

**PROCEEDINGS  
OF THE  
MACON COUNTY BOARD**

**FEBRUARY 13, 2014**

**Jay A. Dunn  
Chairman**

**Stephen M. Bean  
Clerk**

The Chairman called the meeting to order at 6:00 p.m. with the Sheriff and State's Attorney present.

The Roll Call showed all members present with the exception of Mr. Bird, Mr. Greenfield, and Mr. Williams.

Mrs. Taylor led the members in Prayer.

All led in the Pledge of Allegiance.

**A. APPROVAL OF THE MINUTES OF THE JANUARY 09, 2014 MEETING**

**MOTION**

Mr. Smith moved, seconded by Mr. Potts to approve the minutes of the January 09, 2014 meeting.

There were no questions or comments from the board floor.

**ROLL CALL.**

Ayes: Ashby, Baxter, Cox, Dawson, Drobisch, Dudley, Dunn, Hogan, Jacobs, Little, Mattingley, Meachum, Minich, Oliver, Potts, Smith, Taylor, Zimmerman

Nays: (None)

**AYES = 18**

**NAYS = 0**

**MOTION CARRIED.**

There were no zoning or subdivisions presented at the meeting.

**B. CORRESPONDENCE**

Two letters from Comcast regarding channel additions to their line-up and a correction to their first letter of the two

A Notice of Application for Permit to Manage Waste from the Illinois EPA from Advanced Disposal Services Valley View Landfill to address condition VII.15.

A Notice of Application for Permit to Manage Waste from the Illinois EPA from Advanced Disposal Services Valley View Landfill to address condition VIII.29.

Two letters from Ameren regarding tree trimming that will be done in and around the Decatur area in the near future.

## **REPORTS**

Sheriff's Report – January 2014

Coroner's Report – November & December 2013

Treasurer Fund & Investment Report – January 2014

Tax Collector Bank Report – January 2014

Public Defender Monthly Report – December 2013 & January 2014

Annual Report of the Macon County Recorder – December 2012 thru November 2013

## **MOTION**

Mr. Smith moved, seconded by Mr. Drobisch 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. Minich 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-4034-2-14 – Appointment to the Macon County Electrical Commission**

Lucinda Wyatt, 925 Oakview Ct., Mt. Zion, IL 62549

Term Expires: November 30, 2016

## **MOTION**

Mr. Dunn moved, seconded by Mr. Jacobs to approve Resolution G-4034-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

## **MOTION CARRIED.**

3. Resolution G-4035-2-14 – Appointment to Macon County Mosquito Abatement District Board of Trustees

Ryan Raleigh, 620 E. Riverside Ave., Decatur, IL 62521  
Term Expires: December 31, 2014

**MOTION**

Mr. Dunn moved, seconded by Mr. Hogan to approve Resolution G-4035-2-14 by prior roll call vote.

**QUESTION:**

Mr. Meachum: Mr. Meachum asked if this person filled out an application type paperwork that Mr. Dunn requested.

Mr. Dunn: Mr. Dunn said yes.

Mr. Meachum: Mr. Meachum asked if this gentleman was recommended by anybody.

Mr. Dunn: Mr. Dunn said he doesn't know if we even ask for references on the application.

Mr. Meachum: Mr. Meachum wondered if someone had recommended him from the existing board or....

Mr. Dunn: Mr. Dunn said not that he recalled. Mr. Dunn asked Ryan to stand up because he was not sure that anyone the board ever appointed has actually come to a meeting and he wanted the board to see him. Mr. Dunn said the all appreciated him coming.

**MOTION CARRIED.**

4. Resolution G-4036-2-14 – Appointment to Macon County Memorial Park Cemetery Board

Emily Montgomery, 5700 W. Main St., Decatur, IL 62522  
Term Expires: July, 2018

**MOTION**

Mr. Dunn moved, seconded by Mrs. Cox to approve Resolution G-4036-2-14 by prior roll call vote.

**QUESTION:**

Mr. Oliver: Mr. Oliver asked if this is a privately owned cemetery.

Mrs. Cox: Mrs. Cox said yes; it is owned by the Montgomery's. It is the one in Harristown.

