7:15 p.m. with the Sheriff & State's Attorney present.

The Roll Call showed all members present with the exception of Mr. Snyder and Mr. Wolfe.

Mrs. Taylor led the members in prayer.

All led in the Pledge of Allegiance.

#### **A. APPROVAL OF THE MINUTES OF THE JANUARY 10, 2008 MEETING**

##### **MOTION**

Mr. Oliver moved, seconded by Mr. Meachum to approve the minutes of the January 10, 2008 meeting.

There were no questions or comments from the board floor.

##### **ROLL CALL.**

Ayes: Ashby, Cox, Drobisch, Dudley, Dunn, Hogan, Jacobs, Little, McGlaughlin, Meachum, Oliver, Potts, Sampson, Smith, Taylor, Westerman, Wikins, Williams, Yoder

Nays: (None)

**AYES = 19**

**NAYS = 0**

##### **MOTION CARRIED.**

#### **ZONING / SUBDIVISIONS**

1. Mr. Dunn presented Resolution Z-1074-2-08 which is regarding Case Z-1074-2-08, a petition submitted by Dare and Kent Patterson to rezone approximately 9.43 acres +/- from R1 Single Family Estate District to RE 5 Single Family Estate District on property commonly known as 4295 East Fitzgerald Road in Long Creek Township. After hearing the evidence the Zoning Board of Appeals voted in favor of recommending to the County Board that the petition be granted. The EEHW Committee met and reviewed the petition as requested and voted 5-0 to recommend that the County Board approve the subject petition.

##### **MOTION**

Mr. Dunn moved, seconded by Mr. Smith to approve Resolution Z-1074-2-08 by prior roll call vote.

The petitioners and their Attorney Ed Flynn, were present at the meeting.

There were no objectors present at the meeting.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**B. CORRESPONDENCE**

Two letters from AmerenIP regarding tree trimmings they will be doing in and around the Decatur and Harristown area in the near future.

A letter from Enbridge Pipelines (Illinois) L.L.C regarding recent developments concerning Enbridge Pipelines (Illinois) L.L.C's (Enbridge's ) Southern Access Extension Pipeline Project (Extension Project).

A letter from Comcast regarding completed agreement to divide the Insight Midwest partnership in which each party held a 50% interest. With the completion of the transaction, Comcast owns 100% of the cable systems serving our community.

A Notice of Application for permit to manage waste from Illinois EPA for the Veolia ES Valley View Landfill - Unit 2.

Three letters from the Illinois Department of Transportation regarding information on whether or not Motor Fuel Tax was used for three different Sections.

A copy of a letter from the Office of the Attorney General sent to William and Yolanda Butts regarding Macon County Commissioners' Court records from June and September of 1830. The Attorney General's Office has not received the documents, or a response to the issues raised regarding the documents which belong to Macon County.

**REPORTS**

Sheriff's Report - January 2008

Treasurer Fund Report - December 2007 & January 2008

Macon County Collector's Report - December 2007 & January 2008

Macon County Collector's Report for tax year 2006 payable in 2007

**MOTION**

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

There were no questions or comments from the board floor.

**MOTION CARRIED.**

## **2. CLAIMS**

**MOTION**

Mrs. Cox moved, seconded by Mr. Oliver to approve the Claims that have already been paid by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

## **C. APPOINTMENTS**

### **3. Resolution G-3145-2-08 - Re-Appointment to the Macon County Emergency Telephone System Board**

Jim Williams, 127 S. Washington, Warrensburg, IL 62573  
Term Expires: February, 2012

**MOTION**

Mr. Williams moved, seconded by Mr. Meachum to approve Resolution G-3145-2-08 by prior roll call vote.

**QUESTIONS:**

Mrs. Little: Mrs. Little said her question is not necessarily about Mr. Williams but the two appointments kind of go together, and before she voted she had a question. One is being reappointed and one is being replaced. She asked if Mr. Klugman did not want to be reappointed.

Mr. Sampson: Mr. Sampson said he decided to nominate, and hopefully the board would appoint Mr. Comerford.

Mrs. Little: Mrs. Little asked why Mr. Comerford is being nominated to replace Mr. Klugman instead of Mr. Williams.

Mr. Sampson: Mr. Sampson said that Mr. Williams wanted to remain on the board, as did Mr. Klugman, frankly. Mr. Sampson was going to recall a city council meeting he was at a few months ago. A question came up, and they were pressing the mayor about somebody that he had chosen not

to reappoint. The mayor had a pretty good explanation, he thought. The mayor said we have hard enough time getting people to serve on these boards, and if somebody serves on a board and knows they are likely to be exposed to some discussion as to why they weren't reappointed, it is probably going to be discouraging. Mr. Sampson said you have a resume in front of you from Mr. Comerford who has an extensive background in the communications industry, and he felt the challenges they are facing on that board, called for that sort of expertise, and Mr. Comerford has it. Mr. Klugman is a fine public servant, and a fine man, and somebody all of them know. Mr. Comerford just has a heck of a lot more experience in communications issues.

**MOTION CARRIED.**

4. Resolution G-3146-2-08 - Appointment to the Macon County Emergency Telephone System Board

James J. Comerford, 894 W. Forsyth Parkway, Forsyth, IL 62535  
Term Expires: February 2012

**MOTION**

Mr. Meachum moved, seconded by Mr. Dunn to approve Resolution G-3146-2-08 by prior roll call vote.

**QUESTION:**

Mr. Ashby: Mr. Ashby asked if the county now, or intends to in the future, do any business with Comerford Communication.

Mr. Sampson: Mr. Sampson said that Mr. Comerford has indicated that he will not do any business with the Emergency Telephone Systems Board, in the future.

Mr. Smith: Mr. Smith said both of the individuals nominated for this board are from out of the City of Decatur. He asked if there is a requirement that so many be from out in the county, or how is that split.

