

**PROCEEDINGS  
OF THE  
MACON COUNTY BOARD**

**JANUARY 08, 2009**

**Jay A. Dunn  
Chairman**

**Stephen M. Bean  
Clerk**

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

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

Mrs. Taylor led the members in prayer.

All led in the Pledge of Allegiance.

**A. APPROVAL OF THE MINUTES OF THE DECEMBER 11, 2008 MEETING**

**MOTION**

Mr. Smith moved, seconded by Mr. Oliver to approve the minutes of the December 11, 2008 meeting.

There were no questions or comments from the board floor.

**ROLL CALL.**

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

Nays: (None)

**AYES = 19**

**NAYS = 0**

**MOTION CARRIED.**

**ZONING/SUBDIVISIONS**

1. Mr. Dudley presented Resolution Z-1090-1-09 which is regarding Case R-01-11-08, a petition submitted by Charlotte Kraft for rezoning approximately 2.09 acres from RE-5 Single Family Estate District to M-2 Heavy Industrial District on property commonly known as 4135 Turpin Road in Mt. Zion Township. After hearing the evidence, the Zoning Board of Appeals voted in favor of recommending to the County Board that the petition be approved. The EEHW Committee met and reviewed the petition as requested and voted 5-0 that the County Board approve the subject petition.

**MOTION**

Mr. Dudley moved, seconded by Mr. Meachum to approve Resolution Z-1090-1-09 by prior roll call vote.

**006658**

The petitioner was present at the meeting.

There were no objectors present at the meeting.

**QUESTION:**

Mr. Ashby: Mr. Ashby asked what the purpose of the rezoning is.

Mr. Dudley: Mr. Dudley said the purpose of the rezoning is for a glass recycling center.

**MOTION CARRIED.**

**B. CORRESPONDENCE**

A letter from the Illinois Environmental Protection Agency regarding the Underground Injection Control (UIC) Final Permit Decision concerning the ADM project.

A Public Notice from the Illinois Environmental Protection Agency regarding the proposed renewal of the Federally Enforceable State Operating Permit for Illinois Valley Paving Company in Elwin.

Letters from the Illinois Department of Transportation regarding Township Bridge Program Section 08-08121-00-BR and Section 07-14123-00-BR and the Engineering Agreements.

A letter from Suddenlink regarding price changes effective with the January 15, 2009 billing cycle.

A letter from Ameren regarding tree trimming that will be done in the Decatur and Harristown areas in the near future.

**REPORTS**

Sheriff's Report – December 2008

Coroner's Report – October & November 2008

Macon County Treasurer Fund Report – November 2008

**MOTION**

Mrs. Little moved, seconded by Mr. McGlaughlin 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.**

006659

**2. CLAIMS**

**MOTION**

Mrs. Cox moved, seconded by Mr. Yoder to approve the Claims by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**C. APPOINTMENTS**

3. Resolution G-3263-1-09 – Appointment to the Oakley Township Sediment Storage Site Maintenance Advisory Committee

Bryan Smith, 3569 Redlich Drive, Decatur, Illinois 62521

**MOTION**

Mr. Dunn moved, seconded by Mr. Dudley to approve Resolution G-3263-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

4. Resolution G-3264-1-09 – Appointments to the Macon County Regional Planning Commission

Jay A. Dunn, 3330 Forest Parkway, Decatur, IL 62521  
Term Expires: November 30, 2010

David Williams, 750 E. Wise Rd., Maroa, IL 61756  
Term Expires: November 30, 2012

Linda Little, 1413 W. Sunset, Decatur, IL 62522  
Term Expires: November 30, 2012

Jerry Potts, 1561 E. Walnut, Decatur, IL 62526  
Term Expires: November 30, 2012

Melveta Wilkins, 1880 W. Ravina Park Rd., Decatur, IL 62526  
Term Expires: November 30, 2012

**006660**

Michael Carrigan, 3915 E. Park Lane, Decatur, IL 62521  
Term Expires: April 30, 2009

**MOTION**

Mr. Dunn moved, seconded by Mrs. Cox to approve Resolution G-3264-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

5. Resolution G-3265-1-09 – Appointment to the Decatur-Macon County Opportunities Corporation

Jon Baxter, 200 N. Woodlawn, Decatur, IL 62522  
Term Expires: November 30, 2010

**MOTION**

Mr. Dunn moved, seconded by Mrs. Cox to approve Resolution G-3265-1-09 by prior roll call vote

There were no questions or comments from the board floor.

