

**PROCEEDINGS
OF THE
MACON COUNTY BOARD**

MARCH 09, 2017

**Jay A. Dunn
Chairman**

**Stephen M. Bean
Clerk**

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

The Roll Call showed all members present with the exception of Mr. Mattingley

Mr. Smith led the members in prayer.

All led in the Pledge of Allegiance.

A. APPROVAL OF THE MINUTES OF THE FEBRUARY 9, 2017 MEETING

MOTION

Mr. Oliver moved, seconded by Mr. Smith to approve the minutes of the February 9, 2017 meeting.

There were no questions or comments from the board floor.

ROLL CALL.

Ayes: Baxter, Bird, Brown, Buckner, Cox, Dawson, Drobisch, Dudley, Dunn, Greenfield, Hogan, Jackson, Joy, Kraft, Meachum, Noland, Oliver, Potts, Smith, Taylor

Nays: (None)

AYES = 20

NAYS = 0

MOTION CARRIED.

B. PROCLAMATION

MOTION

Mr. Meachum moved, seconded by Mrs. Cox to approve a proclamation recognizing Macon County 4-H Week March 6 thru March 10, 2017 by acclamation.

MOTION CARRIED.

COMMENT:

Mr. Dudley: Mr. Dudley said he wanted to make a note that on the agenda packet the zoning ordinances are switched. The wording should just be flipped so the second description goes with Z-1180-03-17 and the first description listed goes with Z-1181-03-17.

ZONING /SUBDIVISIONS

1. Mr. Dudley presented Resolution Z-1180-03-17 which is regarding Case R-03-02-17, a petition submitted by Jeremy Phillips for rezoning of approximately 9.1 acres from (R-1) Single Family Residential Zoning to (RE-5) Single Family Estate Zoning on property commonly known as 2518 S. Wyckles Rd., Decatur, IL 62522 in South Wheatland Township. After hearing the evidence, the Zoning Board of Appeals voted to recommend approval of the subject petition to the County Board. The EEHW Committee met and reviewed the petition and recommended approval to the County Board.

MOTION

Mr. Dudley moved, seconded by Mr. Hogan to approve Resolution Z-1180-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

2. Mr. Dudley presented Resolution Z-1181-03-17 which is regarding Case R-01-02-17, a petition submitted by Perry Sills for rezoning of approximately 6.12 acres from (R-4) Single Family Residential Zoning to (RE-5) Single Family Estate Zoning on property commonly known as 8834 Sheets Rd., Oakley, IL 62501 in Oakley Township. After hearing the evidence, the Zoning Board of Appeals voted to recommend approval of the subject petition to the County Board. The EEHW Committee met and reviewed the petition and recommended approval to the County Board.

MOTION

Mr. Dudley moved, seconded by Mr. Hogan to approve Resolution Z-1181-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

C. CORRESPONDENCE

A Public Notice from the Illinois EPA regarding a renewal of the federally enforceable state operating permit for T/CCI Manufacturing, LLC in Decatur.

A letter from Illinois EPA regarding ADM Co. (Il EPA BOA #115015AAE) and two applications received for construction permits.

A letter from Comcast regarding their Annual Report.

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 regarding upcoming vegetation activities that will be performed in the area in the near future.

A copy of the 2016 Year End Financial Statement from the Decatur Public Building Commission.

REPORTS

Sheriff's Report – February 2017

Treasurer's Fund Report – February 2017

Tax Collector's Report – February 2017

Public Defender's Report – February 2017

MOTION

Mr. Meachum moved, seconded by Mr. Jackson 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. Brown 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-4592-03-17 – Appointment to Macon County Board of Health

Jerry Potts, 11 Circle Dr., Decatur, IL 62521

Term Expires: May 31, 2017

MOTION

Mr. Dunn moved, seconded by Mr. Dudley to approve Resolution G-4592-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

E. CONSENT CALENDAR

5. Resolution G-4593-03-17 – 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.

The Justice Committee had nothing to submit at the meeting.

The EEHW Committee had nothing to submit at the meeting.

OPERATIONS AND PERSONNEL COMMITTEE

6. Mr. Smith presented Resolution G-4594-03-17 which is approving a budget amendment for Workforce Investment Solutions FY'17 Budget – NEG Regional Planning Grant.

MOTION

Mr. Smith moved, seconded by Mr. Hogan to approve Resolution G-4594-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

LEGISLATIVE COMMITTEE

Mr. Smith: Mr. Smith said they had a meeting earlier this week and they all received the minutes on that. They are following closely the reports they are getting from the County Board Association. There were 4 bills and they asked the chairman to send letters to the local legislators about them. Probably the biggest concern, and no one seems to know

what's going to happen in Springfield, is concerning the so called grand bargain or budget they are going to put together. One of the components of that which could very adversely affect county government as well as others, is a property tax freeze. There has been talk of two years and there has been talk of permanent. At this time they don't know what is going to happen.

