

**PROCEEDINGS  
OF THE  
MACON COUNTY BOARD**

**OCTOBER 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 Assistant State's Attorney Randy Waks present.

The Roll Call showed all members present with the exception of Mrs. Taylor.

Mr. Smith led the members in prayer.

All led in the Pledge of Allegiance.

#### **A. APPROVAL OF THE MINUTES OF THE SEPTEMBER 10, 2009 MEETING**

##### **MOTION**

Mr. Meachum moved, seconded by Mr. Oliver to approve the minutes of the September 10, 2009 meeting.

There were no questions or comments from the board floor.

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

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

Nays: (None)

**AYES = 20**

**NAYS = 0**

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

#### **ZONING/SUBDIVISIONS**

1. Mr. Dudley presented Resolution Z-1099-10-09 which is regarding Case R-01-09-09, a petition submitted by William & Nilda Van Alstine and Kimberly & Victor Serbe for rezoning of 0.410 acre from M-1 Light Industrial to RE-2 Single Family Residential on property commonly known as 5909 Route 48 South in Blue Mound Township. Staff recommended at the September 2, 2009 public hearing that the petition be approved. 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 and recommended by a 6-0 vote that the County Board approve the subject petition.

##### **MOTION**

Mr. Dudley moved, seconded by Mrs. Cox to approve Resolution Z-1099-10-09 by prior roll call vote.

There were no objectors present at the meeting.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

## **B. CORRESPONDENCE**

A Notice of Application for Permit to Manage Waste (LPC-PA16) from the Illinois Environmental Protection Agency for Veolia ES Valley View Landfill Unit 2 addressing condition IX.8 of the permit.

A copy of the recent county jail inspection from the Illinois Department of Corrections.

A copy of the Macon County Conservation District's Annual Audit for the fiscal year ending March 31, 2009.

Two letters from Comcast regarding upcoming changes and additional available services.

A letter from Comcast regarding their customer guarantee.

Two letters from the Illinois Department of Transportation regarding designated sections being closed for Farm Progress City and the Highway Bridge Program due to no Motor Fuel Tax funds being expended.

## **REPORTS**

Sheriff's Report – September 2009

Coroner's Report – August 2009

Macon County Tax Collector Bank Report – August 2009

Macon County Treasurer Fund & Investment Report - September 2009

Auditor's Report – September 2009

## **MOTION**

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

There were no questions or comments from the board floor.

**MOTION CARRIED.**

## **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.**

There were no appointments presented at the meeting.

**C. CONSENT CALENDAR**

3. Resolution G-3355-10-09 - Approving the Holidays for 2010

**MOTION**

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

**COMMENT:**

Mr. Dunn said he did become aware just prior to the meeting that November 2, 2010 is the General Election holiday. It is in our contracts and is state law, and some how we missed that. He would like to have a little discussion on that and maybe we need to amend this motion. He asked Steve Bean to address this issue.

Mr. Bean: Mr. Bean said the way the state law reads is that any time the General Assembly is elected, which is every even year in November, the county traditionally has a holiday along with the state.

**MOTION TO AMEND**

Mr. Smith moved, seconded by Mrs. Wilkins to amend Resolution G-3355-10-09 to add the November 2, 2010, General Election date as a holiday by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED. (AMENDMENT TO RES. G-3355-10-09)**

**MOTION CARRIED. (MAIN MOTION RES. G-3355-10-09 AS AMENDED)**

The Justice Committee had nothing to submit at the meeting.

**EEHW COMMITTEE**

4. Mr. Dudley presented Resolution G-3356-10-09 which is approving an Intergovernmental Agreement with the Village of Forsyth regarding an Animal Control Program.

**MOTION**

Mr. Dudley moved, seconded by Mr. Williams to approve Resolution G-3356-10-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

5. Mr. Dudley presented Resolution G-3357-10-09 which is approving the application of Veolia ES Valley View Landfill, Inc., for Local Siting Approval.

**MOTION**

Mr. Dudley moved, seconded by Mr. Meachum to approve Resolution G-3357-10-09 by prior roll call vote.