**MOTION CARRIED.**

6. Resolution G-3266-1-09 – Appointments to the Macon County Historical Society Board

Paula Cross, 1420 W. Sunset, Decatur, IL 62522  
Term Expires: December 31, 2010

James Romano, 109 S. 44<sup>th</sup> St., Decatur, IL 62521  
Term Expires: December 31, 2010

**MOTION**

Mr. Dunn moved, seconded by Mrs. Little to approve Resolution G-3266-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**COMMENT:**

**006661**

Mr. Dunn: Mr. Dunn said he was pulling Resolution G-3267-1-09 from the agenda which is appointments to the Macon County Emergency Telephone System Board. The resolution appoints himself and Ed Culp from the Sheriff's Department to the ETS Board. That would be expanding that board from 7 to 9. Looking into it, he found they have bylaws that call for 7 members. He has asked Chairman Rick Bright to change those bylaws to expand that to 9. Digging into these appointments and trying to find out some history on these different boards he came across where the committee that worked on setting up the ETSB had recommended a 9 member board. Dave Drobisch may have been one from the County Board that was appointed to it. Apparently at that time nobody from the board could sit on it, but they have changed that since then. He feels like somebody from the County Board needs to be on it. Of those nine that the committee recommended, they suggested someone from the Sheriff's Office and we don't have anyone from the Sheriff's Office at this time. He feels we should have especially when the City is looking at possibly moving and moving the com center or leaving it there, and if it is left there, there is probably going to be some renovation and expansion on that. It is definitely a time to have somebody from the board and somebody from the Sheriff's Office on that committee. Mr. Dunn said that was his thought process but right now we are going to look at trying to get the bylaws amended to go to 9 members.

There was nothing submitted on the Consent Calendar.

#### **JUSTICE COMMITTEE**

7. Mrs. Wilkins presented Resolution G-3268-1-09 which is approving the designation of the office of the State's Attorney's Appellate Prosecutor to act on behalf of Macon County.

#### **MOTION**

Mr. Wilkins moved, seconded by Mrs. Little to approve Resolution G-3268-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

#### **MOTION CARRIED.**

#### **EEHW COMMITTEE**

8. Mr. Dudley presented Ordinance O-76-1-09 which is amending Ordinance O-74-8-08 in Section 5.7 regulating the siting and construction of wind energy conversion systems within the unincorporated portions of Macon County, Illinois.

#### **MOTION**

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Mr. Dudley moved, seconded by Mr. Williams to approve Ordinance O-76-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**OPERATIONS, PERSONNEL & LEGISLATIVE COMMITTEE**

9. Mr. Smith presented Resolution G-3269-1-09 which is approving a decrease in the mileage reimbursement rate.

**MOTION**

Mr. Smith moved, seconded by Mrs. Cox to approve Resolution G-3269-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**FINANCE COMMITTEE**

10. Mr. Dunn presented Resolution G-3270-1-09 which is approving a contract with Marion Consulting for the redesign of the Macon County website.

**MOTION**

Mr. Dunn moved, seconded by Mr. Meachum to approve Resolution G-3270-1-09 by prior roll call vote.

**QUESTION:**

Mr. Ashby: Mr. Ashby said Section 5.4 refers to an e-mail submitted on December 3, 2008. That e-mail contains the hourly rates. He asked if Dan Lightner could explain those to the board.

Mr. Lightner: Mr. Lightner said Mr. Marion from Marion Consulting is at the board meeting to express those concerns. He was not able to find it within the contract, but Mr. Marion was at the meeting and could explain the rates.

