

**Montgomery County Board
Minutes**

For Tuesday, December 8th, 2009 – 8:30 AM

The following are minutes of a regular meeting of the Montgomery County Board held at 8:30 AM on Tuesday, December 8th, 2009 in the County Board Chambers of the Historic Courthouse, Hillsboro, Illinois.

The meeting was called to order by County Board Chairman Mike Plunkett at 8:30 AM.

Roll call was taken. 19 members present, 2 members absent.

Members Present: Nelson Aumann, Mary Bathurst, Connie Beck, George Blankenship, Terry Bone, Bonnie Branum, Ronald Deabenderfer, John Downs, Robert Durbin, Ed Helgen, Roy Hertel, Jarod Hitchings, Frank Komor, Sharon Kuchar, Gene Miles, Jim Moore, Dale Ogden, Mike Plunkett, Bill Sielschott.

Members Absent: Joyce Matthews, Richard Wendel

Pledge of Allegiance to the flag was given.

Mileage and Per Diem Approval:

Motion by Miles, second by Aumann to approve the mileage and per diem. All in favor, motion carried.

Approval of Minutes of Previous County Board Meeting:

Motion by Bathurst, second by Kuchar to approve the Minutes of the Previously Adjourned County Board Meeting held on Tuesday, November 10th, 2009. All in favor, motion carried.

CONSENT AGENDA:

1. **911 Coordinator's Report** – submitted
2. **Chief Assessment Officer's Report** – submitted
3. **Circuit Clerk's Report** – Holly Lemons was present for questions and gave an invitation to members to attend Circuit Clerk employee Barb Grosenheider's Retirement party on Dec. 18th, 2009.
4. **County Clerk and Recorder's Report** – Sandy Leitheiser was present for questions, and presented promotional items and information to members from the US Census Bureau. She encouraged all members to tell others about the importance of participating in the 2010 Census as the County is striving for a census count over 30,000.
5. **County Treasurer's Report** – submitted
6. **G.I.S. Coordinator's Report** – Mary Purcell was present for questions.
7. **Health Department Report** – Hugh Satterlee was present for questions. He informed the board that he has received the final shipment of 500 doses of the seasonal flu vaccine, and a clinic will be held on Saturday, December 12th at 9:00 a.m. – 11:00 a.m. at the Health Department to distribute the vaccine.
8. **Probation Office Report** – submitted
9. **Public Defender's Report** – submitted
10. **Sheriff's Report** – submitted
11. **T.B. Department's Report** – Sally Adams was present for questions.
12. **V.A.C. Report** – Dave Strowmatt was present for questions.

APPROVAL OF 12 ITEMS ON THE CONSENT AGENDA:

Motion by Hitchings, second by Hertel to approve of the 12 office reports on the Consent Agenda. All in favor, motion carried.

COMMITTEE REPORTS:

COORDINATING COMMITTEE REPORT: Given by Chairman Mike Plunkett as follows:

Sharon Kuchar was presented the Certified County Officials Silver Level Achievement Award by Denise Kistner of the University of Illinois Extension Office. Kuchar was the first government official in the State of Illinois to achieve the Silver Level goal, which requires attending 48 hours of educational training with 30 hours being specific to her local government status.

Chairman Plunkett also announced that a coal payment of \$1,132,000 was received by the County on 12/01/09.

BUILDINGS AND GROUNDS COMMITTEE REPORT: Given by Chairman Terry Bone as follows:

1. **Update- Telephone System:** Bill Purcell reported that based on a meeting with the Tech Electronics Phone System company last week, there is a need to purchase a third Mitel unit for the Courthouse Complex. Purcell and Daniels met with each office in the Courthouse Complex and made a list of everyone's phone needs. Any additional equipment for the phones like headsets and handsets will be ordered and paid for from that office's budget. Purcell stated that there will be eleven gig stands required for the employees that use GIS mapping everyday.
2. **Update- Annex Building Project:** The Pay/Progress Meeting Dates with Korte Luitjohan and Hurst-Rosche will be held on Thursdays at 2:30 p.m. in the County Board Room on the following days: 1/7/10, 1/28/10, and 2/25/10. Brent Lance from Hurst-Rosche Engineers submitted a new three week schedule for the renovation work. Some change orders were discussed at the meeting on 12/3/09. Lance reported that a problem was discovered when taking out a store front window. It is too costly to replace it with glass, so a more cost effective solution for an amount of \$5,190 was selected. Another problem was found when opening a wall in the back of the conference and ROE area where the floor has a 3 inch elevation difference. A ramp needs to be built and a water cooler would be eliminated for a credit of approximately \$1,000. Renovation work should be completed by March 17th, 2010. The committee approved a change order of \$4,190 and the first pay request of \$80,000 to Korte & Luitjohan Contractors. Brent Lance reported that the renovation work is progressing very well and the project is beyond the point where more unforeseen circumstances will surface. Offices should be able to move in by April 1st, 2010.
3. **Update- Maintenance Issues & Maintenance Report:** The handicap door has been ordered for the Historic Courthouse west entrance, and Lloyd Meyer will schedule installation soon. The Circuit Clerk's Office is being painted this week, and Lloyd will contact Johnson Controls for winter maintenance. The tree stump south of the Historic Courthouse will be removed this month at a cost of \$75.
4. **Update- Historic Courthouse Renovations:** The committee discussed getting design plans started in January, 2010 so that renovations of the 2nd floor in the Historic Courthouse can begin when the ROE moves out to the Annex Building. Phase I would be the renovation of the 2nd floor. Bone stated that the committee wants to keep this entire project moving forward with plans for Historic Courthouse renovations.

EMA/AMBULANCE COMMITTEE REPORT: Given by Chairman George Blankenship as follows:

Ambulance Call Reports:

A summary of monthly operations for **October 2009** are as follows:

Total calls: 379 Total amount billed: \$200,510.00 Amount collected: \$94,548.53

A summary of monthly operations for November 2009 will be submitted at next month's meeting.

AMBULANCE REPORT:

1. **Update- Collections:** Holmes reported that collections for the month of October were \$94,548.53.
2. **Update-** The State's Attorney Office will be handling all delinquent accounts.

EMA:

1. **Update-Search and Rescue Class:** The class had a large attendance of about 40 people.
2. **Update-HazMat:** The HazMat Team will be talking to some Christian County HazMat Technicians that are A & B level from the Taylorville Fire Department. They would like to add them to Montgomery County HazMat. Christian County will not be able to get funding from State or MABAS to form their own team, so as a result they would like to become part of the Montgomery County Team so their skills are not wasted, and Montgomery County's team will benefit from the extra Technician trained firefighters.
3. **Update-EMA:** Director Holmes has one person from Christian County that has applied to become a Montgomery County IMT (Incident Management Team) member. EMA Volunteer Leon Duncan lives in Christian County and teaches for IFSI (Illinois Fire Service Institute). He teaches with Joe Gasparich and has many years of experience in Fire Service, ESDA, EMS, and a trained Weather Spotter. Christian County does not have an incident management team and it doesn't look like they will be forming one any time soon. Leon would like to lend his services to Montgomery County if needed.

NEW BUSINESS:

1. **Update-MABAS:** In 2010, Montgomery County will be receiving an 18 ft. trailer with a 20x32 tent, (tent will sleep 20 people) complete with cots, heat and air conditioning. The heat and air can be powered with the light tower/generator that we already have.
2. **Update-GPS Units:** All Montgomery County Fire Departments will be receiving 2 GPS units for their trucks. The HazMat and IMT trailer will also receive the same GPS unit.
3. **Update-Defibrillators:** The Sheriff's Dept. purchased defibrillators for all County Buildings. The Defibrillator Training classes will be held on January 15th at 9:00 AM, 10:30 AM, and 1:00 PM in the PBC Room of the Courthouse Complex.

OLD BUSINESS:

1. **Update-Langer Trucking:** The County has received payment in full from Langer Trucking, the company whose vehicle caused the Jan. 6th spill on I-55.

