# FY 2005

# AGREEMENT BETWEEN

# THE MONTGOMERY COUNTY BOARD AND COUNTY AMBULANCE SERVICE

The following terms constitute the working agreement between the **Nokomis/Witt Area Ambulance Service**, a not-for-profit corporation (hereinafter named N/W AAS) an independent contractor, and N/W AAS Special Service District through it's governing body, the Montgomery County Board (hereinafter the "County") for ambulance Service within the Service Area (hereinafter the "Area").

The County will levy a Special Service Area Ambulance Tax ($78,000) sufficient to generate an amount of revenue to offset a portion of operating expense as determined by the Ambulance Board.

Disbursement of revenue collected by the County, based on taxes in the respective Service Areas, shall be disbursed in the following manner.

**On or before December 31, 2005, the county shall have reimbursed to the N/W AAS an amount not less than 100% of the total amount collected pursuant to the levy.**

**Remittance will be 4 to 5 times between July 1, 2005 and December 31, 2005, in accordance with the Real Estate Tax Distribution Schedule.**

*Continued on Page 2*

1. The N/W AAS agrees to provide 24 hour ambulance service within the geographical area contained within the boundaries of the Area in accordance with the standards and qualifications of the State of Illinois during the term of this agreement, i.e., December 1 2004 through November 30, 2005.

2. The County agrees to maintain the office of the Montgomery County Ambulance Billing and Collecting Service to handle all billings and collections as done previously and to provide a central coordinating office and support staff as needed by N/W AAS.

3. The total annual cost of the operation of the County office shall be reimbursed by the N/W AAS to the county in a proportionate share based on the percentage of the previous total ambulance calls which is follows:

| | |
|---|---|
| Hillsboro - | 38 |
| Litchfield - | 41 |
| Nokomis / Witt - | 15 |
| Farmersville / Waggoner - | 03 |
| Raymond / Harvel - | 03 |

4. The N/W AAS agrees to pay on or before the last day of each month commencing December 1, 2004 and continuing monthly thereafter for FY '05, the sum of **$438.73** as a proportionate share of the expense incurred in the operation of the Montgomery County Ambulance Billing and Collecting Service.

5. At the end of the fiscal year, and as soon after November 30 as possible, the County shall calculate the total actual expense of the county office for FY '05 and shall calculate the total proportionate annual share of each Ambulance Special Service Area, including the N/W AAS.

   The County shall then calculate and apply the total monthly payment as made by the N/W AAS during the fiscal year and apply that amount to the annual share owed. The County will then bill the N/W AAS for any amount still owing or shall credit the following fiscal year's estimated expense with the N/W AAS amount of overpayment.

6. The County shall continue to collect or attempt to collect all accounts, as done previously, in a timely and zealous manner.

7. The County shall remit to the N/W AAS as soon as possible after the last day of each month the amount collected on behalf of N/W AAS.

8. N/W AAS shall be responsible for buying, owning, maintaining, and insuring its own ambulances. N/W AAS shall provide the County with proof of vehicle liability insurance upon request.

*Continued on Page 3*

9. The N/W AAS shall be solely responsible for the hiring, firing, discipline, and management of its employees and the manner in which the service is operated, subject only to State regulations and guidelines.

The County shall have the right to withhold monthly reimbursements of collected funds or distribution of levied funds upon written notice to the N/W AAS, that the N/W AAS is violation of State regulations, said funds to be disbursed upon the N/W AAS coming into compliance.

10. The N/W AAS will submit a tentative FY '06 budget and contract request to the Director of the County Ambulance Billing and Collecting Service on or before September 1, '05.

11. The N/W AAS shall indemnify the County from all claim, demands, lawsuits, and actions arising out of services performed or to be performed by the N/W AAS.

12. The N/W AAS shall provide the name of the corporation officer responsible for the actual receipt and disbursement of funds hereunder to the Director of the County office on or before December 31, 2005, and proof (A) of the officers bond in an amount to cover the estimated annual receipts of the N/W AAS from the county under this agreement, or (B) that officers bond in an amount fixed by the Illinois State Statue for that particular corporate office.

13. The N/W AAS shall provide an audit of the N/W AAS books and records in so far as they pertain to the operation of the ambulance service under this agreement, not more than 120 days after the close of N/W AAS fiscal year on November 30, 2005.

14. The N/W AAS shall allow inspection of its books and records pertaining to the operation of the ambulance service under this agreement at any time by the Director of the County office or his staff. The County shall allow inspections of its books and records pertaining to its operation of the County Ambulance Service Billing and Collecting Service on behalf of the N/W AAS or its duly authorized agent.

*Continued on page 4*

This agreement is executed by the County representatives named below pursuant to the authority of the Montgomery County Board and for N/W AAS by its Administrator / Chairman or Official pursuant to authority granted by its Board of Directors.

