

**PROCEEDINGS  
OF THE  
MACON COUNTY BOARD**

**DECEMBER 13, 2012**

**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 at the meeting with the exception of Mr. Ashby and Ms. Zimmerman.

Mrs. Taylor led the members in prayer.

All led in the Pledge of Allegiance.

**A. APPROVAL OF THE MINUTES OF THE NOVEMBER 8, 2012 AND NOVEMBER 20, 2012 MEETINGS**

**MOTION**

Mr. Smith moved, seconded by Mr. Oliver to approve the minutes of the November 8, 2012 and November 20, 2012 meeting.

There were no questions or comments from the board floor.

**ROLL CALL.**

Ayes: Baxter, Bird, Cox, Dawson Drobisch, Dudley, Dunn, Greenfield, Hogan, Jacobs, Little, Mattingley, Meachum, Minich, Oliver, Potts, Smith, Taylor, Williams

Nays: (None)

**AYES = 19**

**NAYS = 0**

**MOTION CARRIED.**

There were no zoning or subdivisions presented at the meeting.

**B. CORRESPONDENCE**

A letter from Comcast regarding programming contract renewal website

A letter from Comcast regarding changes in channel line-ups

A letter from Comcast regarding price change information

A letter from Suddenlink regarding upcoming channel changes

A letter from the Decatur Public Building Commission regarding surplus funds for Fiscal Year 2012 in the amount of \$834,656.63

A notice from the Illinois Commerce Commission of a Prehearing Conference scheduled on December 3, 2012 in regard to Ameren Transmission Company of Illinois and a Petition for a Certificate of Public Convenience and Necessity pursuant to sections of the Illinois Public Utilities Act

A letter from Whitt Sturtevant LLP regarding the notice of filing by Ameren Transmission Company of Illinois of an Application for a Certificate of Public Convenience and Necessity with the Illinois Commerce Commission

A Notice of Application for Permit to Manage Waste for Veolia ES Valley View Landfill for submittal of Construction Documentation Report for landfill gas extraction system construction

Two notices from Ameren regarding upcoming vegetation activities and tree trimming that will be done in and around the Decatur area in the near future.

**REPORTS**

- Sheriff's Report – November 2012
- Coroner's Report – October 2012
- Treasurer Fund & Investment Report – November 2012
- Tax Collector's Bank Report – November 2012
- Auditor's Report – October 2012

**MOTION**

Mr. Smith moved, seconded by Mr. Dudley 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.**

**1. 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**

2. Resolution G-3785-12-12 – Appointment to Central Illinois Economic Development Authority

Jay Dunn, 3330 Forest Parkway, Decatur, IL 62521  
Term Expires: November 30, 2014

**MOTION**

Mr. Dunn moved, seconded by Mr. Dudley to approve Resolution G-3785-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

3. Resolution G-3786-12-12 – Appointment to the Macon County Electrical Commission

Kyle Nave, 33 W. Westway Dr., Decatur, IL 62526  
Term Expires: November 30, 2015

**MOTION**

Mr. Dunn moved, seconded by Mr. Potts to approve Resolution G-3786-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

4. Resolution G-3787-12-12 – Appointment to the Macon County Emergency Food and Shelter Program (EFSP) Board

Patricia Cox, 4311 Andrews Street Road, Macon, IL 62544  
Term Expires: November 30, 2014

**MOTION**

Mr. Dunn moved, seconded by Mrs. Little to approve Resolution G-3787-12-12 by prior roll call vote.

**QUESTION:**

Mr. Oliver: Mr. Oliver asked where this organization operates from, and what its purpose is.

Mrs. Cox: Mrs. Cox said they operate out of Catholic Charities.

Mr. Oliver: Mr. Oliver asked if it is an augmentation to that program, or is it one that is separate and stands by itself.

Mrs. Cox: Mrs. Cox said it stands by itself.

Mr. Oliver: Mr. Oliver asked where it gets its funding from.

Mrs. Cox: Mrs. Cox said funding is from state and federal.