**COMMENTS:**

Mr. Randy Waks: Mr. Waks said we do have two scrivener's errors he would like to call your attention to. They are both on page 15. The first is in condition #33. On the 8<sup>th</sup> line which begins with the word property, we need to amend the line by inserting the word "is" between the words vehicle and repaired. The second scrivener's error is in condition #34 on the very last line of that condition the word "take" needs to be amended to "taken".

Mr. Dunn: Mr. Dunn said unless there was an objection they would take care of those scrivener's errors.

**MOTION CARRIED. (LITTLE SHOWED HER VOTE AS NO)**

**COMMENT:**

Mrs. Little: Mrs. Little said she would like to comment on her no vote. She was on the EEHW Committee for these hearings and she believes everyone worked very hard on it. She believes the counsel for Veolia, the counsel for the county, and the citizens in the affected area did a very fine job. Most of the citizen's concerns were addressed and resolved in a realistic and acceptable way for both parties. The one concern she was disappointed to see on the editing room floor was the maximum allowable height. 100% of the written citizen comments and 99% of the citizen's testimony brought up at the hearings brought this issue up as an important item to them, and she was disappointed to see that it was not addressed.

**OPERATIONS, PERSONNEL & LEGISLATIVE COMMITTEE**

6. Mr. Smith presented Resolution G-3358-10-09 which is accepting a one year proposal from NSN Employer Services, Inc., for unemployment cost management services.

**MOTION**

Mr. Smith moved, seconded by Mr. Oliver to approve Resolution G-3358-10-09 by prior roll call vote.

**QUESTION:**

Mrs. Little: Mrs. Little asked if we currently have or have had in the past a third party administrator.

Mr. Smith: Mr. Smith said yes. We have for many years been using a firm called TALX UC eXpress. We have been kind of unhappy with some of their response and timeliness, and the way they have handled things. We decided this year to put it out for bid. This vendor came in a little bit under what our current one bid. We have chosen them and will give them a try to see how they work out.

Mrs. Little: Mrs. Little asked if the committee was getting quarterly reports from them and holding either web conferences or in-person conferences with them for updates on the status of their claims.

Mr. Smith: Mr. Smith said the auditor was doing that through her work with that company.

Mrs. Little: Mrs. Little said she was a little surprised to see this because she has read through the OPL minutes and hadn't seen any notice in the last year that there had been any problems with the current firm.

Mr. Smith: Mr. Smith said the auditor has informed us and kept us up to date from time to time as to some frustrations with the current vendor.

Mrs. Little: Mrs. Little asked Mr. Smith if as committee chairman he had approached the TALX representative.

Mr. Smith: Mr. Smith said he did not, no.

**MOTION CARRIED. (LITTLE SHOWED HER VOTE AS NO)**

**FINANCE COMMITTEE**

7. Mr. Ashby presented Resolution G-3359-10-09 which is approving an increase in appropriations in the Insurance and Self Insurance Funds.

**MOTION**

Mr. Ashby moved, seconded by Mr. Potts to approve Resolution G-3359-10-09 by prior roll call vote.

**COMMENT:**

Mr. Ashby said this will be taken from the fund balance. The claims have increased beyond what we anticipated. Also, under the equipment item expense, we are buying some ergonomic chairs for the employees.

**MOTION CARRIED. (LITTLE SHOWED HER VOTE AS YES)**

8. Mr. Ashby presented Resolution G-3360-10-09 which is executing deeds to convey property on which taxes were delinquent.

**MOTION**

Mr. Ashby moved, seconded by Mr. Williams to approve Resolution G-3360-10-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

9. Mr. Ashby presented Resolution G-3361-10-09 which is approving a real estate purchase agreement to sell property at 2627 E. Wood Street, Decatur, IL.

**MOTION**

Mr. Ashby moved, seconded by Mr. Yoder to approve Resolution G-3361-10-09 by prior roll call vote.

**COMMENT:**

Mr. Ashby: Mr. Ashby said this resolution is to sell a donated property. The property sells for \$15,500 and was appraised for \$20,000.

**MOTION CARRIED.**

**NEGOTIATIONS COMMITTEE**

Mr. Dunn: Mr. Dunn said they are going to discuss the contract in closed session and then come out and vote on it.

## **TRANSPORTATION COMMITTEE**

10. Mr. Potts presented Resolution H-1676-10-09 which is appropriating funds to purchase a 4WD Backhoe Loader.

### **MOTION**

Mr. Potts moved, seconded by Mr. Williams to approve Resolution H-1676-10-09.