Mike A Stevens
County Board Chairman

April 12, 2005
Date

Attest:

Cindy Lutheran
County Clerk

4/12/05
Date

**NOKOMIS/WITT AREA ABULANCE SERVICE**

Authorized Representative

1-12-05
Date

Manager
Title

# FY 2005

# AGREEMENT BETWEEN

# THE MONTGOMERY COUNTY BOARD AND COUNTY AMBULANCE SERVICE

The following terms constitute the working agreement between the **Litchfield Area Ambulance Service**, a not-for-profit corporation (hereinafter named LAAS) an independent contractor, and LAAS Special Service District through it's governing body, the Montgomery County Board (hereinafter the "County") for ambulance Service within the Service Area (hereinafter the "Area").

The County will levy a Special Service Area Ambulance Tax ($120,000) sufficient to generate an amount of revenue to offset a portion of operating expense as determined by the Ambulance Board.

Disbursement of revenue collected by the County, based on taxes in the respective Service Areas, shall be disbursed in the following manner.

**On or before December 31, 2005, the county shall have reimbursed to the LAAS an amount not less than 100% of the total amount collected pursuant to the levy.**

**Remittance will be 4 to 5 times between July 1, 2005 and December 31, 2005, in accordance with the Real Estate Tax Distribution Schedule.**

*Continued on Page 2*

1. The LAAS agrees to provide 24 hour ambulance service within the geographical area contained within the boundaries of the Area in accordance with the standards and qualifications of the State of Illinois during the term of this agreement, i.e., December 1, 2004 through November 30, 2005.

2. The County agrees to maintain the office of the Montgomery County Ambulance Billing and Collecting Service to handle all billings and collections as done previously and to provide a central coordinating office and support staff as needed by LAAS.

3. The total annual cost of the operation of the County office shall be reimbursed by the LAAS to the county in a proportionate share based on the percentage of the previous total ambulance calls which is follows:

| | |
|---|---|
| Hillsboro - | 38 |
| Litchfield - | 41 |
| Nokomis / Witt - | 15 |
| Farmersville / Waggoner - | 03 |
| Raymond / Harvel - | 03 |

4. The LAAS agrees to pay on or before the last day of each month commencing December 1, 2004 and continuing monthly thereafter for FY '05, the sum of **$1,199.18** as a proportionate share of the expense incurred in the operation of the Montgomery County Ambulance Billing and Collecting Service.

5. At the end of the fiscal year, and as soon after November 30 as possible, the County shall calculate the total actual expense of the county office for FY '05 and shall calculate the total proportionate annual share of each Ambulance Special Service Area, including the LAAS.

   The County shall then calculate and apply the total monthly payment as made by the LAAS during the fiscal year and apply that amount to the annual share owed. The County will then bill the LAAS for any amount still owing or shall credit the following fiscal year's estimated expense with the LAAS amount of overpayment.

6. The County shall continue to collect or attempt to collect all accounts, as done previously, in a timely and zealous manner.

7. The County shall remit to the LAAS as soon as possible after the last day of each month the amount collected on behalf of LAAS.

8. LAAS shall be responsible for buying, owning, maintaining, and insuring its own ambulances. LAAS shall provide the County with proof of vehicle liability insurance upon request.

*Continued on Page 3*

9. The LAAS shall be solely responsible for the hiring, firing, discipline, and management of its employees and the manner in which the service is operated, subject only to State regulations and guidelines.

   The County shall have the right to withhold monthly reimbursements of collected funds or distribution of levied funds upon written notice to the LAAS, that the LAAS is violation of State regulations, said funds to be disbursed upon the LAAS coming into compliance.

10. The LAAS will submit a tentative FY '06 budget and contract request to the Director of the County Ambulance Billing and Collecting Service on or before September 1, '05.

11. The LAAS shall indemnify the County from all claim, demands, lawsuits, and actions arising out of services performed or to be performed by the LAAS.

12. The LAAS shall provide the name of the corporation officer responsible for the actual receipt and disbursement of funds hereunder to the Director of the County office on or before December 31, 2004, and proof (A) of the officers bond in an amount to cover the estimated annual receipts of the LAAS from the county under this agreement, or (B) that officers bond in an amount fixed by the Illinois State Statue for that particular corporate office.

13. The LAAS shall provide an audit of the LAAS books and records in so far as they pertain to the operation of the ambulance service under this agreement, not more than 120 days after the close of LAAS fiscal year on November 30, 2004.

14. The LAAS shall allow inspection of its books and records pertaining to the operation of the ambulance service under this agreement at any time by the Director of the County office or his staff. The County shall allow inspections of its books and records pertaining to its operation of the County Ambulance Service Billing and Collecting Service on behalf of the LAAS or its duly authorized agent.