Mr. Sampson: Mr. Sampson said the only requirement is that a certain number have to have some sort of public service in terms of the communications areas. He said that is why there are so many rural fire chiefs or former rural fire chiefs on it. There is no residency requirement that he has come across. He talked to Mr. Kehoe, the attorney for the board.

**MOTION CARRIED.**

**D. CONSENT CALENDAR**

**QUESTION:**

Mr. Westerman: Mr. Westerman asked if the chairman would refresh his memory on how you get something on the consent calendar.

Mr. Sampson: Mr. Sampson said the consent calendar was Mr. Smith's idea, and we put it in the rules. It is basically reserved for non-controversial items that are going to pass anyway, we think. But, if any member objects, an item can be pulled off of that consent calendar. You just vote on them all at once to save time.

Mrs. Little: Mrs. Little said she had a question on H-1576-2-08 about the entrance for the grade school in Forsyth. She asked if they are only putting one entrance in. Her understanding was that there were going to be two.

Mr. Meachum: Mr. Meachum said it is two.

Mrs. Little: Mrs. Little said she would like that changed in the resolution.

Mr. Williams: Mr. Williams asked if that needs to be corrected as a scribe error.

Mr. Meachum: Mr. Meachum said he knows it is two.

Mr. Dunn: Mr. Dunn asked if that resolution should be pulled off the consent calendar since we are going to be talking about it.

Mr. Sampson: Mr. Sampson asked Mrs. Little if she would like it pulled off of the consent calendar.

Mrs. Little: Mrs. Little said yes.

Mr. Sampson: Mr. Sampson said we will vote on H-1576-2-08 under the Transportation Committee, which leaves H-1577-2-08, and H-1578-2-08 on the consent calendar. He asked if there were any questions about those.

Mr. Ashby: Mr. Ashby said he was going to vote present on H-1577-2-08 because of his relationship with Richland and Progress City.

The consent calendar passed by prior roll call vote. **(ASHBY SHOWED HIS VOTE AS PRESENT ON H-1577-2-08)**

The Justice Committee had nothing to submit at the meeting.

The EEHW Committee had nothing to submit at the meeting.

## OPERATIONS, PERSONNEL & LEGISLATIVE COMMITTEE

5. Mr. Smith presented Resolution G-3147-2-08 which is a resolution supporting a Pro-Second Amendment Resolution.

### **MOTION**

Mr. Smith moved, seconded by Mr. Yoder to approve Resolution G-3147-2-08.

### **COMMENT:**

Mr. Smith: Mr. Smith said this issue was brought to the Operations, Personnel & Legislative Committee by a citizen who is at the meeting tonight. He would like to address the board. This issue was brought to us by this citizen.

Mr. Oliver: Mr. Oliver said he would like to ask the gentleman a question he did not get to ask during caucus.

Dustin Meier: Mr. Meier lives at 4840 Forest Parkway, Decatur, IL 62521.

Mr. Oliver: Mr. Oliver said during the conversation we had in caucus, Mr. Meier mentioned that the proposed ordinance he is asking the board to pass, has been handled by some 66 counties other than Macon County. He asked what the name of their group is.

Mr. Meier: Mr. Meier said it is all citizen based. A lot of it is organized on a website called ILCARRY.ORG, but it is all regular citizens.

Mr. Oliver: Mr. Oliver asked where it is based at.

Mr. Meier: Mr. Meier said it is not based. It is all Illinois citizens with basically a chat form type of setup. It is a number of citizens getting together discussing plans as far as opposing bills, and staying informed on new bills and laws that are coming out. There are political debates on there as far as people running for office.

Mr. Oliver: Mr. Oliver asked if when he said this was a chat group, is this on the internet or what?

Mr. Meier: Mr. Meier said yes it is an internet based forum.

Mr. Oliver: Mr. Oliver asked if they have ever had any meetings of these individuals he is talking about.

Mr. Meier: Mr. Meier said he has met with a number of them, yes. It is not particularly an

organization. It is just a place for citizens who are concerned with firearm laws to discuss the different topics related to firearms, as far as maintaining a statewide effort.

Mr. Oliver: Mr. Oliver asked who the officers are in this group.

Mr. Meier: Mr. Meier said there are no officers. It is not a group, and it is not a club. It is basically just like having a group of 20 or 30 people sitting around a table talking about specific situations.

Mr. Oliver: Mr. Oliver asked who sets the agenda of the meetings, and so forth.

Mr. Meier: Mr. Meier said there are no meetings, and there are no agendas.

Mr. Oliver: Mr. Oliver asked how they know when they need to discuss with the other people in the group that have gotten a hold of 60 different counties. When do they know when to pull the trigger on getting something done, as far as going to these different counties with their resolutions? Who sets these up?

Mr. Meier: Mr. Meier said it could be him, or any number of other people who come on the forum and decide that something needs to be done. It will be discussed among everybody. He said this resolution here was started up by some citizens in Pike County, last year. It was discussed, and edited. It went through a handful of attorneys and police officers, who come on the website as citizens, but who will look over stuff, like the resolutions, to make sure there was no legal ramifications to specific county boards. Mr. Meier said if he feels something needs to be brought to attention, he will discuss with them how to do it, and then he will bring it up, like bringing up this resolution here. He was one of the ones who said this was something that needed to get passed through Macon County. They asked him if he wanted to do it. So, he asked for advice on how to go about doing everything to make sure he went through the proper processes, and try not to offend anybody in the meantime.

Mr. Oliver: Mr. Oliver asked how someone would get a hold of Mr. Meier on the internet.

Mr. Meier: Mr. Meier said if any of them needed to get a hold of him, he could give his e-mail, address to them.

Mr. Oliver: Mr. Oliver asked about some of his cohorts.

Mr. Meier: Mr. Meier said if he happens to read a part of the forum where they say something to him, then he sees it, if not then he does not see it.