Mr. Waks: Mr. Waks said this is actually a branch of FEMA. It is funded through the federal government. The way it operates is that the federal government gives the money to United Way that acts as the fiscal agent. The local emergency food and shelter program has people that sit on the board from various not for profit organizations and the county board. They help decide where the money is going to go to divide it up. It is a branch of FEMA.

Mr. Oliver: Mr. Oliver asked if this is part of our budgeting process.

Mr. Waks: Mr. Waks said it is a part of somebody's, but not Macon County's. It is the federal government.

**MOTION CARRIED.**

5. Resolution G-3788-12-12 – Appointment to the Macon County Heartland of IL Resource Conservation & Development (RC&D) Council

Patrick Murphy, #9 Allen Bend Pl., Decatur, IL 62521  
Term Expires: November 30, 2014

**MOTION**

Mr. Dunn moved, seconded by Mr. Dudley to approve Resolution G-3788-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

6. Resolution G-3789-12-12 – Appointments to Macon County Historical Society Board of Directors

Sandra Walker, 4631 Dogwood Ct., Decatur, IL 62526  
Edward Walker, 425 S. Henderson, Mt. Zion, IL 62549  
Karen Anderson, 1715 S. Albany Place, Decatur, IL 62521

Paula Cross, 1420 W. Sunset, Decatur, IL 62522  
James Romano, 109 S. 44<sup>th</sup> St., Decatur, IL 62521  
Terms Expire: December 31, 2014

**MOTION**

Mr. Dunn moved, seconded by Mrs. Little to approve Resolution G-3789-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

7. Resolution G-3790-12-12 – Appointments to Macon County Regional Planning Commission

Bill Clevenger, 145 S. Woodlawn, Decatur, IL 62522  
Craig Coil, 101 S. Main, Decatur, IL 62523  
Steve Grimm, 225 W. William St., Decatur, IL 62522  
Jay A. Dunn, 3330 Forest Parkway, Decatur, IL 62521  
David Williams, 750 E. Wise Rd., Maroa, IL 61756  
Kevin Bird, 3110 N. Westlawn Ave., Decatur, IL 62526  
Terms Expire: November 30, 2015

**MOTION**

Mr. Dunn moved, seconded by Mr. Meachum to approve Resolution G-3790-12-12 by prior roll call vote.

**COMMENT:**

Mr. Greenfield: Mr. Greenfield said he did not have any problems except for one.

Mr. Hogan: Mr. Hogan said he agreed, except for one, and that one would be Williams.

**MOTION CARRIED. (GREENFIELD SHOWED HIS VOTE AS NO)**

8. Resolution G-3791-12-12 – Appointments to Milam Drainage District #1

Dean Freeland, 335 McGaughey Dr., Mt. Zion, IL 62549  
Term Expires: 1<sup>st</sup> Tuesday in September, 2015

David W. Wilson, 3512 E. Walker Rd, Macon, IL 62544  
Term Expires: 1<sup>st</sup> Tuesday in September 2014 (Filling unexpired Term of Daniel Clark)

**MOTION**

Mr. Dunn moved, seconded by Mr. Dudley to approve Resolution G-3791-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED. (GREENFIELD SHOWED HIS VOTE AS YES)**

**D. CONSENT CALENDAR**

9. Resolution G-3792-12-12 – Executing deeds to convey property on which taxes were delinquent.

**MOTION**

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

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**JUSTICE COMMITTEE**

10. Mr. Mattingley presented Resolution G-3793-12-12 which is approving increase in the Circuit Clerk Automation Fund budget for Fiscal Year 2013.

**MOTION**

Mr. Mattingley moved, seconded by Mr. Meachum to approve Resolution G-3793-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

11. Mr. Mattingley presented Resolution G-3794-12-12 which is approving increase in the Circuit Clerk’s EDP Line in the Automation Fund budget for Fiscal Year 2013.

**MOTION**

Mr. Mattingley moved, seconded by Mr. Minich to approve Resolution G-3794-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

12. Mr. Mattingley presented Resolution G-3795-12-12 which is approving an increase in the Circuit Clerk General Fund budget, and Document Storage Fund budget for Fiscal Year 2013.