Tony Marion: Mr. Marion said he is from Marion Consulting. The hourly rates of \$30.00 an hour, \$60.00 an hour and \$75.00 an hour are based on the activities performed. Basic activities such as data entry and the PDF uploads are explained. These are \$30.00 an hour and are very basic non-programming skills. The \$60.00 per hour is for existing services that are there and need modification, such as an on-line form to submit a request

**006663**

to fill a pothole in the city and you needed it modified to have additional fields. This would be the \$60.00 rate. If you come with a new requirement that requires brand new functionality that doesn't currently exist, this is where the \$75.00 per hour rate comes into play. It is designing and discussing all of the requirements and then implementing them.

Mr. Oliver: Mr. Oliver asked if that hourly rate is to be billed up to a certain amount.

Mr. Marion: Mr. Marion said the maximum amount of the current contract is the design an implementation of \$6,075.00 and the installation of the third party software is \$600.00. Any additional scope outside of what we currently have listed would be on a project basis, so it would come back to the Finance Committee to be re-approved. The hourly rates just depend on the scope of the project.

Mr. Oliver: Mr. Oliver stated that there could be cost overrun.

Mr. Marion: Mr. Marion said this is a maximum amount for the current project as we have identified; it is at the max right now. If you ask for new functionality then it would be discussed again and a new contract prepared with an explanation.

Mr. Lightner: Mr. Lightner said if we were to consider any functionality that is not current on the existing website then we would ask Mr. Marion or his company to program the new functionality that we do not have currently. That would be at that rate specified. The \$6,675.00 is for the website as we see it today.

Mr. Oliver: Mr. Oliver said that anything added to that would go at the \$75.00 rate.

Mr. Marion: Mr. Marion said that is correct. It depends on the functionality. If there is a new page you want on the site which would be modification of the text, that would be billed at the \$30.00 rate. If you decide you want citizens to have the ability to go in and view their water bill for example that would be new functionality that would be a brand new project and they would have to discuss the full scope of it.

Mr. Oliver: Mr. Oliver asked if Mr. Lightner would be the liaison between Mr. Marion and any new projects that are going to be developed.

Mr. Lightner: Mr. Lightner said his department would be with the approval of the County Board Chairman.

Mr. Williams: Mr. Williams asked Mr. Marion what programming language or languages he would use and if he anticipated this being a more interactive website than it is now.

Mr. Marion: Mr. Marion said yes absolutely. The program language he uses is PHP. He uses the back end of his SQL which is the database, standard HTML, CSS, and XML. As

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far as the functionality goes it will definitely be more interactive and easier to update, and better interface for the users to find the information they are looking for.

**MOTION CARRIED.**

11. Mr. Dunn presented Resolution G-3271-1-09 which is approving committee chairman compensation for all sub-committees.

**MOTION**

Mr. Dunn moved, seconded by Mr. Dudley to approve Resolution G-3271-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**NEGOTIATIONS COMMITTEE**

Mr. Oliver: Mr. Oliver said at this time we are in negotiations with the Circuit Clerk's Office and we will be reporting as we continue those negotiations. Hopefully we will be able to make a finality to that contract in the very near future.

**TRANSPORTATION COMMITTEE**

12. Mr. Potts presented Resolution H-1630-1-09 which is regarding appropriating funds for additional construction expenses on Section 08-00219-00-RS, the 2008 Annual Resurfacing Project.

**MOTION**

Mr. Potts moved, seconded by Mr. Yoder to approve Resolution H-1630-1-09 by prior roll call vote.

**QUESTION:**

Mr. Ashby: Mr. Ashby asked if this work has been completed. He was questioning the "as much as" figure. He asked if that is indicating that we don't have a firm figure on this.

Mr. Bird: Mr. Bird said it is the \$138,478.75, which is the exact figure. He said you could take the "as much as" out and just say appropriated.

Mr. Ashby: Mr. Ashby said he was just not sure if it was exactly that amount or less than that amount or whatever.