Mr. Oliver: Mr. Oliver asked Mr. Meier if he has a website.

Mr. Meier: Mr. Meier said he does not.



Mr. Oliver: Mr. Oliver said there have got to be 30 or 40 names operating under this organization he has, or this quasi-organization that he has.

Mr. Meier: Mr. Meier said it is not an organization. It is just the modern age as far as discussing everything with different things coming up, verses picking up the telephone and calling everybody.

Mr. Oliver: Mr. Oliver said it sounds like the most organized, unorganized thing he has ever heard of, but it seems to be working. He thanked Mr. Meier for his time. Mr. Oliver said he would have to agree with the statement in the paper today that quoted Mr. Sampson, about coming before the board with almost any and everything. It could be from pro-life to almost anything you wanted to name, whatever there is out here now that is being talked about in certain circles of our community, as well as our state and federal government. A lot of it does not pertain to any kind of legislation that we would be doing as far as the county is concerned. He has been asked these questions by several different groups and organizations that he belongs to, "how do you feel about this, that or the other?" It has nothing to do with the particular job that he was elected to do, or chosen to do, or appointed to do. You saw how much time it took tonight just in our caucus. If this started happening every time that somebody comes up with something, we are going to have some awful long meetings for something we have nothing to do with, as far as the county is concerned.

Mr. Potts: Mr. Potts asked if Mr. Meier could elaborate on how hard he and his group have worked. He asked how many counties are involved in this. How many townships? How many organizations have got on board with this issue?

Mr. Meier: Mr. Meier said there have been 66 counties that have passed this resolution, going through the proper process of getting everything weeded out, by going through committee, and then to the full board. Sixty-six counties have approved it, and passed the resolution. He said tonight, besides the Macon County Board, Peoria County and Moultrie County are also discussing the resolution, and putting it up for a full board vote. Also, scheduled for February 19<sup>th</sup>, McHenry County, next to Cook County is scheduled to go up for a full board vote, as well.

Mr. Potts: Mr. Potts said, so there has been a lot of time and effort by your group, to bring this issue to the forefront.

Mr. Meier: Mr. Meier said a number of the board members who do have e-mail have seen e-mails from him for upwards of 5 to 6 months now, as far as discussing different issues, and trying to keep them updated. He said those who do not have their e-mail addresses posted on the site, he apologized that he was not able to keep them up to date as easily. He said honestly, this has been one of the more smooth running counties to get this through. A lot of these people have put in a lot of hard work, and all 102 counties in the State of Illinois are involved. It is going to be citizens from each of those particular counties going up in front their particular boards, putting in their effort, and making phone calls and talking to people, trying to figure out exactly the same way he did where the oppositions going to be as far as opposing this. In his eyes, as far as the County Board, anything that affects the United States Constitution, affects the County board because of that oath to support and

defend it. It is the same oath that he took in the military, and it is the same oath that our legislators take. He said that is one of the main reasons why he does not see this as a waste of the County board's time. He does not see it causing additional problems as far as more people coming forward with different issues on health care and stuff like that. That is something more on a federal level.

Mr. Smith: Mr. Smith had one last comment he wanted to make in commending Mr. Meier for doing this. Mr. Meier is exercising his constitutional right to address government, and Mr. Smith applauded him for that.

Mr. Ashby: Mr. Ashby said he visited the website that this pertains to, and we are talking about infringement. Under the infringement definition there are 16 house bills and senate bills which are proposed. Some of them are as innocent as raising the FOID card from \$5.00 to \$10.00. If you sign this legislation you are saying we can not raise a FOID card license fee from \$5.00 to \$10.00. Out of these 15 pieces of legislation being proposed, maybe you oppose 10 of them, maybe you oppose 14 of them, but there are 15 pieces of legislation. Some of them you might agree to, such as banning assault rifles, banning the purchase and possession of 50 caliber rifles. Does anybody in here use a 50 caliber rifle to go rabbit hunting? Not, that he knows of. Mr. Ashby is definitely not against carrying guns or the right to own guns, but he thinks there are 15 pieces of legislation here that some of, may benefit society. If you sign this you are saying that all 15 pieces of this legislation are not valid. He is going to vote against it.

Mr. Westerman: Mr. Westerman said he is a gun owner and he likes his guns, so he has mixed emotions about this. But, he believes this is a State legislation problem, and we've elected state legislators to deal with that. We in Macon County have enough problems on the local level, without telling, as a county, somebody else what to do. He thinks we as individuals should be talking to our state legislators, if we have feelings about this, not as a county government.

Mr. Dunn: Mr. Dunn wanted to make 3 points. He read the OPL minutes, and he never saw anywhere in there a mention of the this legislation, or any numbers on house bills, or senate bills. He knows that in dealing with 800 members in his local, that a lot of them are NRA members, and believe in the right to protect themselves. Mr. Dunn said he is not an NRA member, but he does believe in the right to protect himself. He would like to see this state go to conceal and carry, but he agrees with Mr. Ashby and Mr. Westerman. He didn't see this thing handled in the OPL Committee as he would like to see it. As chairman of EEHW he has had a group come to him opposing the Clinton landfill, which are trying to accept some PCB's which could possibly affect the aquifer that delivers water to Decatur. In listening to the wisdom of our State's Attorney, Mr. Waks, and some other people on the committee he entertained the idea of having the landfill committee people come in and give their opinion. We have listened to both sides at least, rather than from what he could see from OPL, it was just one side. He doesn't feel like he has the information to even consider this at this time. He thinks the oversight committee, the OPL Committee should have listened to both sides, and had some questions on these things and listed these bills, and what they do and don't do. Mr. Dunn said he knows there are bills that come out of Chicago every year, and have for 20 years, against banning guns and all kinds stupid bills that never get out of committee,

or if they do, don't have a chance of passing. He just does not like the way this was handled and is voting against it.

