

**PROCEEDINGS
OF THE
MACON COUNTY BOARD**

SEPTEMBER 11, 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. Drobisch, Mrs. Taylor & Mrs. Zimmerman.

Mr. Smith led the members in prayer.

All led in the Pledge of Allegiance.

A. PROCLAMATION & PRESENTATIONS

Mr. Meachum: Mr. Meachum said there is one proclamation for Macon County Highway celebrating their 100 years of existence in Macon County. He said Bruce is going to read the proclamation and say a few words about where we have been and where we are going.

Mr. Bruce Bird: Mr. Bird said he wanted to give a little history on where the county highway departments came from. In early 1907 with automobiles becoming more common, a state-wide study by a legislative commission at that time found that only 30 miles out of 101,000 across the state were improved with gravel or other materials. At that time all the roads were either municipal roads or township roads. This led to problems with standards and inconsistent road conditions from county to county and even from township to township. This led in 1913 to the passage of the Tice Bill that set-up all the county highway departments. It also created a state aid funding mechanism for counties. Interestingly, the state did not want to get directly involved in building roadways initially; they wanted to hand all of the money to counties and let them take care of it. The establishment of federal aid for highways led to the creation of the State Department of Public Works & Buildings in 1917, and this eventually became IDOT. Also, the Illinois State Police were under the Public Works & Buildings until 1941. The Macon County Highway Department was established by Macon County on August 11, 1913. The first County Superintendent of Highway's was Fred Benton. He was the county surveyor prior to that. The county board decided that all residents in Macon County would be no further than 3 miles from a state aid roadway. Because of that, at one time, the county highway mileage in the county numbered almost 400. Today it is 234. In 1927 the Illinois Motor Fuel Tax was established at \$0.02 a gallon. They relied solely on license plate fees prior to this and that just simply did not keep up with the needs of reconstructing the roads. It was last increased from \$0.07 to \$0.19 per gallon in 1990. That is last time we had a Motor Fuel Tax increase. The coming of the interstate highway system in 1957 led to the establishment of the first rural public speed limits in Illinois. It was 65 miles per hour initially, and prior to that there were no rural speed limits. You could go as fast as you wanted to, as long as it was safe. He thinks that is what the actual law said. Most Macon County Highways were improved in the 1940's and 1950's. Some of the bigger projects such as the Wyckles Road Bridge over the Sangamon River was completed in 1958. Mound Road reconstruction across the north side of Decatur was completed in the 1990's. Brush College Road was also reconstructed

in the 1990's and it has become the backbone of industrial Macon County. All the roads in Farm Progress City are technically county highways. They were overseen and constructed by the County Highway Department. There are a lot of historic routes in Macon County too. All of County Highway 28, the Mt. Auburn Blacktop and County Highway 60, Sefton Road were part of the original Springfield / Paris Road that Abe Lincoln road on his circuit. County Highway 27, the Lincoln Memorial Parkway south of Harristown was originally planned as a grand entrance to a National Park based on Lincoln's first residence in Illinois. If you drive out there it has a huge 200 foot wide right-of-way with a little road in the middle that just kind of wanders back and forth. We have had many employees over the years to thank for the excellent road system in Macon County. In 100 years you are going to have a lot of people working out there, and without them we couldn't have done that. At one time they numbered near 45 and we are now at 24. There have been 16 Superintendents/County Engineers in that time. During that time they have always been honored to provide 100 years of service to Macon County.

Mr. Bird presented a proclamation recognizing the Macon County Highway Department for 100 Years of Service.

Mr. Meachum: Mr. Meachum thanked Bruce. He wanted Bruce to give the history background because a lot of us are board members but we don't always know how we got there and where we are planning on going.

Ms. Emily Dobson presented the Human Service Agency Consortium Team Collaboration Award. She is the Program Manager at Soyland Access to Independent Living. From about January of 2008 to about 2012 she served as the chairperson for Macon County Transit Partnership Group which was the group responsible for getting rural public transportation together for Macon County and then handing that over to the county board. She was proud to say they were able to accomplish that in spite of many downturns, problems and issues that they had. In order to recognize those who had worked so hard on this project, she decided that she would nominate those individuals for this award. At one point we had 94 individuals who were involved in the Macon County Transit Partnership Group, just trying to get this accomplished. Ms. Dobson nominated the rest of the group, herself excepted of course, because that would not be appropriate. She wanted them to realize how important it was that they stuck together and worked hard and got this accomplished. One of the members of the group was, of course the Macon County Board. We had both board members and members from zoning and planning and the highway department coming into help us in getting this project completed. We were lucky enough to win this award, because it is unusual for that many agencies to work together for that long a period of time to get something done. At the last Rural Transit Advisory Group meeting we passed the award around, looked at it and discussed it a little bit. We thought the appropriate thing would be to present this to the Macon County Board because the Macon County Board is now responsible for overseeing rural public transportation. Also, because the Macon County Board participated in rural public transportation and because we thought the Macon County Board would have an appropriate place for this to be displayed so that the public would