Mr. Dunn: Mr. Dunn said since they are kind of new at doing this, he sent out three letters to each representative in this area, as Chairman of the Board, not as the board speaking. He will have Jeannie send all of those to the board members. They will probably not be able to wait until the next board meeting on some of these bills due to the nature of the way they passed. Everyone should be aware of the minutes of the Legislative Committee because they will recommend that he do a letter and next time he will try to get that out to the board members before he sends it. He wants to make sure that if anyone has an issue they obviously want to know about it. Mr. Dunn felt the letters he sent involved simple issues that he thought the board would be on board with. He said with it being new they are making baby steps and will get better at it. He wants to make sure that every board member has a chance for input on these. Mr. Dunn thanked them for meeting and discussing those issues because a lot of them do reach into our pocket.

FINANCE COMMITTEE

7. Mr. Greenfield presented Resolution G-4595-03-17 which is consenting to transfer of ownership of Telecommunications Management, LLC D/B/A Newwave Communications to Cable One, Inc.

MOTION

Mr. Greenfield moved, seconded by Mr. Hogan to approve Resolution G-4595-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

NEGOTIATIONS COMMITTEE

Mr. Dunn: Mr. Dunn said he thought they were looking at mediation.

Mr. Greenfield: Mr. Greenfield said they are in mediation with the State's Attorney's investigators.

TRANSPORTATION COMMITTEE

8. Mr. Meachum presented Resolution H-2039-03-17 which is appropriating funds for design engineering expenses for a bridge replacement on TR 226 Kruse Road in Mt. Zion Township.

MOTION

Mr. Meachum moved, seconded by Mr. Bird to approve Resolution H-2039-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

9. Mr. Meachum presented Resolution H-2040-03-17 which is approving funds for the purchase of right of way Parcel 001 from George and Eleanor Reid for the CH 7 Baltimore Avenue Bike Path Project, Section 15-00233-01-BT.

MOTION

Mr. Meachum moved, seconded by Mr. Smith to approve Resolution H-2040-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

10. Mr. Meachum presented Resolution H-2041-03-17 which is approving funds for the purchase of right of way Parcel 005 from the Virginia Cannon Trust for the CH 7 Baltimore Avenue Bike Path Project, Section 15-00233-01-BT.

MOTION

Mr. Meachum moved, seconded by Mr. Bird to approve Resolution H-2041-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

11. Mr. Meachum presented Resolution H-2042-03-17 which is requesting quick take authority for the Brush College Road IL 48 Connector Project.

MOTION

Mr. Meachum moved, seconded by Mrs. Cox to approve Resolution H-2042-03-17 by prior roll call vote.

COMMENT:

Mr. Dunn: Mr. Dunn said that he and Kevin had been working on this for some time. If they read the resolution through he thinks they would be assured that there is plenty of time in this process to negotiate a price for this property. The landowner has a lot of rights and rules that we have to follow in this whole process. We will be negotiating with them because we should pay a fair price for that property, and at the same time the landowner should get a fair price. Unfortunately, on this piece of property the landowner paid about \$13,000 in 2013. We offered him \$17,000 which is what we had an appraisal on and he wants \$40,000 an acre. Unfortunately for us if something like this happens we've got that whole bypass from I-72 all the way around Elwin. We can't afford to pay those kind of prices for land acquisition throughout this whole process, which most of us know it's probably not going to happen in our lifetime; but it is going to happen in somebody's lifetime. This landowner was aware of the process back in November when we asked to go on his property and survey it. So, he has been aware of it. But, the way our process works, and Mr. Dunn said he would be the first to admit that he thinks it is a little bit sluggish and he is going to try and improve that in the future. We got an appraisal and we met with him and he walked out. We haven't gotten back together, so we started this quick take process. The main reason is because we got \$10,000,000 from Governor Quinn before the election and it was dedicated to this project for engineering, land acquisition, and the building of the connector road. Right now IDOT is re-evaluating the counties that have gotten these grants and haven't spent them. They are talking about taking them back and putting them elsewhere. So, we have got to keep moving the project forward and hopefully get it built. It is part of the North-East Beltway. We have applied for \$100,000,000 plus from the federal government to help do the bypass on the north east corner and replace Reas Bridge Road which most know is on a weight limit. Semis can't cross it if they are loaded. We have spent \$50,000 or \$60,000 because we were ordered to by the State just to keep it open. We need this project to go forward. The only way we have to do that since we haven't come to an agreement with the landowner is to push this forward. For some reason Representative Mitchell has indicated he is against it and apparently has the following of the rest of the Republicans over there. Mr. Dunn does not really think it is a partisan thing, he hopes not anyway. Representative Mitchell doesn't know the guy and Kevin has talked to him. Mr. Dunn asked Kevin to correct him if he is wrong, but he thinks his problem was that he thought it was moving too fast. Looking back on the process he thinks they will be changing that in the future so they get out to these landowners a lot earlier and get an appraisal a lot earlier. We don't want this to happen again. This is the first time he believes, that Macon County has taken a quick take through the state legislature. It happens every year and there is usually no issues with it, but it is other counties other than us. We have an issue and hopefully that gets resolved before they vote on it which is coming up within the next two weeks. We are going to take steps. He and Kevin are both committed to making this process more proactive and getting it done earlier to hopefully prevent these issues in the future. If that is the issue he hopes they understand that.... The landowner has known about it since November, but we do have to move through this process. We all want to get to some kind of settlement between what we