Mr. McGlaughlin: Mr. McGlaughlin said he applauds people who become active in the community, and have causes to support. He supports the Second Amendment. However, he believes the people in his district, and the people very near his district, especially after the occurrences of Election Day, and some other street gun fights, and what have you that have gone on, have told him they believe that a restriction of certain sorts of firearms, is well within the purview of law enforcement. They think that there probably are firearms in the hands of ordinary citizens that should be restricted to the use of military or police. Therefore, he is going to vote for his constituency, and is going to vote, although he supports the Second Amendment, against this resolution.

Mr. Meier: Mr. Meier said his comment as far as the legislators and senators, and addressing them, that hasn't worked. As far as Representative Bob Flider, he listens to people in his district, and pretty much basis his vote on what the people in his district are saying. Not all representatives are doing that. That is a lot of the reason why this resolution was started up, because the people are getting fed up with it. They are not listening to our representatives, and our senators are not listening. We have no way of voting them back out for not doing their job. So, we are trying another approach, as far as petitioning the government portion, and trying to have just the people come up. We are not having the NRA back us. We are not having the ISRA back us. This is just your average Joe and your average Jane going up and saying, "you guys are supposed to be by the people, for the people and of the people." Yes you are of the people, but you are not for the people anymore, so we are standing up and saying something needs to be done.

Mr. Westerman: Mr. Westerman said he is talking about democracy, and you can do something about that at the ballot box.

Mr. Meier: Mr. Meier said we could sit and argue about that portion all night, and he did not want to take up too much more of their time. Basically, this is just a grassroots movement trying to get the voices heard.

Mr. Sampson: Mr. Sampson said thanks to Mary Tallon, everyone knows how he feels. He wanted to make very brief comments because he has concerns about the chair engaging in debate. We took an oath when we were sworn into this County board, to uphold the Constitution and the laws of the United States, and the last time he looked, the Constitution of the United States included the Second Amendment. He has also looked up these bills. He went to the Legislative Reference Bureau, and Mr. Dunn's description is very excellent and accurate. They are lounging around there. There is a mixture, as Mr. Ashby noted, that some people might support, even gun owners and sportsmen. But, they're not going anywhere. They are just laying there. He is not sure what we can do about it one way or another, because we don't have jurisdiction over the State of Illinois, or the Federal Government. Some time ago one of our members proposed another County board policy on a national and state issue, immigration. As he recalled, they wanted the board to declare English as the official language of Macon County. It was pointed out at that time that English was already the

official language of Illinois, and we didn't need to do that. The last time he saw, the Second Amendment still applies in the State of Illinois and throughout the country. He has real concerns, which may or may not be shared by the rest of you, but he could not see how we could tell the right-to-lifers, and the pro-choicers, and the anti Iraq war people, and the people who want to impeach Bush, and the people who want more immigration, and the people who want less immigration, that they have every right to come down here now and we can spend ½ hour of every meeting from now until the future debating things over which we actually have no say. It seems that the people of Macon County have given us plenty to do, and there is a full agenda out there in terms of budget matters. He does not like to see that time go away, but it is up to you.

Mr. Smith: Mr. Smith said this resolution is making a statement, as Mr. Meier said. It is not binding this board to anything. He has been told this, but has not seen it, that this board in the past, in the 1990's passed a motion to oppose the airing of *NYPD Blue* on TV because it was going to show some nudity or someone's bare behind.

Mr. Potts: Mr. Potts said he wanted to add his support to this group of young people, and people in general, and thank Mr. Meier for his dedication to our Constitution, thereby giving us all the right to defend ourselves, our loved ones, our country, our town. Let us not forget that everywhere, everybody who defended this country was called a minuteman. He would like to thank Mr. Meier for being a minuteman. The minutemen stood and defended their homes and their country. This is a grassroots effort to just bring this to light, and just keep us informed on things. It is not binding, and he thinks it is something we should pass. With our rights being taken away every day, every single day more of our rights are being taken away, he strongly encourages his board members to support this resolution.

**ROLL CALL.**

Ayes: Cox, Drobisch, Hogan, Jacobs, Little, Meachum, Potts, Smith, Williams, Yoder

Nay: Ashby, Dudley, Dunn, McGlaughlin, Oliver, Sampson, Taylor, Westerman, Wilkins

**AYES = 10**

**NAYS = 9**

**MOTION CARRIED.**

**FINANCE COMMITTEE**

6. Mr. Dunn presented Resolution G-3148-2-08 which is executing deeds to convey property on which taxes were delinquent.

**MOTION**

Mr. Dunn moved, seconded by Mr. Yoder to approve Resolution G-3148-2-08.

There were no questions or comments from the board floor.

**ROLL CALL.**

Ayes: Ashby, Cox, Drobisch, Dudley, Dunn, Hogan, Jacobs, Little, McGlaughlin, Meachum, Oliver, Potts, Sampson, Smith, Taylor, Westerman, Wilkins, Williams, Yoder

Nays: (None)

**AYES = 19**

**NAYS = 0**

**MOTION CARRIED.**

7. Mr. Dunn presented Resolution G-3149-2-08 which is approving transfer of funds in the Sheriff's budget.

**MOTION**

Mr. Dunn moved, seconded by Mrs. Cox to approve Resolution G-3149-2-08 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

8. Mr. Dunn presented Resolution G-3150-2-08 which is approving an increase in appropriations in the County Clerk's budget.

**MOTION**

Mr. Dunn moved, seconded by Mr. Smith to approve Resolution G-3150-2-08 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

9. Mr. Dunn presented Resolution G-3151-2-08 which is approving an increase in appropriations in the State's Attorney's Grant Fund for receipt of grant for services to survivors of homicide ("Hidden Victims Grant").