*Continued on page 4*

BOOK 5 PAGE 238

This agreement is executed by the County representatives named below pursuant to the authority of the Montgomery County Board and for LAAS by its Administrator / Chairman or Official pursuant to authority granted by its Board of Directors.

Mike A. Havens
County Board Chairman

April 12, 2005
Date

Attest:

Cindy Roth
County Clerk

4/12/05
Date

**LITCHFIELD AREA ABULANCE SERVICE**

John L. Dunkle
Authorized Representative

2/14/05
Date

Mayor
Title

# FY 2005

# AGREEMENT BETWEEN

# THE MONTGOMERY COUNTY BOARD AND COUNTY AMBULANCE SERVICE

The following terms constitute the working agreement between the **Raymond/Harvel Area Ambulance Service**, a not-for-profit corporation (hereinafter named R/H AAS) an independent contractor, and R/H AAS Special Service District through it's governing body, the Montgomery County Board (hereinafter the "County") for ambulance Service within the Service Area (hereinafter the "Area").

The County will levy a Special Service Area Ambulance Tax ($33,360) sufficient to generate an amount of revenue to offset a portion of operating expense as determined by the Ambulance Board.

Disbursement of revenue collected by the County, based on taxes in the respective Service Areas, shall be disbursed in the following manner.

**On or before December 31, 2005, the county shall have reimbursed to the R/H AAS an amount not less than 100% of the total amount collected pursuant to the levy.**

**Remittance will be 4 to 5 times between July 1, 2005 and December 31, 2005, in accordance with the Real Estate Tax Distribution Schedule.**

*Continued on Page 2*

1. The R/H AAS agrees to provide 24 hour ambulance service within the geographical area contained within the boundaries of the Area in accordance with the standards and qualifications of the State of Illinois during the term of this agreement, i.e., December 1 2004 through November 30, 2005.

2. The County agrees to maintain the office of the Montgomery County Ambulance Billing and Collecting Service to handle all billings and collections as done previously and to provide a central coordinating office and support staff as needed by R/H AAS.

3. The total annual cost of the operation of the County office shall be reimbursed by the R/H AAS to the county in a proportionate share based on the percentage of the previous total ambulance calls which is follows:

| | |
|---|---|
| Hillsboro - | 38 |
| Litchfield - | 41 |
| Nokomis / Witt - | 15 |
| Farmersville / Waggoner - | 03 |
| Raymond / Harvel - | 03 |

4. The R/H AAS agrees to pay on or before the last day of each month commencing December 1, 2004 and continuing monthly thereafter for FY '05, the sum of **$87.75** as a proportionate share of the expense incurred in the operation of the Montgomery County Ambulance Billing and Collecting Service.

5. At the end of the fiscal year, and as soon after November 30 as possible, the County shall calculate the total actual expense of the county office for FY '05 and shall calculate the total proportionate annual share of each Ambulance Special Service Area, including the R/H AAS.

   The County shall then calculate and apply the total monthly payment as made by the R/H AAS during the fiscal year and apply that amount to the annual share owed. The County will then bill the R/H AAS for any amount still owing or shall credit the following fiscal year's estimated expense with the R/H AAS amount of overpayment.

6. The County shall continue to collect or attempt to collect all accounts, as done previously, in a timely and zealous manner.

7. The County shall remit to the R/H AAS as soon as possible after the last day of each month the amount collected on behalf of R/H AAS.

8. R/H AAS shall be responsible for buying, owning, maintaining, and insuring its own ambulances. R/H AAS shall provide the County with proof of vehicle liability insurance upon request.

*Continued on Page 3*

9. The R/H AAS shall be solely responsible for the hiring, firing, discipline, and management of its employees and the manner in which the service is operated, subject only to State regulations and guidelines.

   The County shall have the right to withhold monthly reimbursements of collected funds or distribution of levied funds upon written notice to the R/H AAS, that the R/H AAS is violation of State regulations, said funds to be disbursed upon the R/H AAS coming into compliance.

10. The R/H AAS will submit a tentative FY '06 budget and contract request to the Director of the County Ambulance Billing and Collecting Service on or before September 1, '05.

11. The R/H AAS shall indemnify the County from all claim, demands, lawsuits, and actions arising out of services performed or to be performed by the R/H AAS.

12. The R/H AAS shall provide the name of the corporation officer responsible for the actual receipt and disbursement of funds hereunder to the Director of the County office on or before December 31, 2005, and proof (A) of the officers bond in an amount to cover the estimated annual receipts of the R/H AAS from the county under this agreement, or (B) that officers bond in an amount fixed by the Illinois State Statue for that particular corporate office.

13. The R/H AAS shall provide an audit of the R/H AAS books and records in so far as they pertain to the operation of the ambulance service under this agreement, not more than 120 days after the close of R/H AAS fiscal year on November 30, 2005.