### **COMMENTS:**

Mr. Potts: Mr. Potts said we believe this particular backhoe was necessary. They have another backhoe but we believe that 2 backhoes are needed. They keep both backhoes busy. If perchance something was to happen to the first backhoe then we would have a backup.

Mrs. Little: Mrs. Little asked how long this will last. She asked what the life expectancy is on this piece of equipment.

Mr. Potts: Mr. Potts said a good 10 years he would assume.

Mr. Bird: Mr. Bird said it is typically about 10 or 12 years.

Mrs. Little: Mrs. Little asked how old the one is we are replacing.

Mr. Bird: Mr. Bird said it is from 2001.

Mrs. Wilkins: Mrs. Wilkins asked if we are replacing it or just adding another one.

Mr. Bird: Mr. Bird said we are replacing it.

Mr. Ashby: Mr. Ashby asked if we have explored lease options.

Mr. Bird: Mr. Bird said that question came up at the last Transportation meeting in regard to another piece of equipment, but not in regard to this piece of equipment.

Mr. Ashby: Mr. Ashby asked if the piece of equipment we have now, the 2001 loader, is inoperable or what is the condition on it.

Mr. Bird: Mr. Bird said it is in fair condition. It is operable. It is just getting to the point where it needs a little work.

Mr. Greenfield: Mr. Greenfield said with all due respect we were kind of split on this in highway. The price of this new machine is \$103,000. We currently have a 2005 that is very operable. We also have a drop machine that can be used to install culverts. That would put two culvert crews out at one time. We just gave away 34 miles of road to the

townships, and in times when you have asked all of the offices to make cuts he thinks it would be unfair for us to spend this kind of money on a machine that quite frankly we can live without, and don't really need at this time.

Mr. Williams: Mr. Williams said in addressing Mr. Ashby's question about leasing, he thinks a more accurate synopsis of the meeting as far as leasing would be to say that our County Engineer was directed to look at leasing options with our future purchases in our next fiscal year. Second of all, he understands and is very sensitive to the budget situation the county is in. But he asked Bruce to correct him if he was wrong, he thinks these are earmarked funds, motor fuel tax funds that have to be used for equipment or maintenance of our roadways.

Mr. Bird: Mr. Bird said this is money out of our county highway budget. We have a total amount of \$300,000 that was budgeted out of the current year's budget that we have yet to spend.

Mr. Williams: Mr. Williams asked if these are funds that are earmarked for a specific use, or are these funds that could be returned to the General Fund and used for other purposes.

Mr. Bird: Mr. Bird said we don't receive any General Funds at all. It is county highway funds and if we don't use it for equipment it goes back into our balance.

Mr. Williams: Mr. Williams said the leasing option is probably an option we need to look at. We have in the past purchased equipment. It has been a fairly good relationship for us to purchase equipment and utilize it. He doesn't think that in midstream we should change our processes. He thinks we need to follow through with the purchases that we have talked about making and that we have resolutions for this evening. The County Engineer and the powers that be in the highway department need to understand that in our next fiscal year the Transportation Committee is going to expect some various options for obtaining new equipment. We will want to explore the possibility of leases or any other out of the box thinking that is out there as opposed to purchasing. Mr. Williams doesn't think at this time, so late in our fiscal year that it is the correct time to back step.

Mr. Dunn: Mr. Dunn wanted to ask a question that came up in caucus regarding H-1676, H-1677, H-1678 and H-1679 while we have Bruce up there and the Transportation Committee here tonight. There seems to be conflict about spending this kind of money without further investigating some cost cutting possibilities. He asked if this is a do or die deal tonight, or is this something that could be sent back to committee for more discussion and research.

Mr. Potts: Mr. Potts said in light of some information that has come forward from Bruce who has done some investigating, at this point he thinks we need to go ahead and move ahead and bid on this.