**MOTION**

Mr. Dunn moved, seconded by Mrs. Wilkins to approve Resolution G-3151-2-08 by prior roll call vote.

**QUESTION:**

Mr. Oliver: Mr. Oliver asked if they could explain what this is.

Mr. Ahola: Mr. Ahola said this is a grant we have had for some time, and even dates back to Jeff Davison. Hidden victims are the survivors of murder victims, and this grant helps pay for their counseling through the State's Attorney's Office. It is a grant. It is not any kind of General Fund item. It has been going on for some time now, and is very successful.

Mr. Oliver: Mr. Oliver said he was concerned about what the purpose of it is.

Mr. Ahola: Mr. Ahola said we arrange for counseling for the left behind family members of murdered victims.

**MOTION CARRIED.**

10. Mr. Dunn presented Resolution G-3152-2-08 which is approving a transfer in the State's Attorney's budget for purchase a file tracking system.

**MOTION**

Mr. Dunn moved, seconded by Mr. Meachum to approve Resolution G-3152-2-08 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

11. Mr. Dunn presented Resolution G-3153-2-08 which is approving and increase in appropriations in the State's Attorney's Teen Court Budget.

**MOTION**

Mr. Dunn moved, seconded by Mrs. Cox to approve Resolution G-3153-2-08 by prior roll call vote.

**QUESTION:**

Mr. Ashby: Mr. Ashby asked if this is an anonymous gift.

Mr. Ahola: Mr. Ahola said we know who this is, but they want to remain anonymous.

**MOTION CARRIED.**

12. Mr. Dunn presented Resolution G-3154-2-08 which is approving an increase in appropriations in the State's Attorney's Grant Fund for receipt of grant for Safe from the Start Services ("Bernard Foundation Grant").

**MOTION**

Mr. Dunn moved, seconded by Mrs. Little to approve Resolution G-3154-2-08 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

13. Mr. Dunn presented Resolution G-3155-2-08 which is approving a budget amendment for Workforce Investment Solutions FY08 Budget.

**MOTION**

Mr. Dunn moved, seconded by Mr. Smith to approve Resolution G-3155-2-08 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**COMMENT:**

Mr. Dunn: Mr. Dunn said he mailed out a letter to all officeholders and department heads regarding tentative schedule for budget hearings. In the near future he will be sending out to the committee the actual budget hearing sessions, and trying to make sure we can all meet on the same day. He will then get those out to the department heads. We are trying to get an early start on this. We are looking at, as Mr. Ashby suggested, fund reserves. We are also looking at a 3 year capital budget, so it is going to be a lengthy process, but a healthy process for the county.

**NEGOTIATIONS COMMITTEE**

Mr. Oliver: Mr. Oliver said we have started negotiations with the Correctional Officers, and will be reporting as soon as we get something to report.

**TRANSPORTATION COMMITTEE**

14. Mr. Meachum presented Resolution H-1576-2-08 which is approving two new entrances to the new Maroa-Forsyth Grade School on Illiniwick Road (CH 20) east of Forsyth.

**MOTION**

Mr. Meachum moved, seconded by Mr. Williams to approve Resolution H-1576-2-08 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

15. Mr. Meachum presented Resolution H-1579-2-08 which is appropriating funds for the salary of the County Engineer from October 11, 2007 to October 10, 2008.

**MOTION**

Mr. Meachum moved, seconded by Mr. Yoder to approve Resolution H-1579-2-08 by prior roll call vote

**COMMENT:**

Mr. Meachum: Mr. Meachum said there is a scribner error on this in the 4<sup>th</sup> paragraph, and it should state Forty Nine Thousand Nine Hundred Fifty Dollars and No Cents.

**MOTION CARRIED.**

16. Mr. Meachum presented Resolution H-1580-2-08 which is approving support of Rockies Express East Pipeline proposed alignment in Macon County.

**MOTION**

Mr. Meachum moved, seconded by Mr. Hogan to approve Resolution H-1580-2-08 by prior roll call vote.

**COMMENT:**

Mr. Meachum: Mr. Meachum said they have an amendment to Exhibit A, and a copy was placed in front of each board member.

**MOTION TO AMEND**

Mr. Oliver moved, seconded by Mrs. Wilkins to amend Resolution H-1580-2-08 with the new copy of Exhibit A by prior roll call vote.

**QUESTION:**



Mr. Dunn: Mr. Dunn asked if the Exhibit A and the Exhibit A Continued that are in the packet are the new exhibits.

Mr. Meachum: Mr. Meachum said the new one is a separate sheet that was placed in front of each board member's seat, and it will replace the one that is in the packet. He said that was a mutual agreement between the County Engineer, the Board Chairman, and Rockies Express.

Mr. Bird: Mr. Bird said the new exhibit is the one that says Exhibit A **PREFERRED ALIGNMENT OF REX PIPELINE** in bold at the top. After meeting with REX, and we had a phone conversation yesterday, this is a further refinement of what was previously in your packet, of the alignment.

Mr. Dunn: Mr. Dunn asked if the Exhibit A Continued would still be the same language.

Mr. Bird: Mr. Bird said the two pages that are in your packet, both of those come out, and this one page goes in to replace both of those.

**MOTION CARRIED. (AMENDMENT TO RES. H-1580-2-08)**

**QUESTION:**

Mrs. Little: Mrs. Little asked if Mt. Zion is happy with this new proposal.

Mr. Bird: Mr. Bird said he met with their board a couple of Mondays ago. They have basically come to a board consensus in supporting this exact same alignment. He hasn't heard whether they have the thing completely signed yet. The last time he talked to the Village Administrator they have a letter put together and are just waiting on the signature of the mayor to send it off to us, and send to REX, and also file with the Federal Energy Regulatory Commission.

Mr. Dunn: Mr. Dunn said it is his understanding that the new agreement that Mr. Bird approves of, for the new alignment of the pipeline, runs parallel to the proposed bypass. He asked if that is correct.