Mr. Dunn: Mr. Dunn said it is kind of a unique situation. We had an opening there and Mr. Montgomery wanted to put Emily on the board. Mr. Dunn asked if there was anyone else who might be interested because there were a couple Montgomery's on there anyway. He said he felt a little nervous when they are all Montgomery's. Mr. Dunn wasn't saying there was anything wrong with it, but he didn't know they owned it. They were going through statute changes at the state over the fiasco that happened in Cook County. In their particular case all the trustees on that cemetery board are financially responsible for anything that goes wrong. Mr. Montgomery said he has a hard time finding someone that even wants to be on that committee. Somehow in the process, Mr. Dunn said he came across the statute that looked to him like the Judge, and he assumed Judge Webber was supposed to be appointing that position anyway, so he had Mike Baggett look into it and from some recent changes in the statutes it fell back on the county board. Apparently they have found some other people that would actually be willing to be on the board. That is the whole history of the process.

Mr. Oliver: Mr. Oliver asked how it came about that the county would appoint the trustees to a private institution.

Mr. Dunn: Mr. Dunn said he thinks they set it up that way originally. It sounds like back in the day you had your choices. He said Mike was at the meeting and could speak to this.

Mr. Mike Baggett: Mr. Baggett said as well as he could talk about it based off of memory. This was several weeks if not over a month and a half ago when he did the research on this. Basically, what it boils down to is the cemetery was set up under an act which was the law on the books at the end of the 19<sup>th</sup> century. That was the law that gave the presiding judge or chief judge the authority to make the appointments to the board. How this cemetery is a private cemetery whose membership of the board is dictated by the county board, he couldn't really get into. He didn't go into the details of how this particular cemetery association is set up, except that it is set up as a cemetery association under state law; which gives the county board chairman, with the advice and consent of the board, the power to appoint its trustees.

**MOTION CARRIED.**

5. Resolution G-4037-2-14 – Appointment to Macon County Memorial Park Cemetery Board

Donald Curry, 3331 Sullivan Dr., Decatur, IL 62526  
Term Expires: July, 2018

**MOTION**

Mr. Dunn moved, seconded by Mr. Minich to approve Resolution G-4037-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

6. Resolution G-4038-2-14 – Appointment to Macon County Memorial Park Cemetery Board

Mary Curry, 3331 Sullivan Dr., Decatur, IL 62526  
Term Expires: July, 2018

**MOTION**

Mr. Dunn moved, seconded by Mr. Hogan to approve Resolution G-4038-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**D. CONSENT CALENDAR**

7. Resolution G-4039-2-14 – Executing Deeds to convey property on which taxes were delinquent.

**MOTION**

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

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**JUSTICE COMMITTEE**

8. Mr. Mattingley presented Resolution G-4040-2-14 which is approving increase in appropriations in the Probation Grant Fund for Drug Court.

**MOTION**

Mr. Mattingley moved, seconded by Mrs. Zimmerman to approve Resolution G-4040-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

9. Mr. Mattingley presented Resolution G-4041-2-14 which is approving increase in appropriations in Sheriff's FY2014 budget for a motorcycle.

**MOTION**

Mr. Mattingley moved, seconded by Mrs. Cox to approve Resolution G-4041-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

10. Mr. Mattingley presented Resolution G-4042-2-14 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. Smith to approve Resolution G-4042-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

11. Mr. Mattingley presented Resolution G-4043-2-14 which is approving increase in appropriations in the State's Attorney's budget for Forensic Mental Examination Expenses.

**MOTION**

Mr. Mattingley moved, seconded by Mrs. Cox to approve Resolution G-4043-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**EEHW COMMITTEE**

12. Mr. Dudley presented Resolution G-4044-2-14 which is adopting the Revised Land Evaluation and Site Assessment (LESA) System as a land use decision making tool.

**MOTION**

Mr. Dudley moved, seconded by Mr. Hogan to approve Resolution G-4044-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

13. Mr. Dudley presented Ordinance O-106-2-14 which is amending the Macon County Electrical Code and Electrical Commission Ordinance.