Mr. Bird: Mr. Bird said at the Transportation Committee meeting one piece of equipment that we discussed specifically about leasing versus purchase, was the mowing tractors. Kevin had brought up the comment that IDOT has a current lease and are supposedly saving money on that lease as opposed to purchasing the equipment. Mr. Bird said there is a representative from Sloan Implement, Nick Voegel at the meeting. He said if John Deere has that state lease we would basically piggyback upon that lease since it is a state lease. He sat down and did some calculations. The tractors we are replacing are 22 year old mowing tractors. So even if you just round it off and say you are going to get it for 20 years, the purchase price of that tractor right now in today's dollars is \$45,005. In comparison to that lease if you want to use that state lease as your comparison, and for 20 years assuming that lease price is going to remain the same every year; and the terms of that agreement are going to remain the same every year for 20 years, in today's dollars assuming you're going to earn 2% which seems to be about typical from what he found on the Internet, you will need to have \$80,000 in the bank to cover that \$45,000 tractor.

Mr. Hogan: Mr. Hogan asked what the lease agreement price is.

Mr. Bird: Mr. Bird said it is \$4896.50 which is for 350 hours for 8 months. Any hour above that is \$13.99 an hour. If you take the lease price divided by 350 hours it ends up being \$13.99 an hour, so it is basically \$13.99 an hour for however long you are going to use it. He also backtracked and if you wanted to say you are going to invest the \$45,000 and try to determine what your break even point is by the hours you would have to use each year for that tractor; it is 137 hours. In talking with Mark, for us to mow twice a year and go all the way around that is going to keep the equipment busy for about 6 weeks. 6 weeks time 40 hours is 240 hours. 240 hours is greater than 137 so even if you wanted to do a lease and it was a flat \$13.99 an hour you would still end up paying more money each year as compared to purchasing the equipment.

Mr. Drobisch: Mr. Drobisch asked if you get a new unit every year with these leases.

Mr. Bird: Mr. Bird said yes.

Mr. Drobisch: Mr. Drobisch said so you wouldn't have problems with something.... He asked if the lease covers if there is damage or mechanical failure.

Mr. Bird: Mr. Bird said it would cover basic mechanics. He said Nick might want to speak on that a little bit.

Nick Voegel: Mr. Voegel said he is with Sloan Implement Company out of Assumption. Basically the way the lease program works is that it is a set price of \$4,900 for an 8 month lease. Excessive damage you would be responsible for. Granted, we know these tractors are going to be in rough conditions and get some scratches. But, any excessive damage such as hood breakage, windshield breakage, the county would have to pay for those repairs. Any excessive abuse to the tractor like if you burn a clutch up etc, damage the tractor, you would be responsible for those repairs. Excessive tire damage such as cutting a tire or ruining a tire, those would all be your responsibility to repair.

Mr. Drobisch: Mr. Drobisch asked if we have a lot of that kind of damage.

Mr. Bird: Mr. Bird said it is entirely possible.

Mr. Drobisch: Mr. Drobisch asked if historically we have had a lot of problems with that.

Mr. Bird: Mr. Bird said he does not think we have had an excessive amount of problems, but you never know what you're going to hit when you are mowing tall grass. That is part of the problem.

Mr. Ashby: Mr. Ashby asked if we are spending this money and buying this equipment because we have money in the budget or because we can't get by another year without it.

Mr. Bird: Mr. Bird said in the case of the mowing tractors, definitely because the rotary cutters that go with them are shot. In order to upgrade for the rotary cutters the newer models are heavier and need a higher horsepower tractor and that is why we are getting the tractors to match up with the mowers they will be pulling behind them.

Mr. Ashby: Mr. Ashby said he would rephrase that by asking if they could go another year with the existing equipment.

Mr. Bird: Mr. Bird asked how much duct tape and baling wire he has.

Mr. Ashby: Mr. Ashby said he has a garage full.

Mr. Oliver: Mr. Oliver wondered if we could consider getting a tractor with more horsepower that could be used in the off-season of cutting grass for other entities or other jobs.

Mr. Bird: Mr. Bird asked him such as....

Mr. Oliver: Mr. Oliver said he didn't know. He was asking Mr. Bird what "such as" could be done.

Mr. Bird: Mr. Bird said he doesn't know exactly what we would do with those. It is kind of a purpose tractor. It is either pulling an implement or mowing. We are not farmers.

Mr. Oliver: Mr. Oliver asked if there are other implements that can be use on these machines. He doesn't know what particular jobs they would have, but does know there are a lot of different accessories that go to a lot of these tractor units. He was just wondering whether or not it could be done. Maybe we should, instead of going to an 80 horsepower engine, go to a 100 horsepower engine and use it for something else.