offered and what he wants. We want to get it done. We don't want to go through the whole process of eminent domain. He is hoping for understanding over at the state because this is a big project for the county. It is going to provide the chance for a lot of development in the county in the future.

Mr. Meachum: Mr. Meachum said this is the first piece of the puzzle to get this beltway going and if we stumble now we are going to stumble clear through this project. This is a big economic boost for all of the industries in this community and agricultural community also.

Mr. Greenfield: Mr. Greenfield said in talking with Representative Mitchell he truly believes Mr. Mitchell understands how important this project is. His concerns were that maybe we moved a little too fast. But, after Mr. Greenfield explained to him that our plan was to actually go to letting in February and start construction in March or April; he said he wasn't aware of that. Mr. Greenfield is truly hoping that once Mr. Mitchell is made aware of all the facts and Senator Rose, that all the Republicans will join us and support this project. As Mr. Dunn said it is a major project for Macon County. Probably the biggest project since the interstate system went through. Mr. Greenfield said he feels confident they will reach an agreement with the landowner. But, if the worst scenario happens and it does go to quick take, he feels confident the Republican Party will join all of us here and support the project.

Mr. Jackson: Mr. Jackson asked what the ramifications are once we go to litigation, does it go on through and are we bound to some contractual agreement based on what they state or do we know.

Mr. Baggett: Mr. Baggett asked Mr. Jackson to repeat the question. He was not sure he completely understood.

Mr. Jackson: Mr. Jackson said once we go into eminent domain, is that process going to go forward regardless of negotiations in between.

Mr. Baggett: Mr. Baggett said absolutely not. If we end up having to file an eminent domain action, it is favored if not in statute then in decades of case law that the parties continue to negotiate with the preference being for the parties to reach some type of agreement without having to push it all the way to the conclusion of the litigation. If we ultimately have to file an eminent domain case that will not stop us from continuing to negotiate with the landowner. As everyone has said, the overarching goal of this process is to reach an agreement with the landowner and not have to force the issue through the courts.

Mr. Jackson: Mr. Jackson asked if we are still looking at fair market value and 15%. Is that the going rate right now?

Mr. Baggett: Mr. Baggett said he did not want to get into what the negotiations might be for....

Mr. Jackson: Mr. Jackson said he just meant for eminent domain itself. It is a statute set by the state or the government.

Mr. Baggett: Mr. Baggett said it is an amount that is determined by a jury or a judge depending on the way the case lands in the court. The jury is who determines the value of the land.

MOTION CARRIED.

12. Mr. Meachum presented Resolution H-2043-03-17 which is awarding the annual county pipe, bands and end sections bid.

MOTION

Mr. Meachum moved, seconded by Mr. Brown to approve Resolution H-2043-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

13. Mr. Meachum presented Resolution H-2044-03-17 which is awarding the annual county sign bid.

MOTION

Mr. Meachum moved, seconded by Mr. Dudley to approve Resolution H-2044-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

14. Mr. Meachum presented Resolution H-2045-03-17 which is awarding the annual county sign blanks bid.

MOTION

Mr. Meachum moved, seconded by Mr. Smith to approve Resolution H-2045-03-17 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

15. Mr. Potts presented Ordinance O-124-03-17 which is enacting the Macon County Travel Expense Control Ordinance.

MOTION

Mr. Potts moved, seconded by Mrs. Cox to approve Ordinance O-124-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

16. Mr. Potts presented Ordinance O-125-03-17 which is amending the Macon County Floodplain Development Ordinance.

MOTION

Mr. Potts moved, seconded by Mr. Dudley to approve Ordinance O-125-03-17 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

COMMENT:

Mr. Dudley: Mr. Dudley said on the travel ordinance that Chairman Potts made a really good catch on that. The original ordinance was a little bit vague. We felt it was a little bit unfair to some of our employees. Mr. Dudley just wanted to commend Jerry for doing a really good job on making that catch and getting that amended and putting out a really good travel ordinance. Mr. Dudley really appreciated it as a member of that committee.