Mr. Bird: Mr. Bird said that is correct.

Mr. Dunn: Mr. Dunn asked if the proposed bypass is engineered in such a way that a change is not going to affect our relationship with the pipeline now that we are in agreement with it.

Mr. Bird: Mr. Bird said no. This stays within our environmentally studied corridor. If we were going to move outside of this corridor we would have to take a step back and spend another \$200,000 in order to do that. Unless the board is willing to spend another couple hundred thousand dollars to do that, he doesn't think we are going to be doing that. We are going to be staying right there on that alignment.

Mr. Westerman: Mr. Westerman said due to our past experience with this pipeline company, he asked if this is binding in any way, or does this have any teeth in it, or have we just made a gesture here that could be overridden.

Mr. Bird: Mr. Bird said when we passed the previous resolution where we opposed the alignment, the company came to us and said, that is fine that you opposed the alignment, but what we need to move forward is to know where the county wants to have this alignment. If the county wants to coordinate it, then they need to tell the company where they would like to have it. We are passing this resolution and the company will study the alignment as we have presented it to them to see if it fits within their environmental needs, and their engineering needs. He thinks there is actually language in the resolution that says if they come back to us and say they will definitely agree to put it in this alignment, we will work through the board chair to actually come to an agreement at that point where we can actually sign off, and say yes it is actually going here.

Mr. Westerman: Mr. Westerman said they have known for a year about this and Mr. Bird has had many discussions with them, and it doesn't seem like that has done too much good. He is still a little fuzzy about whether there is teeth in this or not.

Mr. Bird: Mr. Bird said what we are saying with this resolution is that this is the alignment that we would like to see the pipeline at.

Mr. Westerman: Mr. Westerman said he does not like the word "like" in there.

Mr. Bird: Mr. Bird said it is our preferred alignment. If what Mr. Westerman is asking is whether this resolution binds them to place it on that exact alignment, no it does not. It says this is where we want to see it.

Mr. Westerman: Mr. Westerman said he was afraid that would be his answer.

Mr. Meachum: Mr. Meachum asked if he wanted to highlight the fact that our concerns have gone to the Federal energy people also.

Mr. Bird: Mr. Bird said the resolution, and a cover letter have all been filed with the Federal Energy Regulatory Commission. There have been a couple of legislators who have also file letters too. The feds are aware of that.

Allen Fore: Mr. Fore was there on behalf of Rockies Express Pipeline. He said we actually have alignment sheets we just completed today with the cooperation of Bruce and the engineering folks to get a precise alignment of potential reroute of the line south of the bypass. We will leave those behind and provide electronic copies so you will have those. He wanted to explain how we got to where we are with the route. Mr. Fore said we do not determine the route of the pipeline. The Federal Energy Regulatory Commission ultimately determines the route of the pipeline. So, when you passed the resolution opposing the proposed route we have on file with the FERC, Federal

Energy Regulatory Commission, we sat down with the chairman and Bruce, and the Village of Mt. Zion and others to determine if there was an alternative route that we could consider that would satisfy your concerns about the proposed bypass. We have been working together to determine exactly what that would be. Our engineers had to get a precise alignment to determine a number of factors that we will then study ourselves to determine the impact that this will have on a eventual route. There are a number of factors that have to be considered, that the FERC considers. Our preliminary determination is that this will add around 500 feet on to the distance of the line. It will potentially affect five new landowners that were previously not impacted by the line. So those landowners have to be consulted. They have to have negotiations on how it is going to impact their property. All of that has to be taken into consideration. Our folks have to go out and do environmental studies, and cultural studies on this corridor that we are going to use, to determine, while it may be suitable for the construction of a bypass, is it suitable for an underground natural gas pipeline. We don't know that yet. It is an important part of the process for an elected body such as yourselves to make a public determination, and a public vote, that this is your preferred alternative. The FERC takes all of that into account. In addition, perhaps these landowners that are newly affected may be strongly opposed to this alternative. We have found that in other areas of the country where we have worked with local governments to look at an alternative that they support, and then find out that landowners are strongly opposed. They are a very important part of this stakeholder process. Again, we don't know if there are cultural or environmental issues out there that may prevent this proposed alternative. Tonight is an important step toward potentially reaching an alternative that hopefully everyone will be pleased with. We have got to go through those additional steps. That is why tonight, we can not say there is a firm agreement that this will be our new proposed alternative because those additional steps need to be taken. Then the FERC will take all of that under advisement and review and ultimately determine the route of the line. The process and the timetable for that are now being reviewed, and the draft environmental impact statement is expected to be issued at the end of this month on February 29<sup>th</sup>. The FERC is certainly welcome to change or alter that schedule, and then potentially act on our certificate. It is our certificate of public convenience and necessity which authorizes the construction of the line in April. No construction or any activity would begin on this line until after all of those authorizations, and subsequent authorizations to the summer of 2008. There is some time, and that is why we worked with the chairman because originally this was going to be in March, and we wanted to get your public statement to be known while this whole process is under review by the Federal government.

Mr. Westerman: Mr. Westerman said he didn't mean to keep referring to this point but a year ago you came before us, and he, personally made you aware that there would possibly be a beltway through there. He is apprehensive yet on how in concrete this is going to be to meet the needs of this county if we put up the beltway. Why did you not meet with Mr. Bird since you were aware of it at the beginning, instead of going through all of this realignment? He doesn't have much sympathy for them having to do extra work.