Mr. Snyder: Mr. Snyder said in light of where this thing is going he would personally like to see this go back to the Transportation Committee and let them check into the

situation a little deeper as far as leasing or buying, or absolute need. It looks as if there is some controversy between the committee itself, and he would like to see them work that out so the full board gets a decent shot at it.

Mr. Williams: Mr. Williams asked Bruce to give them a synopsis on how many hours the mowers would be used in the summer time given that you mow twice, and you are going to mow twice next year, hopefully. Also, explain how many hours we would have as a part of the basic lease.

Mr. Bird: Mr. Bird said the basic lease is for 350 hours in a typical year.

Mr. Williams: Mr. Williams asked if that is for 8 months time.

Mr. Voegel: Mr. Voegel said you are given the tractors for 8 months. If you put 200 hours on it you are still billed for 350 hours. That is the minimum you are billed, but if you go over that you are billed extra.

Mr. Williams: Mr. Williams asked how much the extra is per hour.

Mr. Voegel: Mr. Voegel said it is \$13.99 an hour after 350 hours.

Mr. Williams: Mr. Williams said we have to make sure that Mr. Bird has what he needs to mow twice. He realizes this year was a unique year. But living out in the rural area, the county highways and intersections looked horrible. He was embarrassed for the county for that. We received numerous complaints about it and you folks acted on them, but time and again we heard about how people would pull up to intersections and their view would be impeded by large weeds. So, we want to make sure you have whatever tools you need, be it mowers, tractors or whatever to make sure that the county gets mowed. He asked Bruce to tell them again how many hours it will take them to mow the county twice.

Mr. Bird: Mr. Bird said in a typical year one round takes our crews 3 weeks. If you assume there is 40 hours in a week that is 120, and if you go around twice that is 240 hours.

Mr. Dunn: Mr. Dunn said to correct him if he was wrong but he thought we were talking about a backhoe loader. That is something you would work on to free culverts not to mow grass. He said we have a motion and a second on this motion so unless someone wants to make a motion to table we are going to vote on this.

Mrs. Wilkins: Mrs. Wilkins said Jerry Potts started out the conversation and she has gotten a little confused because he said this was going to be in addition to another backhoe, but then Mr. Bird said no; we are going to replace a backhoe. She asked if he could clarify that for all of us.

Mr. Bird: Mr. Bird said this is just to replace an existing machine. We have two backhoes right now and we want to replace one of them. He added that when we put the bids out, and this pertains to the backhoe not the lease, the bid prices are good for 90 days so if it goes back to committee those bids will expire, and they will probably have to re-bid. He is assuming, but doesn't know for a fact, but is assuming that whatever price we get back is going to be higher than the one we have now.

Mr. Ashby: Mr. Ashby said he is confused, and asked if the backhoe we are replacing is the one we bought in 2001.

Mr. Bird: Mr. Bird said yes.

Mr. McGlaughlin: Mr. McGlaughlin asked if the 2001 machine will be traded in, sold or what.

Mr. Bird: Mr. Bird said our first option is that we will advertise it for bid to all townships and local municipalities. If they don't want it then our current policy is that after that it goes to auction.

Mr. McGlaughlin: Mr. McGlaughlin asked what year the other backhoe is.

Mr. Bird: Mr. Bird said it is a 2005. He said he should add that this backhoe has an added feature that the backhoe we are replacing does not have. It has an auto dig feature where the operator can set the grade that they are digging from the cab which eliminates the need to have a person on the ground. That is one of the reasons we are interested in actually getting it now as opposed to later.

Mr. McGlaughlin: Mr. McGlaughlin asked if leasing is not an option with the backhoe.

Mr. Bird: Mr. Bird said he is sure that it could be an option.

Mr. McGlaughlin: Mr. McGlaughlin said it is not currently under discussion though.

Mr. Bird: Mr. Bird said no.

Mr. McGlaughlin: Mr. McGlaughlin said then we are voting on whether or not to purchase this backhoe.

Mr. Dunn: Mr. Dunn said exactly.

## **MOTION TO TABLE**

Mr. Snyder moved, seconded by Mr. Greenfield to table H-1676-10-09, H-1677-10-09, and H-1678-10-09 & H-1679-10-09.