ECONOMIC DEVELOPMENT COMMITTEE REPORT: Given by Chairman Ron Deabenderfer as follows:

1. **Update- County Comprehensive Plan:** The next meeting of the Planning Commission will be December 10th at 6:00 p.m. There will be discussion on Agriculture and Natural Resources. The committee will approve a community survey.
2. **Update- Coal Mine Tour:** At the invitation of Patton Mining, the Economic Development Committee and others toured the Deer Run Coal Mine on Tuesday, December 1st, 2009. Board members were able to see the construction of the coal mine. Chairman Deabenderfer spoke with Dean Lee who wanted to thank everyone for going and would be glad to give additional tours.
3. **Update- NAGS Intergovernmental Agreement:** Chairman Deabenderfer spoke with retired Judge Mark Joy, who stated he was happy with how the trail was left after the sewer construction for Butler was completed. He will continue to work on an Intergovernmental Agreement with NAGS to maintain the Butler Bike Trail this spring.

FINANCE COMMITTEE REPORT: Given by Chairman Bill Sielschott as follows:

- 1. New FY2010 Budget Books:** Sielschott reported that new FY2010 Budget Books have been distributed.
- 2. Update- SOA Report:** Ray Durston reported that the Board of Review is looking at some complaints and North and South Litchfield Townships' assessments were published. Devnet will be working with County Clerk Sandy Leitheiser to implement new Vital Records Software. Ray Durston contacted Gene Steward of Forrestal Group to attend the January, 2010's Finance Committee Meeting to discuss the Litchfield Wal-Mart and coal mine assessments. The Structural Permit Process is now completed using an internet based program which includes approvals from the Supervisor of Assessments, the Highway Department and 911. Sielschott stated that it is encouraging to know that the various departments are working together.
- 3. Approval- FAYCO Grant:** Director of FAYCO in Vandalia Bob Lindberg reported that the state budget cuts affected many of their programs, and requested additional funding from Bond, Fayette and Montgomery Counties to keep the programs going. Fayette and Bond Counties both levy for Developmental disabilities funding. Fayette County will commit an additional \$16,000, and Bond County will commit an additional \$12,000. Lindberg is requesting an additional \$14,000 from Montgomery County. Current support from Montgomery County is \$20,000. The committee approved \$14,000 additional funding for FY2010, with the understanding that FAYCO will attend the FY2011 Budget hearings. FAYCO serves many citizens of Montgomery County, and the committee felt this is money well spent. **Motion by Sielschott, second by Kuchar to approve \$14,000 additional funding to FAYCO for FY2010. All in favor, motion carried.**
- 4. Approval- FOIA Officer:** State's Attorney Chris Matoush stated that he requests that Assistant State's Attorney Betsy Wilson serve as the County's Freedom of Information Act (FOIA) Officer to comply with new State Law that becomes effective January 1st, 2010. The committee approved and recommends the appointment of Assistant State's Attorney Betsy Wilson as the FOIA officer for Montgomery County. **Motion by Sielschott, second by Hitchings to approve the appointment of Assistant State's Attorney Betsy Wilson as the FOIA officer for Montgomery County. All in favor, motion carried.** Member Hertel asked if Office Holders will be informed of the new FOIA laws soon, and Matoush responded that Wilson will convene a meeting soon.
- 5. Approval- Salary Increase for Assistant State's Attorney:** State's Attorney Chris Matoush addressed the committee with a request to increase the salary for the Assistant State's Attorney who will handle additional duties of the Freedom of Information Act (FOIA) officer. Matoush explained that the FOIA officer requires additional training to comply with the new laws that become effective January 1st, 2010. One of the new requirements is that the County must respond to the FOIA request within five working days instead of seven working days. The committee approved to increase Assistant State's Attorney Wilson's salary \$1,500 per year for the additional duties of FOIA officer. **Motion by Sielschott, second by Beck to increase Assistant State's Attorney Wilson's salary \$1,500 per year for the additional duties of FOIA officer. All in favor, motion carried.**
- 6. Approval- County Law Library Maintenance Fee Increase Resolution #09-37:** State's Attorney Chris Matoush reported that the State Statute was amended to increase fees for the law library from \$13 to \$18 in 2009, \$19 in 2010, and \$21 in 2011. The committee reviewed and approved a Resolution with the Law Library fee increases. **Motion by Sielschott, second by Aumann to approve a Resolution with the Law Library fee increases from \$13 to \$18 in**

2009, \$19 in 2010, and \$21 in 2011 and thereafter. All in favor, motion carried. (See Resolution Book 9, page 292.)