Mr. Fore: Mr. Fore said we did have some meetings. We met with the State Representative in the area. Our right-of-way folks were talking to the county. We cross under roadways all the time, and existing interstates. We cross under the Mississippi River. We cross under roads all the time, and

it was our belief that we could cross underneath and build this pipeline in recognition of the future beltway, underneath with a heavier wall pipe, in the eventuality that this road will be built some day, on our proposed original route. So we would have simply buried the pipe deeper, and with heavier wall pipe in those particular areas. It was our view that we could do that and be consistent with your planning of your beltway. There was a concern expressed by the county that would leave a corridor between the beltway and our line. He was not sure exactly how much that was that would potentially impact development in that small area. It was his understanding that, that was the primary reason of concern that Mt. Zion brought forward and the county brought forward, and then ultimately you expressed in a public resolution, that you made, opposing our original route. You didn't oppose our original route before, but once you did, that brought us forward to seek an amicable solution to that. We are still of the belief that we can construct the line in accordance with your future development. It is your public expression of concern about the impact in that corridor there of future development, that brought us here today.

Mrs. Little: Mrs. Little asked if this resolution replaces our resolution of opposition, or merely goes along with it, so that it still stands before the Feds that we oppose the original, and if this plan is put in place then we are in favor of it, or are we replacing that opposition, in which case if this doesn't go through we have no voice.

Mr. Bird: Mr Bird said there is no language in the resolution that says we are voiding the previous one.

Mr. Sampson: Mr. Sampson said it is on record with FERC. It is in the public record that we are opposed to that alignment. If this things falls apart, and they decide to go back to the old alignment, we are still opposed to it.

#### **MOTION CARRIED.**

The Executive Committee had nothing to submit at the meeting.

#### **MACON COUNTY BUILDING SUB-COMMITTEE**

Mr. Drobisch: Mr. Drobisch said he had nothing to submit at the meeting.

Mr. Sampson: Mr. Sampson said discussions are continuing between the Blue Ribbon Panel, or whatever you want to call it, and the City Police Department. We may have something to report by March.

#### **CITIZENS REMARKS:**

Dean Padgett: Mr. Padgett said on this very date two years ago he started a battle with the Conservation Management concerning Friends Creek Park. If you have any doubts about his legitimacy he has a letter if you would like to see it. It is dated February 14, 2006. Universally, this

is supposed to be a happy day. His group at this moment is somewhat happy, but by no means fulfilled. As taxpayers of this county he is sure each of you understand our point. This year 2008 is an election year. He and his supporters also hope it is an electric year. Yes, today is Valentines Day. All of you should have a piece of candy. He trusts that no one has consumed it yet. It would be a good idea for those who have to stand because our honorable Sheriff has agreed that you guys will be detained for one night if you have already consumed your candy. At this point, he was asking you to take out your candy and unwrap it and take a bite out of it. After the bite, please wrap it up. Take it home with you, and please do not finish this piece of candy until we have all 36 sites electrified. He is now wondering if there are any questions as to how he and his supporters really feel. To help us achieve our goal, we are again asking you to please call, write, fax, and e-mail the names and addresses you were given at the last meeting. He thanked them for their time, support, and for listening.

Mr. Meier: Mr. Meier wanted to thank the board for passing the resolution. Secondly, there were questions about having copies of the bills e-mailed. He needed to know the e-mail address so he could get those sent out.

Mr. Sampson: Mr. Sampson told him to send them to the board office. The secretaries will distribute it to those who have e-mails. Not everyone has e-mail, but most of them do.

#### **OFFICEHOLDERS REMARKS:**

Mr. Williams: Mr. Williams said our March meeting will be our job shadow with our 4-H kids. That is something we all look forward to. He thinks we will have about 15 kids. We will have them evenly distributed between the board members and if you are lucky enough to have a 4-H member, please make them feel welcome.

Mr. Andrews: Mr. Andrews passed out a copy of the last quarterly news letter, and their Annual Report. The news letter is a month behind because he was unable to be at the last meeting. The Annual Report has to be distributed within 90 days or the end of the fiscal year so we have met that deadline. The third and most important thing he wanted to talk about very briefly, is hunger, and as all of you know it is an issue in Macon County. We have several good food banks that try to provide food for people that need it, but they can't keep up with the demand. All you have to do is read the paper or listen to the news. An organization he belongs to called HSAC, Human Service Agency Consortium is putting together a plan to try and increase the amount of food available throughout the year, not just at Christmas time, not just at Thanksgiving or when the letter carriers and WSOY and so on and so forth, have their drives. One of the things we are looking at to increase the availability of food throughout the year, is to have other sources of food come in, and to have competitions between different industries, and different governments, and that type of thing to collect food. For example, the County might take on the City or something like that, or ADM may take on Staleys. The banks may take each other on to see who can collect the most food, and then all of that would go to the food banks. The reason he was bringing this to the board's attention is because we are just beginning to put it all together to get all of our ducks in a row. It seems like the

media is going to support this, so there will be food available for people who need it all year long. He wanted to let them know that we will probably come back to the County, and in one or another, ask them to participate, whether it is in the County itself, or the County competing against the City. For lack of a better title, right now we are calling these competitions a Food Fight. Anybody who remembers the movie *Animal House*, knows that is where that term came from. It will be who can collect the most poundage of food, and also the food banks tells us that they like to receive money because then they can buy certain kinds of foods they need that maybe people don't contribute. You will hear more from him in the future about that. He hopes that the County will, in some way or another, be willing to participate in this effort.