**MOTION**

Mr. Mattingley moved, seconded by Mr. Williams to approve Resolution G-3795-12-12 by prior roll call vote.

**QUESTION:**

Mr. Jacobs: Mr. Jacobs said it seems like we are spending a lot of money here, especially when this one has a clerk typist \$20,000 amount. He asked if that is a raise or a salary, or what is it.

Lois Durbin: Mrs. Durbin said the contract was up for union members in her offices and this is raises for the 30 employees. They each received \$721.00 a piece for their raise this first year. When she did the budget she held it until they fully negotiated the contract.

Mr. Jacobs: Mr. Jacobs said his real question is whether the money is available.

Mr. Dunn: Mr. Dunn said yes; it is.

Mr. Jacobs: Mr. Jacobs asked where we are getting the money.

Mrs. Durbin: Mrs. Durbin said this is in the General Fund line. There are some other employees that are in her Automation and Document Fund and she is getting money for that. The \$20,188.00 is out of the General Fund budget.

Mr. Jacobs: Mr. Jacobs asked if we have plenty of money in the General Fund. It used to be when he raised this question he would ask where they would get the money and he was told from the Ending Fund Balance. He would ask the question of how much money is in the Ending Fund Balance and would be told they didn't know. He was glad he didn't hear that here tonight.

Ms. Stockwell: Ms. Stockwell said Mr. Jacobs was correct that when that question was answered 10 years ago and they said Ending Fund Balance; the Ending Fund Balance was actually negative. It was negative by \$2,000,000 to \$3,000,000, so we had an overdrawn credit card. Right now the General Fund balance is in excess of \$10,000,000 plus. So, those are the reserves that have been accumulated over 10 years of good financial management.

**MOTION CARRIED.**



13. Mr. Mattingley presented Resolution G-3796-12-12 which is approving increase in appropriations in FY 12 Coroner's budget.

**MOTION**

Mr. Mattingley moved, seconded by Mrs. Little to approve Resolution G-3796-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

14. Mr. Mattingley presented Resolution G-3797-12-12 which is approving increase in FY12 appropriations in the Probation Grant fund for additional appropriations received for the Juvenile Redeploy Grant.

**MOTION**

Mr. Mattingley moved, seconded by Mrs. Little to approve Resolution G-3797-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

15. Mr. Mattingley presented Resolution G-3798-12-12 which is entering into an agreement with Peoria County for the sale of Juvenile Detention bed space.

**MOTION**

Mr. Mattingley moved, seconded by Mr. Meachum to approve Resolution G-3798-12-12 by prior roll call vote.

**COMMENT:**

Mr. Smith: Mr. Smith said he wanted to point out that after checking into this and looking, that we got a rate of about \$80.00 for a bed and that includes transportation provided by Peoria County to pick up any of these juveniles in Macon County. He said that is a heck of a deal, so his hat is off to those involved in negotiating that agreement.

Mr. Dunn: Mr. Dunn said it is a little more than \$80.00, like \$100 and....

Sheriff Schneider: Sheriff Schneider said the transportation is more than that.

Mr. Dunn: Mr. Dunn said it is still a great deal.

**MOTION CARRIED.**

16. Mr. Mattingley presented Resolution G-3799-12-12 which is approving increase in appropriations in FY 2013 Sheriff's budget for vehicle purchase.

**MOTION**

Mr. Mattingley moved, seconded by Mrs. Little to approve Resolution G-3799-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

17. Mr. Mattingley presented Resolution G-3800-12-12 which is approving the Designation of the Office of the State's Attorneys Appellate Prosecutor to act on behalf of Macon County.

**MOTION**

Mr. Mattingley moved, seconded by Mr. Drobisch to approve Resolution G-3800-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

18. Mr. Mattingley presented G-3801-12-12 which is approving increase in appropriations for grant timing in the State's Attorney Grant and General funds for FY 2012 budget.