be able to see how much cooperation had gone into getting transportation started. So, tonight she is here to present the plaque to the Macon County Board in the hope that it will be able to be displayed in a place in someone's office where people will see it and know that people in Macon County can work together for the common good, when they want to. She thanked them for allowing her to present this award.

Mr. Dunn: Mr. Dunn thanked Emily for all of her hard work. He knows she put a lot of time and effort into getting that thing shepherded through from the start to the finish. He knows she is still involved in it and he appreciates that.

B. APPROVAL OF THE MINUTES OF THE AUGUST 14, 2014 MEETING

MOTION

Mr. Smith moved, seconded by Mr. Oliver to approve the minutes of the August 14, 2014 meeting.

There were no questions or comments from the board floor.

ROLL CALL.

Ayes: Ashby, Baxter, Bird, Brown, Cox, Dawson, Dudley, Dunn, Greenfield, Hogan, Jacobs, Little, Mattingley, Meachum, Minich, Oliver, Potts, Smith

Nays: (None)

AYES = 18

NAYS = 0

MOTION CARRIED.

ZONING/SUBDIVISIONS

1. Mr. Dudley presented Resolution Z-1144-9-14 which is regarding Case R-01-08-14, a petition submitted by John Morrow for rezoning approximately 1.75 acres of the 6.08 acres from RE-5 Single Family Estate Zoning to R-1 Single Family Residential Zoning on property commonly known as 10458 Riley Road in South Macon Township. Staff recommended at hearing that the petition be approved. After hearing the evidence, the Zoning Board of Appeals voted 4-0, with 1 abstention, in favor of recommending to the County Board that the petition be approved. The EEHW Committee met and reviewed the petition and recommended that the County Board approve the subject petition for rezoning approximately 1.75 acres of the 6.08 acres from RE-5 Single Family Estate Zoning to R-1 Single Family Residential Zoning.

MOTION

Mr. Dudley moved, seconded by Mr. Hogan to approve Resolution Z-1144-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

2. Mr. Dudley presented Resolution Z-1145-9-14 regarding Case R-02-08-14, a petition submitted by Martha Palmer for rezoning approximately 2.47 acres from RE-5 Single Family Estate Zoning to R-1 Single Family Residential Zoning on property commonly known as 6309 W. Cantrell Street in Harristown Township. Staff recommended at hearing that the petition be approved. After hearing the evidence, the Zoning Board of Appeals voted 5-0 in favor of recommending to the County Board the petition be approved. The EEHW Committee met and reviewed the petition and recommended that the County Board approve the subject petition for rezoning approximately 2.47 acres from RE-5 Single Family Estate Zoning to R-1 Single Family Residential Zoning.

MOTION

Mr. Dudley moved, seconded by Mr. Hogan to approve Resolution Z-1145-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

C. CORRESPONDENCE

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

A letter from Ameren Illinois regarding Electric Meter Socket requirements.

A letter from Ameren Illinois regarding Faraday-PPG Transmission Project – Open House Invitation.

Three Notice of Application for Permit to Manage Waste from the Illinois Environmental Protection Agency for Advanced Disposal Services Valley View Landfill addressing conditions 23 of Attachment A, VIII.18, and VIII.28.

A letter from the Illinois Environmental Protection Agency regarding Decatur Foundry’s, application for a construction permit to add two sand mixers and a Federally Enforceable State Operating Permit for the facility.

A letter from the Illinois Environmental Protection Agency regarding Norfolk Southern Railway Company’s application for a construction permit to construct railcar cleaning

and paint operations at its facility located at 735 E. Condit in Decatur, and a Federally Enforceable State Operating Permit for the facility.

A Public Notice from the Illinois Environmental Protection Agency for proposed renewal of the Federally Enforceable Operating Permit applied for by Voestalpine Nortrak, Inc.

A letter from Comcast regarding upcoming channel changes for Comcast SportsNet HD.

A letter from IDOT regarding low bid submitted by County Contractors, Inc. on Contract No. 95739, Section 12-00245-00-BR.