**MOTION**

Mr. Dudley moved, seconded by Mr. Hogan to approve Ordinance O-106-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**OPERATIONS AND PERSONNEL COMMITTEE**

14. Mrs. Cox presented Resolution G-4045-2-14 which is approving a decrease in the mileage reimbursement rate.

**MOTION**

Mrs. Cox moved, seconded by Mr. Potts to approve Resolution G-4045-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**SAFETY COMMITTEE RECOGNITION PRESENTATION:**

Mrs. Cox: Mrs. Cox said she had an award to present for safety recognition. She asked Zach Page and Bruce Bird to come forward.

Mr. Bruce Bird: Mr. Bird said as many of them are probably aware, Zach committed a very selfless act a couple of weeks ago, basically just doing his job. He was out plowing



late one night. Actually, it was not on one of our county highways; he was going down Route 51 going from one county highway to another and noticed a motorist on the side of the road. As he so eloquently told Mr. Bird, his conscience got the better of him and he turned around to check the guy out. The guy was in pretty bad shape. Zach got him out of the car because he was out of gas and took care of him. He got him to a gas station. They actually went to two stations. Zach managed to get him basically to safety. Mr. Bird said what was interesting and made it such an interesting deal was the very next day on our facebook page we had a very interesting post from the gentleman. Mr. Bird said he would read exactly what it said: "One of your drivers saved my life last night. I was between Forsyth and Maroa. The gas gage on the vehicle I was driving was broken and I had run out of gas and a semi came really close to me and the vacuum created by it passing broke out one of my windows. (Mr. Bird said this was one of the nights it got down to 8 or 10 below.) From that point on I was starting to shiver. I had been using a flashlight to do SOS signals and after about an hour of that your driver pulled up behind me. I can't remember his name, but not uncommon for what was going on. I just wanted to say thanks again to him. He truly saved my life. About 50 cars had passed me, ignoring my signals. If it wasn't for him I would have frozen to death in the van. I knew if I was to walk to Maroa or backtrack to Forsyth I probably would have fallen asleep. My core temperature was dropping too low or I could have gone into cardiac arrest, so my best chance was to stay put. My body was already starting to show signs of hypothermia. My right hand was numb, my feet were numb, and my muscles were contracting and shivering trying to generate heat for my vital organs. I can't thank you enough. THANK YOU." Mr. Bird said when Zach pulled the guy out of the car he was pretty much a popsicle when he came out.

Mrs. Cox: Mrs. Cox said she would like to give Zach the award from the county board. It states that it is a Safety Recognition Award presented to Zach Page for going over and above the call of duty.

Zach Page: Mr. Page said he appreciated all the encouragement and nice words that everybody said via social media or just seeing someone out and about. Mr. Page said he didn't do it to try and get a pat on the back but that is how it worked out and it blew up pretty big. He thanked them again.

The Legislative Committee had nothing to submit at the meeting.

### **FINANCE COMMITTEE**

15. Mr. Ashby presented Resolution G-4046-2-14 which is approving the Decatur Public Building Commission's real estate purchase.

### **MOTION**

Mr. Ashby moved, seconded by Mr. Jacobs to approve Resolution G-4046-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

The Negotiations Committee had nothing to submit at the meeting.

**TRANSPORTATION COMMITTEE**

16. Mr. Meachum presented Resolution H-1873-2-14 which is appropriating funds for engineering expenses for a bridge on CH 57 (85<sup>th</sup> Street) Section 12-00249-00-BR.

**MOTION**

Mr. Meachum moved, seconded by Mr. Potts to approve Resolution H-1873-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

17. Mr. Meachum presented Resolution H-1874-2-14 which is appropriating funds for engineering expenses for a bridge on CH 36 (Baker Road) Section 14-00264-00-DR.

**MOTION**

Mr. Meachum moved, seconded by Mrs. Cox to approve Resolution H-1874-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

18. Mr. Meachum presented Resolution H-1875-2-14 which is appropriating funds for engineering expenses for a bridge repair on Nevada Road in Pleasant View Township, Section 14-14126-00-SM.

**MOTION**

Mr. Meachum moved, seconded by Mrs. Cox to approve Resolution H-1875-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

19. Mr. Meachum presented Resolution H-1876-2-14 which is appropriating funds for a 50/50 cost share drainage improvement project with Blue Mound Township.