**MOTION**

Mr. Mattingley moved, seconded by Mr. Drobisch to approve Resolution G-3801-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**EEHW COMMITTEE**

19. Mr. Dudley presented Resolution G-3802-12-12 which is approving increase in appropriations in the FY 12 and decrease in the appropriations in the FY 13 Health Fund budget for Public Health Emergency Preparedness Carry Over (PHEP).

**MOTION**

Mr. Dudley moved, seconded by Mr. Meachum to approve Resolution G-3802-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

20. Mr. Dudley presented Resolution G-3803-12-12 which is approving the Decatur Macon County Enterprise Zone Intergovernmental Agreement.

**MOTION**

Mr. Dudley moved, seconded by Mr. Oliver to approve Resolution G-3803-12-12 by prior roll call vote.

**QUESTION:**

Mrs. Little: Mrs. Little asked what the difference is between this resolution and the next resolution.

Mr. Dudley: Mr. Dudley said the first one is just an intergovernmental agreement which we had to have between Macon County and the City of Decatur. The second one is the actual resolution.

**MOTION CARRIED.**

21. Mr. Dudley presented Resolution G-3804-12-12 which is approving participation in the Enterprise Zone.

**MOTION**

Mr. Dudley moved, seconded by Mr. Smith to approve Resolution G-3804-12-12 by prior roll call vote

**MOTION TO AMEND**

Mr. Dudley moved, seconded by Mr. Minich to amend Resolution G-3804-12-12 as stated in the amendment document provided to all the board members. It is basically taking Section F page 4 and adding as #9) cash advance, pay day loan and title loan stores, and also under Section G page 4 adding line #14) cash advance, pay day loan and title loan stores by prior roll call vote.

**QUESTION:**

Mrs. Little: Mrs. Little asked based on this list of exemptions from Enterprise Zone benefits, what criteria is used to decide who is not eligible for the tax benefits of an Enterprise Zone.

Craig Coil: Mr. Coil said this specifically relates to property tax abatement. So, those businesses that are outlined in those categories are specifically denied by the resolution.

Mrs. Little: Mrs. Little said she understands what the resolution does. She was asking why these 9 or 14 businesses have been pinpointed to pay higher property taxes than their counterparts in the same area.

Mr. Coil: Mr. Coil said they haven't been pinpointed to pay higher property taxes; they are just not incented to expand within the specific areas. So those particular business categories for the last 10 years, if you take the long list of 14 now, those particular categories have always been excluded from abatement. That was a policy that was requested by the City of Decatur originally and we have just kept it in force.

Mrs. Little: Mrs. Little asked if these are businesses that the city really doesn't want but they can't really out rule so they're going to make it unpleasant for them to do business.

Mr. Coil: Mr. Coil said it is not that way at all. It is a question of priority for offering incentives. So, the priority for offering incentives, both at the retail level and at the office distribution manufacturing levels are to have higher paying, higher income jobs available. Those sectors typically don't provide those. Also, they don't typically fall within the categories that are outlined for development priority by the city.

**MOTION CARRIED. (AMENDMENT TO G-3804-12-12) (LITTLE SHOWED HER VOTE AS NO)**

**MOTION CARRIED. (MAIN MOTION AS AMENDED G-3804-12-12) (LITTLE SHOWED HER VOTE AS NO)**

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

The Legislative Committee had nothing to submit at the meeting.

### **FINANCE COMMITTEE**

22. Mr. Dunn presented Resolution G-3805-12-12 which is providing levy abatement in recognition of accumulated interest and rental income in the DPBC Lease fund.

### **MOTION**

Mr. Dunn moved, seconded by Mr. Smith to approve Resolution G-3805-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

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

23. Mr. Dunn presented Resolution G-3806-12-12 which is authorizing the issuance of not to exceed \$10,000,000 in principal amount of a Revenue Refunding Bond, Millikin University Series 2012; authorizing the execution and delivery of all related documentation; and authorizing and approving certain related matters.