## **ROLL CALL.**

Ayes: Ashby, Baxter, Cox, Dudley, Dunn, Greenfield, McGlaughlin, Oliver, Smith, Snyder, Westerman

Nays: Drobisch, Hogan, Jacobs, Little, Meachum, Potts, Wilkins, Williams, Yoder

**AYES = 11**

**NAYS = 9**

**MOTION CARRIED. (TO TABLE RES. H-1676-10-09, H-1677-10-09, AND H-1678-10-09 & H-1679-10-09)**

**EXPLANATION OF VOTE:**

Mrs. Little: Mrs. Little said she voted no because she believes the committee brought us a resolution, and while it wasn't unanimous on the committee that is the job of the committee to decide what the best motion is for this board. She is not on that committee and hasn't been involved in all of the discussion. If the committee didn't look into all the possible avenues that is not this board's fault.

11. Mr. Potts presented Resolution H-1680-10-09 which is approving permission for the Village of Oreana to install a water main.

**MOTION**

Mr. Potts moved, seconded by Mr. Smith to approve Resolution H-1680-10-09.

**COMMENT:**

Mr. Snyder said his motion to table only included H-1676-10-09, H-1677-10-09 and H-1678-10-09.

Mr. Dunn: Mr. Dunn said they would go back to H-1679-10-09.

Mr. Potts: Mr. Potts asked if they want to go back and finish H-1680-10-09.

Mr. Dunn: Mr. Dunn said no; go back to H-1679-10-09.

12. Mr. Potts presented Resolution H-1679-10-09 which is appropriating funds to purchase a 14,000 lb. tilt tag trailer.

**MOTION**

Mr. Potts moved, seconded by Mr. Greenfield to approve Resolution H-1679-10-09 by prior roll call vote.

**COMMENT:**

Mr. Potts: Mr. Potts said we need the trailer to carry the bobcat out to the job sites.

Mr. Ashby: Mr. Ashby asked if this is to replace an existing trailer.

Mrs. Cox: Mrs. Cox said we can't vote on the tilt trailer because we have a motion on the floor for H-1680-10-09.

Mr. Potts pulled his motion for H-1680-10-09 and Mr. Smith pulled his second to H-1680-10-09.

Mr. Bird: Mr. Bird said in answer to Mr. Ashby's question this is not to replace an existing trailer; it is a new trailer. It is specifically so we can use a pickup truck to haul the skidster as opposed to getting out our large trailer with our large tractor-trailer to haul it around.

**MOTION CARRIED. (DROBISCH, HOGAN, JACOBS, LITTLE, MEACHUM, POTTS, WILKINS, WILLIAMS, YODER SHOWED THEIR VOTE AS YES)**

13. Mr. Potts presented Resolution H-1680-10-09 which is approving permission for the Village of Oreana to install a water main.

**MOTION**

Mr. Potts moved, seconded by Mr. Smith to approve Resolution H-1680-10-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

14. Mr. Potts presented Resolution H-1681-10-09 which is approving permission for Norandex to install a new entrance at 4155 N. Brush College Rd. (CH 1).

**MOTION**

Mr. Potts moved, seconded by Mr. Yoder to approve Resolution H-1681-10-09 by prior roll call vote.

**QUESTION:**

Mr. Meachum: Mr. Meachum asked if we are paying for the culvert.

Mr. Bird: Mr. Bird said no we are not.

**MOTION CARRIED.**

15. Mr. Potts presented Resolution H-1682-10-09 which is appropriating funds to cover a 50/50 cost share drainage project with Illini Township.

**MOTION**

Mr. Potts moved, seconded by Mr. Williams to approve Resolution H-1682-10-09 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

16. Mr. Potts presented Resolution H-1683-10-09 which is approving an agreement for a Jurisdictional Transfer of Lost Bridge Road (CH 50 Extension) to the City of Decatur.

**MOTION**

Mr. Potts moved, seconded by Mrs. Cox to approve Resolution H-1683-10-09 by prior roll call.

**QUESTION:**

Mrs. Little: Mrs. Little asked if this transfers all responsibility of that section of road.

Mr. Bird: Mr. Bird said everything but the bridge.

Mr. Smith: Mr. Smith asked if Mr. Bird could tell them why this transfer is necessary or requested.