**MOTION**

Mr. Meachum moved, seconded by Mrs. Cox to approve Resolution H-1876-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

20. Mr. Meachum presented Resolution H-1877-2-14 which is appropriating funds for the replacement of the Highway department network server.

**MOTION**

Mr. Meachum moved, seconded by Mrs. Taylor to approve Resolution H-1877-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

21. Mr. Meachum presented Resolution H-1878-2-14 which is granting permission to dispose of surplus equipment.

**MOTION**

Mr. Meachum moved, seconded by Mrs. Cox to approve Resolution H-1878-2-14 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

22. Mr. Meachum presented Resolution G-4047-2-14 which is approving an agreement for the sharing of certain costs on an environmental study to modify the alignment of that portion of the South East Beltway in Macon County, Illinois between the Village of Mount Zion, Steven A. Lewis, the County of Macon, Illinois and Hanson Professional Services, Inc.

**MOTION**

Mr. Meachum moved, seconded by Mr. Hogan to approve Resolution G-4047-2-14 by prior roll call vote.

There was no one at the meeting that wished to speak for or against the resolution.

**QUESTION:**

Mr. Oliver: Mr. Oliver asked what is causing the alignment to be changed.

Mr. Dunn: Mr. Dunn said the developer, Steve Lewis, who built a subdivision in the proposed beltway that we have right now, contends that he was not aware of it when he bought the property and developed it. What has developed in reality is that there are several homes there that are high dollar homes and the Village of Mt. Zion, from the start of this whole project, has always wanted the beltline to go further south than what is proposed. Mr. Dunn didn't know if there was anyone at the meeting that knew why it didn't go where Mt. Zion wanted it to, to start with. With all the questions coming up, and he had a couple of board members concerned because it is part of their area, we had a meeting and talked about it with the village, Bruce Bird, himself and Hanson Professional Services. We could move the beltway but it would involve a study which is going to cost \$120,000. The county's portion of that would be \$40,000. It seemed to him the best thing to do is to go ahead and spend the money to do that study. For one reason, if it moved we wouldn't have to buy out all of those high dollar houses and tear them down to build the present alignment. Plus, it would give Mt. Zion what they wanted as far as putting it where they wanted it originally. Prior to the alignment Mt. Zion spent \$350,000 on infrastructure to put in water or sewer in that area. The alignment we picked or whoever we approved did, was not in good harmony with the infrastructure they had spent money on and was going to cause problems with expanding into the area they wanted to expand into. Mr. Dunn said Rick Bright from the Village of Mt. Zion and Ed Flynn who represents the village were at the meeting if anyone had questions. They have both been involved with this for several years. Bruce Bird also has been involved with it from the start.

Mr. Oliver: Mr. Oliver asked if this is going to satisfy all the parties now.

Mr. Dunn: Mr. Dunn said it probably won't satisfy some people where the new change would go if it meets the environmental studies, but he doesn't believe there is a subdivision there. It is kind of one of those, "in my backyard" deals where somebody is always going to be upset about these type of things. Mr. Dunn said to him it is kind of righting a wrong. He didn't know why we didn't go with the Mt. Zion proposal to start with. Secondly, we will save quite a bit of money by moving it and not having to buy out those new expensive houses in that subdivision.

Mr. Oliver: Mr. Oliver said ok as long as there won't be any future lawsuits was what he was thinking.

Mr. Dunn: Mr. Dunn said he was not aware of any lawsuits, period.

**MOTION CARRIED.**

The Executive Committee had nothing to submit at the meeting.

**SITING, RULES & ORDINANCES SUB-COMMITTEE**

Mr. Potts: Mr. Potts said they recently held an SRO meeting and they want to accommodate the industry involving wind turbines and because of the confusion with the late date that we received the information, we decided to table it. We appointed a sub sub-committee to coordinate the language and then bring it back to the Siting, Rules & Ordinance committee.

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 he just wanted to wish Mr. Gary Minich a happy birthday yesterday.

There was no old business presented at the meeting.

There was no new business presented at the meeting.

**MOTION TO ADJOURN**

Mr. Dudley moved, seconded by Mr. Potts to adjourn until Thursday, March 13, 2014 at 6:00 p.m.

**MOTION CARRIED.**

Meeting adjourned at 6:30 p.m.