A letter from IDOT regarding low bid submitted by Dunn Company (Tyrolt Incorporated) on Contract No. 95742, Section 14-00262-00-PV.

A letter from IDOT regarding low bid submitted by Schmidt Construction, Inc. on Contract No. 95743, Section 11-00241-00-BR.

REPORTS

Sheriff's Report – August 2014

Treasurer's Fund & Investment Report – August 2014

Tax Collector Bank Report – August 2014

Public Defender's Report – August 2014

Auditor's Report – August 2014

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.

3. 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.

D. APPOINTMENTS

4. Resolution G-4153-9-14 – Re-appointment of Maroa Drainage District #2
Commissioner

William J. McGuire, Jr., 12201 N. Wyckles Rd., Warrensburg, IL 62573
Term Expires: 1st Tuesday of September, 2017

Resolution G-4154-9-14 – Re-appointment of Pleasant View & Prairieon Townships
Union Drainage District #1 Commissioner

D. Rodney Damery, 899 E. Lakeshore Dr., 3B, Decatur, IL 62521
Term Expires: 1st Tuesday of September 2017

Resolution G-4155-9-14 –Re-appointment of Sanner Chapel Mutual Drainage District

Philip Buker, 3848 E. Walker Rd., Macon, IL 62544
Term Expires: 1st Tuesday of September, 2017

Resolution G-4156-9-14 – Appointment to Macon County Historical Society Board
Of Directors

Dave Sapp, 625 Illinois St., P.O. Box 213, Warrensburg, IL 62573
Term Expires: December 31, 2015

MOTION

Mr. Meachum moved, seconded by Mr. Potts to approve Resolutions G-4153-9-14 through G-4156-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED. (ASHBY SHOWED HIS VOTE AS NO)

E. CONSENT CALENDAR

5. Resolution G-4157-9-14 – Executing Deeds to convey property on which taxes were delinquent

MOTION

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

There were no questions or comments from the board floor.

MOTION CARRIED. (ASHBY SHOWED HIS VOTE AS YES)

JUSTICE COMMITTEE

6. Mr. Mattingley presented Resolution G-4158-9-14 which is amending Probation's FY14 budget.

MOTION

Mr. Mattingley moved, seconded by Mrs. Little to approve Resolution G-4158-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

7. Mr. Mattingley presented Resolution G-4159-9-14 which is approving revenue in the Probation Grant Fund for Juvenile Redeploy Illinois Grant.

MOTION

Mr. Mattingley moved, seconded by Mrs. Cox to approve Resolution G-4159-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

8. Mr. Mattingley presented Resolution G-4160-9-14 which is approving increase in appropriations in the State's Attorney's budget for Forensic Mental Examination expenses.

MOTION

Mr. Mattingley moved, seconded by Mr. Minich to approve Resolution G-4160-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

9. Mr. Mattingley presented Resolution G-4161-9-14 which is approving an amendment in State's Attorney's Teen Court budget to reflect additional revenue.

MOTION

Mr. Mattingley moved, seconded by Mr. Jacobs to approve Resolution G-4161-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

10. Mr. Mattingley presented Resolution G-4162-9-14 which is amending the State's Attorney's Child Advocacy Center Budget for FY 14.

MOTION

Mr. Mattingley moved, seconded by Mr. Oliver to approve Resolution G-4162-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

11. Mr. Mattingley presented Resolution G-4163-9-14 which is approving participation and support of Intergovernmental Law Enforcement Officers In-Service Training Act – Public Act 82-674.

MOTION

Mr. Mattingley moved, seconded by Mrs. Cox to approve Resolution G-4163-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

The EEHW Committee had nothing to submit at the meeting.

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

The Legislative Committee had nothing to submit at the meeting.

FINANCE COMMITTEE

12. Mr. Ashby presented Resolution G-4164-9-14 which is approving Right of First Refusal with Millikin University for potential conduit financing bond issue.

MOTION

Mr. Ashby moved, seconded by Mrs. Cox to approve Resolution G-4164-9-14 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

13. Mr. Meachum presented Resolution H-1902-9-14 which is appropriating funds for the Hickory Point Township Spacemark Road Project.

MOTION

Mr. Meachum moved, seconded by Mr. Potts to approve Resolution H-1902-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED. (BIRD SHOWED HIS VOTE AS PRESENT)

14. Mr. Meachum presented Resolution H-1903-9-14 which is appropriating funds for the 2009 Progress City Landscaping Project.