**MOTION**

Mr. Dunn moved, seconded by Mr. Dudley to approve Resolution G-3806-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

The Negotiations Committee had nothing to submit the meeting.

**TRANSPORTATION COMMITTEE**

24. Mr. Smith presented Resolution H-1824-12-12 which is appropriating funds to cover engineering expenses on Section 12-00246-00-BR, the bridge replacement project on Washington Street (Marsh Bridge) in Friends Creek Township.

**MOTION**

Mr. Smith moved, seconded by Mr. Potts to approve Resolution H-1824-12-12 by prior roll call vote.

**COMMENT:**

Mr. Williams: Mr. Williams thought the location for this would be Austin Township.

Mr. Bird: Mr. Bird said it is in Friends Creek Township.

**MOTION CARRIED.**

25. Mr. Smith presented Resolution H-1825-12-12 which is appropriating funds to cover engineering expenses on Section 12-00247-00-BR, the Bridge Rehabilitation Project on Wise Road (CH 54) in Austin Township.

**MOTION**

Mr. Smith moved, seconded by Mr. Williams to approve Resolution H-1825-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

26. Mr. Smith presented Resolution H-1826-12-12 which is appropriating additional funds for engineering expenses on the Wyckles Road (CH 41) Whitetopping Project.

**MOTION**

Mr. Smith moved, seconded by Mrs. Cox to approve Resolution H-1826-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

27. Mr. Smith presented Resolution H-1827-12-12 which is appropriating funds for additional engineering expenses for the Ocean Trail Road Bridge in Long Creek Township

**MOTION**

Mr. Smith moved, seconded by Mr. Baxter to approve Resolution H-1827-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

28. Mr. Smith presented Resolution H-1828-12-12 which is appropriating funds to cover construction expenses on Section 05-00200-00-PV, the reconstruction of CH 30 west of Elwin.

**MOTION**

Mr. Smith moved, seconded by Mrs. Cox to approve Resolution H-1828-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

29. Mr. Smith presented Resolution H-1829-12-12 which is approving a Memorandum of Understanding between the Macon County Board and Long Creek Township.

**MOTION**

Mr. Smith moved, seconded by Mr. Minich to approve Resolution H-1829-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

30. Mr. Smith presented Resolution H-1830-12-12 which is approving the salary of the County Engineer for 2013.

**MOTION**

Mr. Smith moved, seconded by Mr. Meachum to approve Resolution H-1830-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

The Executive Committee had nothing to submit at the meeting.

The Siting, Rules & Ordinance Sub-Committee had nothing to submit at the meeting.

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

There were no citizens' remarks presented at the meeting.

**OFFICEHOLDERS' REMARKS:**

Mr. Dudley: Mr. Dudley said on behalf of Keith Ashby's family and also the family of Annie Williams and also Julie Aubert who lost a brother this week unexpectedly, it is never a good time to lose a loved one but especially at Christmas time it affects the family even more. He asked that they keep these 3 families in their prayers along with a lot of other families that are struggling out there. He really feels bad for Keith Ashby and what he is going through right now, and he misses him tonight.

There was no old business presented at the meeting.

**NEW BUSINESS:**

31. Mr. Dunn presented Resolution G-3807-12-12 which is approving a change in the time for the County Board caucus and County Board meetings.

**MOTION**

Mr. Dunn moved, seconded by Mrs. Cox to approve Resolution G-3807-12-12 by prior roll call vote.

There were no questions or comments from the board floor.

**ROLL CALL.**

Ayes: Baxter, Bird, Cox, Dawson, Drobisch, Dudley, Dunn, Greenfield, Hogan, Jacobs, Little, Mattingley, Oliver, Smith, Taylor, Williams

Nays: Meachum, Minich, Potts

**AYES = 16**

**NAYS = 03**

**MOTION CARRIED.**

**MOTION TO ADJOURN**

Mr. Smith moved, seconded by Mr. Oliver to adjourn until January 10, 2013 at 6:00 p.m.

**MOTION CARRIED.**

Meeting adjourned at 7:49 p.m.