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

CITIZENS' REMARKS:

Aaron Wemple: Mr. Wemple lives at 1340 W. Eldorado St., Apt. 1 in Decatur. He had a quick presentation about their community survey results. They had a safety concern about some inequality issues in the county so a forum was recommended. The U of I website recommended a needs assessment study. So, tonight they had the results of those studies and they would give a few exhibits of what a forum could do for the community and answer any questions you might have. The first question on the needs assessment study

was, "I feel a wall between myself and big positions during innocent issues like family court." The answers the participants could chose were a 1 on the left means you strongly disagree and 10 on the right means you strongly agree. The average strength agreement for this questions was 8.3. Very few people disagreed and most people agreed or strongly agreed. The second question was, "An open community forum to freely speak out would help my family's wellbeing." The average strength of that agreement was 8.2. The third question was, "I feel obstructed during innocent issues like family court and protective cases." The average strength of that answer was 8. The fourth question was, "A level community forum to help relieve past, current and future legal situations." The average strength of that agreement was 9.2. The fifth and final question on the needs assessment was, "This forum would improve our community." The average strength of that agreement was 9.6. A few examples of the type of relief this open forum would provide were what they would call Exhibit A, which is his case, in a setting like this which they do on Sunday afternoons he desires to help others. That is kind of his goal in his life now to help others get through the same things he has been through. It helps him feel better about the loss of his two boys. It makes him want to study these situations and try to improve the community and help the residents wellbeing. Another member, they would call him Exhibit B has what is called Madison Initiative that he is trying to push the General Assembly for right now. He is excited about helping others and he likes to give back. A third member stays on task with his court dates and court requirements. He is starting to develop a filing system to help other people to get them the forms they need when they need them, and he doesn't give up. More of this is what we can expect, which is very important because children are at stake. Children are on the line here.

Mr. Dunn: Mr. Dunn asked Mr. Wemple to give a copy of this information to Jeannie in case any of the board members want a copy of the disc.

Mr. Wemple: Mr. Wemple said the next step would be to talk to the Building Subcommittee to see about having a facility for something like this. Mr. Wemple said he would be glad to volunteer his time.

OFFICEHOLDERS' REMARKS:

Mrs. Cox: Mrs. Cox asked that the 4-H members stand and give their name and tell everyone what group they are from. The 4-H members present were: Jessica Anderson and Sarah Anderson from the A&O Producers. Jessica Best & Sara Best from Long Creek Critters. Emery Bunselmeyer, Gehrigh Bunselmeyer, Taylor Crouch, Morgan Crouch, Hailee Walston, Audra Harding and Peyton Ruwe all from Maroa Livestock. Matthew Lightner from 4-H Robostorms and Trinity Mata from Forsyth Fantastics.

Mr. Meachum: Mr. Meachum thanked all of the kids for participating today and all of the officeholders that spoke tonight. He appreciated all of the officeholders giving the kids their time. He said being an old 4-H member himself he appreciated the kids coming in.

Samantha Rusk: Ms. Rusk lives at 345 E. Kenwood Ave. in Decatur. She is a 4-H Program Coordinator in Macon County with the University of Illinois Extension. Ms. Rusk wanted to thank the board for letting our members visit and attend the meeting tonight. This is a great educational experience for them. Their mission in 4-H is to give the kids an opportunity to grow and become our future leaders through a variety of programs, clubs and activities. Your support at an event like this is helping us to do exactly that. They provided a flier with just some of the highlights from the past year showing some of the things we have done in Macon County 4-H. They wanted to share that with them to show all of the amazing things these kids are doing in all our local communities.

Mr. Oliver: Mr. Oliver said if they notice on the sheet that says Macon County 4-H, not the one that says 2016, they will see a picture of a young lady in the right hand corner. He wanted them to know that that young lady is Taylor Crouch who was with them tonight.

Mr. Dudley: Mr. Dudley said they want to welcome the 4-H members as they do every year. He said he got some catcalls from the peanut gallery behind him earlier because the 4-H member that has been with him for several years actually does a lot better job than he does at doing resolutions. He wanted to say that she is in his district and will probably taking his place one of these days and will be voting on that bypass. So, we should be really nice to these young kids because we will never see it. Mr. Dudley said Jessica does a great job and they really appreciated the 4-H members being at the meeting.

There was no old business presented at the meeting.

There was no new business presented at the meeting.

MOTION TO ADJOURN

Mr. Drobisch moved, seconded by Mr. Jackson to adjourn until Thursday April 13, 2017 at 6:00 p.m.

MOTION CARRIED.

Meeting adjourned at 6:37 p.m.