7. **Update- State Stipend for Elected Officials/EPA State Funding:** The committee discussed notification from the state regarding Elected Officials' Stipends. The Circuit Clerk received information that the state cut the entire amount for the Circuit Clerks, and Treasurer and Sheriff Stipends have been reduced. The committee discussed not knowing exactly how much or which elected officials are being affected; therefore, the committee will review this in March 2010. Sielschott reported that EPA will be funded for the 1st quarter of FY2010 for approximately \$9,000 and no further funding will be collected for the remaining year.
8. **Approval- Starting Salary for Part-time Employees:** Sielschott reported that the Personnel Committee discussed establishing the Part-time Starting Salary. The committee discussed starting a part time employee at \$8.78 per hour with no benefits which is based on the full time starting rate of \$18,250 for a 40 hour work week. The full time starting salary for a 35 hour work week employee is \$18,250 per year, which equates to \$10.00 per hour with no benefits. If there is a problem then the office holder can come to the Personnel Committee to discuss. The committee had a roll call vote and approved to start Part-timers at \$10 per hour with no benefits. **Motion by Sielschott, Second by Deabenderfer to start Part-time employees at \$10 per hour with no benefits. All in favor, motion carried.** Connie Beck asked for a roll call vote. **Roll Call Vote: Ayes 16, Nays 3, Absent 2. Those Voting Aye: Aumann, Beck, Blankenship, Bone, Branum, Deabenderfer, Downs, Durbin, Hertel, Helgen, Hitchings, Komor, Kuchar, Miles, Moore, Ogden. Those Voting Nay: Bathurst, Plunkett, Sielschott. Those Absent: Matthews, Wendel. Motion carried.**
9. **Approval- ROE Quarterly Report:** Committee reviewed and discussed the ROE Quarterly Report. **Motion by Sielschott, second by Branum to approve the ROE Quarterly Report. All in favor, motion carried.**
10. **Approval- ROE Annual Report:** Committee reviewed and discussed the ROE Annual Report. **Motion by Sielschott, second by Hitchings to approve the ROE Annual Report. All in favor, motion carried.**
11. **Update- IMRF Classification and Changes:** The committee discussed IMRF in length, and there will be a recommendation made in January, 2010.
12. **Approval- Petition to Delay Implementation of Montgomery County Drug Court:** States Attorney Chris Matoush stated that a Petition needs to be passed on an emergency basis regarding the Delay of the Implementation of Montgomery County Drug Court due to the lack of resources and funding. The committee approved and recommended the Petition to Delay the Implementation of Montgomery County Drug Court. Matoush stated that the legislature passed a mandatory law that in January, 2010 all counties will establish a drug court, which is a very expensive program. Judge Long wishes to establish a joint effort with Christian County for a Drug Court, and wants to petition for a 2 year delay time frame to receive the funding and resources to establish this program. **Motion by Sielschott, second by Branum to approve the resolution to Delay the Implementation of Montgomery County Drug Court. All in favor, motion carried. (See Resolution Book 9, page 293).**

HWE COMMITTEE REPORT: Given by Acting Chairman Ed Helgen as follows:

1. **Update- Animal Control Facility and Program:** Dr. Probst attended the HWE meeting to receive clarification on his duties as the “Rabies Control Administrator” and gave input on the animals’ medical issues and the determination about which animals are adoptable. Input will be given by the Animal Control Warden and the volunteers working with the animals. The Animal Control Warden will be in charge of the day-to-day operations of the facility and will be giving work direction to the volunteers. Aumann questioned who determines what dog gets put down, and Helgen responded that Dr. Probst will make that decision. Ogden hopes the Veterinarian will take the input into consideration from those who work with the animals. Bathurst asked about the time frame animals have at the facility and how long owners have to find them there. Plunkett responded that those dogs determined not to be adoptable have 7 working days before they would have to be put down. If the dogs are adoptable however, it is a matter of space available instead of the 7 working day time frame. Coordinator Daniels reported that only 2 animals have been put down since the Animal Control facility was opened.
2. **Update- Elections:** County Clerk Leitheiser reported that the Champaign County Clerk filed a complaint and injunction request in Champaign County Circuit Court using a private attorney regarding the new Undervote Law, and the next hearing date is December 17th, 2009. Leitheiser also shared the two public questions (for Hillsboro School District property tax increase, Village of Farmersville sales tax increase) and the school board election for the newly formed North Macoupin School District #34, (Virden and Girard) that will be on the ballot along with the Federal, State, and County candidates at the General Primary Election to be held 2/2/2010. Leitheiser reported that based on her research from the March 2006 election, 8% to 30% of voters could be affected by the new Undervote Law.
3. **Update- EPA Report:** Bill Gonet reported that he hasn’t heard anything from Bond County to inspect their landfill, and stated that he will be gone for training March 8th to March 12th with the EPA for inspecting the Eagle Zinc Property. Gonet also reported that there will be one more quarterly payment from the EPA for State FY 2010. The committee discussed the Ameren NPDES Public Hearing on December 17th, and Gonet reported he would be doing periodic inspections. Gonet stated that the landfill will be installing a cap on the south side of cell 6.
4. **Update- Recycling Program and Events:** Dawn Lutz reported that the DCEO recycling grant application was turned in on November 13th, 2009. DCEO will notify us with preliminary information in January, 2010. Lutz reported that the new Farmersville drop shed is now operational and that the old trailer will be placed in Waggoner. Donnellson Mayor Hiram Renfro has been contacted to install a new drop off shed in Donnellson. David Beal was contacted for snow removal for the winter at the Hillsboro recycling facility. The committee discussed the possibility of installing a new drop shed in Raymond. Lutz has found a used box truck for \$11,900, and Helgen stated this purchase will wait until we know if we get the grant.
5. **Update- County Property/Casualty and Workers Compensation Insurance:** The committee discussed that this is a professional service and doesn’t have to be bid out, however getting other pricing would be good for comparison purposes. Treasurer Jenkins will be asked to prepare the specifications so this comparison pricing can be provided.

PERSONNEL COMMITTEE REPORT: Given by Chairman John Downs as follows:

1. **Update- Circuit Clerk Personnel:** The committee reviewed a letter from Union Representative Dan Sweet regarding a current county employee transferring into the bargaining unit with a

starting salary more than \$17,750. Sweet stated that the parties could negotiate the entry level salary issue during the next contract negotiations. The committee discussed and approved the letter from Sweet regarding the entry level salary rate pending State's Attorney's approval. State's Attorney Matoush stated that Sweet needs to match the wording with the contract.

2. **Approval- Drug Testing Policy Amendment:** The committee discussed two options prepared for verbiage on a Legal drug definition. The Legal drug definition will be amended as follows: "Legal drug" means any substance, the possession or sale of which is not prohibited by law, including prescription drugs that have been prescribed to the employee by a licensed physician and over-the-counter drugs. **Motion by Downs, second by Hertel to amend Legal drug definition as follows: "Legal drug" means any substance, the possession or sale of which is not prohibited by law, including prescription drugs that have been prescribed to the employee by a licensed physician and over-the-counter drugs. All in favor, motion carried.**
3. **Update- Check Employee Driver's Licenses:** Discussion took place on checking employee driver's licenses for anyone driving a county vehicle. Downs stated that it will be left to the direction of each department to follow up with their employees to make sure they have valid driver's licenses.

ROAD AND BRIDGE COMMITTEE REPORT: Given by Vice Chairman George Blankenship as follows:

1. **Update- Walton Park Bridge Project:** Engineer Boehler reported that he received a progress report from Crawford, Murphy & Tilly regarding the Walton Park Bridge Project. The project should be ready for Letting in June 2010.
2. **Update- Red Ball Trail Project:** Engineer Boehler reported that on 11/20/2009, he met with Jeff Coyle, Cheryl Welge, Mike Plunkett, and Bonnie Branum at the Highway Department. Coyle offered that Ameren could fund ½ of the remaining costs after the state grant is applied for. Ameren and the County would contribute approximately \$250,000 each. Ameren will develop an agreement to be reviewed by the County with the total project cost at \$1,171,000. The County will obtain \$660,500 from EDP and TARP Grant funding. Construction will begin in Summer, 2010 and will take about 8 weeks to complete. Engineer Boehler will get this agreement to State's Attorney Chris Matoush to review and recommend in January.
3. **Approval- Highway Weight Limits Resolution #2010-01:** The resolution was presented to the board members for review last month to vote on at the December meeting. As of January 1st, the State is increasing the weight limits on all county and township roads. Included at December's board meeting was a map that provides the roads that will not support the new weight limits. **Motion by Branum, second by Aumann to approve Resolution 2010-01 to establish weight limits on designated county highways. All in favor, motion carried. (See Resolution Book 9, pages 294-295).**
4. **Approval- Oversize & Overweight Permit Resolution #2010-02:** The resolution was presented to board members last month to review and then vote on at the December meeting. Attorney Betsy Wilson has reviewed and approved. **Motion by Branum, second by Miles to approve Resolution #2010-02 to establish oversize & overweight permit fees, regulations and procedures. All in favor, motion carried. (See Resolution Book 9, pages 296-297).**
5. **Approval- IDOT Audit Reports:** Engineer Boehler reported that IDOT Audit Reports 28 (Township Bridge Program), 57 (Road District MFT) and 78 (County MFT) all show records to be true and correct. **Motion by Branum, second by Bone to approve the IDOT Audits and put on file at the County Clerk's office. All in favor, motion carried.**