Ms Stockwell: Ms. Stockwell wanted to tell them about two upcoming meetings and invite them to both of them. The first is on Tuesday at 9:00. She and Representative Flider are hosting the Illinois Commission on Government Forecasting and Accountability. This is the nonpartisan group that works directly for the legislature and forecasts the State economy and revenues. They have been with us several times in the past, and do an excellent presentation with a lot of information about the State as a whole, and about our area. We invite you to attend Tuesday morning at 9:00 at the library. The second thing she wants to tell them about is what she hopes will be the first in a series of Lunch and Learn Lectures for our employees. This got started because we switched vendors for our Deferred Compensation Plan for our employees. It is the public sector equivalent of our 401K. It is called a 457 Plan. The Insurance Committee went through a lengthy process and we changed vendors. Our new vendor is ICMARC, and they are providing a level of service that we have never seen before. They are here every quarter for individual appointments and group activities and seminars. We have doubled our participation in the program. We are still below where we want to be, but we have doubled our participation in 9 months which is fabulous. In terms of talking about that, we realized employees need more information about personal finances, so we are going to have a Lunch and Learn on Wednesday at noon in the County Board Office. Let her know if you are coming because lunch will be served. The title is Money, Banking & Credit. It will be to talk about personal budgeting, and your credit score. If you have a bad credit rating, how you can recover from it. How to shop for a credit card. She said it will be practical, personal, financial information. We are putting that on, on Wednesday at noon, and the State Treasurer's staff is coming over to do that program.

Mr. Sampson: Mr. Sampson wanted to thank Mr. Jacobs, Mr. Dudley, and Mr. Wolfe for taking on some new committee duties, and stepping into some important jobs. He also discovered that we appoint a representative to something called the Heartland of Illinois RC&D, which appears to be some type of multi-county economic and recreation development group. He has more information on his e-mail, which he forgot to printout and bring. If anyone is interested we have a vacancy. Ms. Zaiz was on that board. It doesn't have to be a county board member, but somebody that is interested in this sort of thing, he would be happy to appoint them. He thinks they meet every other month on a Thursday.

Mr. Meachum: Mr. Meachum said it is supposed to be a county board member who is appointed.

Mr. Williams: Mr. Williams said Mr. Sampson had said it is a multi-county group. He asked what counties are involved.

Mr. Sampson: Mr. Sampson said McLean, Piatt, Moultrie, Shelby. It goes all over the place.

Mr. Dunn: Mr. Dunn asked what this group is.

Mr. Sampson: Mr. Sampson said it is called the Heartland of Illinois RC&D. We pay them \$200.00 a year in dues.

Mr. Dunn: Mr. Dunn asked what RC&D stands for.

Mr. Sampson said that information is on the e-mail, which is in Urbana. He will have Linda forward it to the board.

Mr. Lightner: Mr. Lightner said it stands for Resource, Conservation and Development. It deals more with natural resources than anything else.

There was no old business presented at the meeting.

#### **NEW BUSINESS:**

Mr. Waks: Mr. Waks said he wanted to update the board about our Cable Television Franchise Agreement. There have been some recent amendments in the State law that changes the playing field on the franchise agreements. We do have a franchise agreement now that we are collecting money on that is now through Comcast. The agreement is at the point where it needs to be renegotiated. The state law that was passed allows the option for the cable provider to get a franchise from the state that covers the entire state, and basically we are out of it. He doesn't think Comcast is going to go that way. He thinks they will go ahead and stay with the individual governmental units which means we can renegotiate our agreement and continue receiving money from them. There are other cable providers, at least one, and maybe several others that are in Macon County that are much smaller than Comcast, that we don't have agreements with, and we do need to get some agreements because there is potential revenue there for us. It is not a lot, but still anything is better than nothing. The cable franchise law is extremely difficult, and extremely specialized, and there are a few firms across the country that do this kind of work. He has talked to a couple of the top firms, and we would like to go ahead and hire, as special counsel, one of the firms to help us through this complicated issue determining what is best for Macon County. It is probably not going to be an extremely complicated issue. There are some communities that have very complicated cable franchise agreements. The City of Decatur, for example, just finished several years of negotiations. Their's was pretty expensive. They just wrapped it up, and it was signed a week or two ago. We are a much smaller user of cable services out in the county. Since he presented this to committee, he determined we are looking at an hourly average of between \$200.00 and \$290.00 an hour. This is kind of a blended rate between the top lawyers that charge \$400.00 to \$500.00 an hour, and their

associates that charge less. We would like to go ahead and select and retain one of the firms that would help us negotiate these contracts. Of course the contracts would have to go through the committee and the County Board for approval. He is just basically letting you know for informational purposes what our plans are.

Mr. Ashby: Mr. Ashby asked what he thought the range of hours would be to complete the negotiations.

Mr. Waks: Mr. Waks said based upon our particular situation, one firm told him \$5,000 to \$10,000, and another firm told him \$5,000 to \$25,000. Champaign and Urbana had an RFP for \$100,000, but we are not in that range. We are probably in the range of \$5,000 to \$10,000.

Mr. Ashby: Mr. Ashby asked what kind of money do we generate.

Mr. Waks: Mr. Waks said about \$80,000 a year.

Mr. Ashby: Mr. Ashby asked how many years the agreement would cover.

Mr. Waks: Mr. Waks said he does not know. He does not know how far out we can go. We would probably have to discuss that with the counsel. Our last agreement was for 10 or so years.

Mr. Ashby: Mr. Ashby asked if we have a budget line item for this.

Mr. Waks: Mr. Waks said yes we have a budget line item, and it is out of the Judgement Fund.

Mr. Williams: Mr. Williams asked if the fees we are collecting from the cable companies are based on the cable company servicing the unincorporated areas, or how does that work.

Mr. Waks: Mr. Waks said it is the unincorporated areas.

#### **MOTION TO CLOSE SESSION**

Mr. Meachum moved, seconded by Mr. Drobisch to go into closed session to discuss personnel issues and pending litigation by prior roll call vote.

**MOTION CARRIED.**

#### **MOTION TO OPEN SESSION**

Mr. Oliver moved, seconded by Mr. Meachum to return to open session by prior roll call vote.

**MOTION CARRIED.**



**MOTION TO ADJOURN**

Mr. Yoder moved, seconded by Mr. Meachum to adjourn until Thursday, March 13, 2008 at 7:15 p.m.

**MOTION CARRIED.**

Meeting adjourned at 9:15 p.m.