**MOTION CARRIED.**

13. Mr. Potts presented Resolution H-1631-1-09 which is approving permission for the Village of Mt. Zion to install a manhole and regrade the roadside ditch along the west side of Baltimore Ave. (CH 7) between Powers Court and Harry Land Road.

**MOTION**

Mr. Potts moved, seconded by Mrs. Wilkins to approve Resolution H-1631-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

14. Mr. Potts presented Resolution H-1632-1-09 which is approving permission for the Village of Mt. Zion to install a 12" water main alongside Baltimore Avenue (CH 7) between Florian Avenue and Harry Land Road.

**MOTION**

Mr. Potts moved, seconded by Mrs. Cox to approve Resolution H-1632-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

15. Mr. Potts presented Resolution H-1633-1-09 which is appropriating funds for an engineering agreement with H.L. Chastain & Associates for Section 08-00223-00-PV, the reconstruction of Country Club Road (CH 26) between Lost Bridge Road and U.S. 36.

**MOTION**

Mr. Potts moved, seconded by Mr. Yoder to approve Resolution H-1633-1-09 by prior roll call vote.

**COMMENT:**

Mr. McGlaughlin: Mr. McGlaughlin said in the body it says there be appropriated and there is hereby appropriated as much One Hundred and Eighty Thousand Dollars and No Cents and then the numerical figure is \$190,000. Also, in the next paragraph it says appropriate as much as and not to exceed One Hundred and Eighty Thousand Dollars and No Cents and the numerical figure says \$50,000.

Mr. Bird: Mr. Bird said they should both be \$180,000; it is a scribner error.

**006666**

**MOTION CARRIED.**

16. Mr. Potts presented Resolution H-1634-1-09 which is approving an engineering service agreement between H.L. Chastain & Associates and the County of Macon for 2009.

**MOTION**

Mr. Potts moved, seconded by Mr. Yoder to approve Resolution H-1634-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

17. Mr. Potts presented Resolution H-1635-1-09 which is approving an engineering service agreement between URS Corporation and the County of Macon for 2009.

**MOTION**

Mr. Potts moved, seconded by Mrs. Cox to approve Resolution H-1635-1-09 by prior roll call vote.

**QUESTION:**

Mr. Oliver: Mr. Oliver asked if URS is a local firm. He was told yes. Mr. Oliver then asked where they are located.

Mr. Dunn: Mr. Dunn said they are located on Ash Avenue.

**MOTION CARRIED.**

18. Mr. Potts presented Resolution H-1636-1-09 which is approving an intergovernmental agreement with the Park District covering the engineering design expense of Section 08-00223-00-PV, the reconstruction of Country Club Road (CH 26) between Lost Bridge Road and U.S. 36.

**MOTION**

Mr. Potts moved, seconded by Mrs. Cox to approve Resolution H-1636-1-09 by prior roll call vote.

**QUESTION:**

**006667**

Mr. Smith: Mr. Smith said this is something we talked about several years ago. Some people had raised this issue with him. He wanted to clarify that the Park District had agreed to this and no other governmental bodies had agreed to participate in it.

Mr. Bird: Mr. Bird said only the Park District has agreed to participate so far.

Mr. Ashby: Mr. Ashby asked how the expenses will be split.

Mr. Bird: Mr. Bird said they are going to reimburse us up to 5% or \$15,000 whichever, with a \$15,000 max. This is in reference to the engineering agreement that was approved a few minutes ago. Based upon the lump sum agreement it's going to be about \$13,500 or in that ball park and that is what they will reimburse us for.

Mr. Oliver: Mr. Oliver asked what the distance will be in this roadwork.

Mr. Bird: Mr. Bird said it is Country Club Road between Route 36 and the intersection at Lost Bridge Road.

Mr. Oliver: Mr. Oliver asked if the entire bid will be done with the amount of money he just mentioned.

Mr. Bird: Mr. Bird said the engineering design work will be.

Mr. Oliver: Mr. Oliver asked if that is the scope of the entire project.