6. Update- MFT Rock Letting: MFT Rock Letting will be scheduled for Monday, January 4th, 2010 at 9:00am at the Montgomery County Highway Building.

- 7. Approval- PE Agreement w/WHKS & Co., Sec. 09-00133-00-BR, Total replacement of bridge 068-3017 on Walshville Trail over Middle Fork Shoal Creek:** The committee recommends approval to full board, a PE Agreement w/WHKS & Co., Sec. 09-00133-00-BR, Total replacement of bridge 068-3017 on Walshville Trail over Middle Fork Shoal Creek. Hertel was concerning about the closure of the bridge. Preliminary Traffic Studies are being conducted to see if the bridge needs to be closed. **Motion by Branum, second by Kuchar to approve a PE Agreement w/WHKS & Co., Sec. 09-00133-00-BR, Total replacement of bridge 068-3017 on Walshville Trail over Middle Fork Shoal Creek. All in favor, motion carried.** Hertel asked if road closure will be needed, and Boehler responded that it will, but not for a lengthy period of time. The approximate time frame to complete this project will be from 6/2010 to 8/2010.
- 8. Update- Probst Bridge:** Engineer Boehler reported that the Probst Bridge was closed just before Thanksgiving due to the barricades again being removed and dumped in a nearby creek. Engineer Boehler had to call the Sheriff's Dept. to dispatch a deputy to be on site while a Highway Dept. Maintainer went to install new barricades. Engineer Boehler notified the Nokomis School District that the road had to be closed due to public safety reasons.

APPROVAL OF 8 COMMITTEE REPORTS & MINUTES: Motion by Kuchar, second by Downs to approve the 8 committee reports. All in favor, motion carried.

ANNOUNCEMENTS: Chairman Plunkett read a letter from Joyce Matthews announcing her resignation from the Montgomery County Board as of December 31st, 2009. She has accepted an appointment for the Obama Administration. **Motion by Bone, Second by Downs to accept the Resignation letter of Joyce Matthews. All in favor, motion carried.** Plunkett stated he will notify both Republican and Democratic Party Chairmen about the vacancy for her seat in County Board District #2. (See Resolution Book 9, pages 298-300).

There was a reminder about the Christmas Employee Luncheon next Wed. on Dec. 16th, 2009 at 11:00 to 1:30 pm in the County Board room.

PAY BILLS:

- 1. Approval to Pay Any Invoices from Adams & Wilson, PCC and Books and Moore:** Motion by Bathurst second by Hitchings to pay any invoices for Adams & Wilson, PCC and Books and Moore. **Voice Vote: In favor – 18, Against – 0, Present -1 (Jim Moore), Absent – 2 (Matthews, Wendel). Motion carried.**
- 2. Motion by Sielschott, second by Durbin to pay all other approved bills. All in favor, motion carried.** For itemized listing of bills paid, refer to Accounts Payable Book for FY 2010.

ADJOURN: Until the Full Board Meeting on Tuesday, January 12th, at 8:30 AM in the County Board Room, Historic Courthouse, Hillsboro, Illinois.

Motion by Blankenship, second by Branum to adjourn the Full Board Meeting. All in favor, motion carried.

Meeting adjourned at 9:40AM.

Minutes respectfully submitted and recorded by Montgomery County Clerk and Recorder Sandy Leitheiser.