MOTION

Mr. Meachum moved, seconded by Mrs. Cox to approve Resolution H-1903-9-14 by prior roll call vote.

QUESTION:

Mrs. Cox: Mrs. Cox asked if the correct year is 2009 for this.

Mr. Bruce Bird: Mr. Bird said yes. It just took 5 years for them to bill us.

MOTION CARRIED. (BIRD SHOWED HIS VOTE AS YES)

15. Mr. Meachum presented Resolution H-1905-9-14 which is appropriating funds for construction of Section 14-00233-01-BT, the Baltimore Avenue MTZ Pathway Project.

MOTION

Mr. Meachum moved, seconded by Mr. Brown to approve Resolution H-1905-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

16. Mr. Meachum presented Resolution H-1906-9-14 which is appropriating funds for engineering for Section 14-00267-00-BI, the CH 24 Reas Bridge Road Bridge Repair Project.

MOTION

Mr. Meachum moved, seconded by Mr. Bird to approve Resolution H-1906-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

17. Mr. Meachum presented Resolution H-1907-9-14 which is establishing a policy of Roadway Intersection Maintenance of the Macon County Highway System and the system's intersections with State maintained roadways.

MOTION

Mr. Meachum moved, seconded by Mr. Potts to approve Resolution H-1907-9-14 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

18. Mr. Meachum presented Resolution H-1908-9-14 which is approving intergovernmental agreement between the County of Macon and the Village of Forsyth for the inspection of Village of Forsyth bridges.

MOTION

Mr. Meachum moved, seconded by Mrs. Cox to approve Resolution H-1908-9-14 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.

SITING, RULES & ORDINANCE SUB-COMMITTEE

19. Mr. Potts presented Ordinance O-113-9-14 which is creating the Macon County Noise Control Ordinance.

MOTION

Mr. Potts moved, seconded by Mr. Meachum to approve Ordinance O-113-9-14 by prior roll call vote.

COMMENTS:

Mr. Potts: Mr. Potts thanked the principal members, Jennifer Hoffman, Mike Baggett and Officer Butts. He thinks this is a fair ordinance, and it took care of pretty much everything there is to take care of. Mr. Potts appreciated their hard work.

Mr. Smith: Mr. Smith said he just wanted to clarify. He talked to Lt. Butts before the meeting a little bit about this, but wanted to clarify so everyone else could hear this. If you have someone who lives a ½ mile from you in the county, and he uses an example where he used to live in the county and had a neighbor ½ mile away that played in a band in their garage. Mr. Smith could hear the music. It never bothered him and he never reported them. If he lived there now and said it bothered him and he called the sheriff, the sheriff would come out and they would use this device that they are going to purchase to use to determine the level of the noise and the distance. Based upon that the person would be either given a notice to appear or they could be fined in violation of the ordinance if they are prosecuted. He asked if that is correct.

Lieutenant Butts: Lt. Butts said on first time offenses of doing this we want to educate the public and it is going to be a learning curve. They would be warned first, and then at that time they would be sited if it is a repeat offense based on a complainant or the deputy having probable cause to issue the county ordinance violation.

Mr. Smith: Mr. Smith said we now have a lot of areas in the county that have built up residential. He said if there is some kid who is playing their stereo really loud and the next door neighbor doesn't like it; is it the call of the sheriff deputy that goes out?

Lt. Butts: Lt. Butts said we want officers to have discretion, but we also want them to have an applicable, fair tool in their tool bag to use if they need it. Instead of having a criminal arrest, we want to issue a county ordinance violation, at their discretion if they have been out there before and it's a second offense. We don't want them having a criminal record based on a loud music complaint from a neighbor. We do want to hold them accountable, and we want to be fair and objective about it.

MOTION CARRIED.

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

There were no citizens' remarks presented at the meeting.

OFFICEHOLDER REMARKS:

Mrs. Little: Mrs. Little said on this anniversary of the September 11th terrorist attacks on American soil, she thanked all of those current and past military members as well as first responders.

There was no old business presented at the meeting.

NEW BUSINESS:

Mr. Dunn: Mr. Dunn said we need a vote on approval of a poker run permit.

MOTION

Mr. Dunn moved, seconded by Mr. Potts to approve a Poker Run Permit submitted by Freedom of Choice Abate of Illinois by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

MOTION ADJOURN

Mr. Oliver moved, seconded by Mr. Brown to adjourn until Thursday, October 9, 2014 at 6:00 p.m.

MOTION CARRIED.

Meeting adjourned at 6:29 p.m.