Mr. Bird: Mr. Bird said yes.

Mr. Ashby: Mr. Ashby said it refers in the resolution to the engineering service agreement attached hereto, and he did not see that.

Mr. Bird: Mr. Bird said it is a separate handout.

**MOTION CARRIED.**

19. Mr. Potts presented Resolution H-1637-1-09 which is appropriating funds to cover additional construction expenses on Section 97-00141-00-BR, a bridge over a tributary to the Sangamon on Mount Auburn Blacktop (CH 28).

**MOTION**

Mr. Potts moved, seconded by Mrs. Cox to approve Resolution H-1637-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**006668**

20. Mr. Potts presented Resolution H-1638-1-09 which is appropriating funds to cover additional construction material expenses on Section 07-00000-00-GM, the 2007 Annual Resurfacing Contract.

**MOTION**

Mr. Potts moved, seconded by Mrs. Cox to approve Resolution H-1638-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

21. Mr. Potts presented Resolution H-1639-1-09 which is appropriating funds to cover additional advertising expenses on Section 07-00216-00-RS, the 2007 Annual Resurfacing Contract.

**MOTION**

Mr. Potts moved, seconded by Mr. Yoder to approve Resolution H-1639-1-09 by prior roll call vote.

**QUESTION:**

Mrs. Little: Mrs. Little asked why we are just now approving advertising for a 2007 project.

Mr. Bird: Mr. Bird said on the previous amendment he failed to include that advertising cost to IDOT. This is another resolution to basically appease IDOT and make sure that every last cent is accounted for in a resolution.

**MOTION CARRIED.**

22. Mr. Potts presented Resolution H-1640-1-09 which is appropriating funds to cover additional engineering expenses on Section 05-00205-00-BR, a bridge on Harry Land road in the Village of Mt. Zion.

**MOTION**

Mr. Potts moved, seconded by Mrs. Cox to approve Resolution H-1640-1-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

006669

**COMMENT:**

Mr. Bird: Mr. Bird introduced the new Assistant County Engineer, Joe Moretti. He has actually been working for the county for a year and a half; he just assumed this title as of December 1<sup>st</sup>.

The Executive Committee had nothing to submit at the meeting.

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

**CITIZEN'S REMARKS:**

Dean Padgett: Mr. Padgett lives 3245 Susan Drive in Decatur, Illinois. At last month's conservation meeting the issue concerning the rest of the electricity at Friends Creek was on the agenda and was kicked around but no movement was made at all. He was wondering if the reason could possibly be football. Your call.

**OFFICEHOLDER'S REMARKS:**

Mr. Baxter: Mr. Baxter said he put an announcement in everyone's box that Monday at noon in Amy Stockwell's office there is an audio seminar regarding Public/Private Partnerships for Local Governments. He looked at the website for this and it primarily is dealing with the funding of infrastructure but he thinks the same principles could be applied for other projects the county can not afford or that the funding has run out on like a grant. They work a deal with someone or an entity from the private sector to underwrite projects. An example that comes to mind that he talked to Jack about is the very successful Drug Court Program that Macon County had. It was probably the best drug rehab program set up and the most successful but it died for lack of funding. He always thought that if we had reached out to the community and obtained a sponsor or co-sponsor we could have continued with this. This seminar will be in Amy's office this Monday at noon and will last approximately an hour. Hopefully it will be beneficial.

Mr. Dudley: Mr. Dudley said he would like to give a few kudos to Mr. Steve Bean. He was at the city council petition objections last week and went over and above board with all of the extra work he had to do and he did a great job. Mr. Dudley said he saw it first hand and he just wanted Mr. Bean to be recognized for that.

There was no old business presented at the meeting.

There was no new business presented at the meeting.

**MOTION TO ADJOURN**

006670

Mr. Oliver moved, seconded by Mr. Yoder to adjourn until Wednesday, February 11, 2009 at 7:15 p.m.

**MOTION CARRIED.**

Meeting adjourned at 7:51 p.m.

**006671**