Mr. Bird: Mr. Bird said because the previous jurisdiction was a mishmash of 4 different jurisdictions through there. Most of it was actually a county highway extension across a city street, so the maintenance belonged to the city to begin with. Statutorily if you go in and do any reconstruction which is basically what we did out there, it automatically becomes a county highway, so we had to do a jurisdictional transfer to clean it up and give the street maintenance back to the city.

Mr. Smith: Mr. Smith asked if this has anything to do with being in the jurisdiction of the city.

Mr. Bird: Mr. Bird said no. In townships it is automatic. For county highways and state highways you have to do a jurisdictional transfer to make it legally acceptable.

**MOTION CARRIED. (MEACHUM SHOWED HIS VOTE AS PRESENT & WESTERMAN SHOWED HIS VOTE AS NO)**

The Executive Committee had nothing to submit at the meeting.

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

**COMMENT:**

Mr. Meachum: Mr. Meachum said the Siting, Rules & Ordinance Committee has been working on a Nuisance Ordinance and at our next meeting hopefully we will get that ordinance approved in a subcommittee and move it to the EEHW Committee. We will be working on some other ordinances and zoning issues.

**CITIZEN'S REMARKS:**

Dean Padgett: Mr. Padgett lives at 3245 N. Susan Drive in Decatur, Illinois. If you have noticed the last few months I have been rather quiet and reserved, mostly because one year ago at this time the Executive Director told me there was \$100,000 available to complete the electricity at Friends Creek. The end of this month is the end of this year's camping season, and as you know, at this moment, nothing has taken place during this past year. However, hunting season comes in early next month. If I don't get some positive feedback at the next regular monthly meeting, I want each of you to know I will open up the hunting season with a double-barreled weapon.

**OFFICEHOLDER REMARKS:**

Mr. McGlaughlin: Mr. McGlaughlin said he feels he has to defend his honor in this scrivener's error thing. He asked learned counsel if in paragraph 27 if there is such a word as prohibitive or should it be prohibitive.

Mr. Waks: Mr. Waks asked which line he was looking at.

Mr. McGlaughlin: Mr. McGlaughlin said it is the next to the last line.

Mr. Waks: Mr. Waks said he would check it out in the dictionary and if it turns out that the word we have is not a word, with your permission he would make the scrivener's error correction. If it is a word, or if it may be a word, or if some lawyer even thought it was a word we will leave it alone.

Mr. Dunn: Mr. Dunn said he would like to thank the EEHW Committee and some of the board members that attended the siting process. They put a lot of hours and a lot of due diligence in it. There was a lot of information to read through and try to understand, a lot of technical stuff. He appreciated their time. He appreciated the whole process of it, and commended them for putting in the time to do that.

There was no old business presented at the meeting.

There was no new business presented at the meeting.

**MOTION TO CLOSE SESSION**

Mrs. Little moved, seconded by Mr. McGlaughlin to go into closed session to discuss the clerical union contract by prior roll call vote.

**MOTION CARRIED. (MEACHUM & WESTERMAN SHOWED THEIR VOTE AS YES)**

**MOTION TO OPEN SESSION**

Mr. Snyder moved, seconded by Mr. Drobisch to return to open session by prior roll call vote.

**MOTION CARRIED.**

17. Mr. Oliver presented Resolution G-3362-10-09 which is approving and agreement between Macon County and the American Federation of State, County and Municipal Employees Council 31 AFL-CIO Local 612 Clerical Unit.

**MOTION**

Mr. Oliver moved, seconded by Mrs. Little to approve Resolution G-3362-10-09 by prior roll call vote

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**COMMENT:**

Mr. Dunn: Mr. Dunn said he appreciates the Negotiating Committee, Mr. Flynn, and their work on this. It has been brought to his attention that some of the board members would like more in depth reports from the Negotiating Committee during the process of these negotiations. Obviously it would have to be under a closed session. He asked that they keep that in mind on the next negotiations coming up that the committee would like to get a monthly report on where we are at.

**MOTION TO ADJOURN**

Mr. McGlaughlin moved, seconded by Mr. Yoder to adjourn until Thursday, November 12, 2009 at 7:15 p.m.

**MOTION CARRIED.**

Meeting adjourned at 8:35 p.m.