14. The R/H AAS shall allow inspection of its books and records pertaining to the operation of the ambulance service under this agreement at any time by the Director of the County office or his staff. The County shall allow inspections of its books and records pertaining to its operation of the County Ambulance Service Billing and Collecting Service on behalf of the R/H AAS or its duly authorized agent.

*Continued on page 4*

This agreement is executed by the County representatives named below pursuant to the authority of the Montgomery County Board and for R/H AAS by its Administrator / Chairman or Official pursuant to authority granted by its Board of Directors.

Mike A. Hansen
County Board Chairman

April 12, 2005
Date

Attest:

Sandy Lutheran
County Clerk

4/12/05
Date

**RAYMOND/HARVEL AREA ABULANCE SERVICE**

Robert E Langer
Authorized Representative

3-8-05
Date

BOARD PRESIDENT
Title

# Ordinance

ORDINANCE NUMBER 05-02
AN ORDINANCE TO PROVIDE FOR PUBLIC TRANSPORTATION
IN MONTGOMERY COUNTY, ILLINOIS

Whereby, public transportation is an essential public purpose for which public funds may be expended under Article 13, Section 7 of the Illinois Constitution; and

WHEREAS, Montgomery County wishes to provide public transportation for its citizens and become eligible for grants from the State of Illinois or any department or agency thereof, from the Federal government or any department or agency thereof; and

WHEREAS, Illinois Compiled Statutes 740/2-1 et seq. authorizes a county to provide for public transportation within the (county or counties) limits:

NOW, THEREFORE, BE IT ORDAINED by the Chairman and the County Board of Montgomery County that:

Section 1. Shelby County shall hereby provide public transportation within the limits of Montgomery County.

Section 2. The County Clerk of the County of Montgomery shall file a certified copy of this Ordinance, within sixty days after passage of this ordinance.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval, as required by law.

Section 4. That the *County Board Chairman* of the County of Shelby is hereby authorized and directed to execute and file on behalf of Montgomery County a Grant Application to the Illinois Department of Transportation.

Section 5. That County Board Chairman of Shelby County is hereby authorized and directed to execute and file on behalf of Montgomery County all required Grant Agreements with the Illinois Department of Transportation.

PASSED by the Chairman and the Board of Montgomery County on the 10th day of May 2005, and deposited and filed in the office of the County Clerk of said County on that date.

Elected Board Members 21

PRESENT 21

AYE 21

NAY 0

Sandy Litherland
Clerk of Montgomery County, Illinois

APPROVED by the Chairman of the Montgomery County Board, this 10th day of May 2005.

Mike A. Haven
Chairman of County Board of Montgomery County, Illinois

# Intergovernmental Agreement

This Agreement is entered into by and between the County of Shelby and the counties of Fayette, Clay, Moultrie, Montgomery, and Douglas, (hereinafter referred to as the "Participants") for the provision of public transportation in said counties.

WHEREAS, Participants have applied for a grant pursuant to Section 5311 of the Intermodal Surface Transportation Efficiency Act of 1991 in order for financial assistance to be made available for public transportation programs in rural and small urban areas within Shelby, Fayette, Clay, Moultrie, Montgomery, and Douglas Counties; and

WHEREAS, it is the mutual desire of the Participants that the County of Shelby be designated as the "Primary Participant" pursuant to Section 601.105(b) of the Illinois Department of Transportation Regulations for Public Transportation Assistance to Programs in Non-Urbanized Areas for the administration and distribution of Federal Section 5311 funds.

And WHEREAS, Illinois Compiled Statutes 740/2-1 et. Seq. authorizes a county to provide for public transportation within the county limits;

WITNESSETH:

1. The County of Shelby shall be designated as the "Primary Participant" pursuant to Section 601.105(b) of the Illinois Department of Transportation Regulations for Public Transportation Assistance to Programs in Non-Urbanized Areas providing for the administration and distribution of Federal Section 5311 funds.

2. It shall be the responsibility of the Primary Participant to receive all Section 5311 Funds from the Illinois Department of Transportation pursuant to said Department's agreements with the Participants.

3. The Primary Participant shall disburse said funds to C.E.F.S. Economic Opportunity Corporation a not-for-profit corporation, the service provider under the terms and conditions of said agreements.

4. Delivery of services by service provider shall be made in accordance with agreements entered into by service provider with the Primary Participant.

5. Participants are not responsible to the service provider for any local matching funds, but may provide match as desired.

6. That the terms of this Agreement will be effective for the twelve-month grant period.

7. Any revision of this Agreement must be agreed to by the Participants as evidenced by an addendum signed by the authorized representative of each.

8. This Agreement or any part thereof may be renegotiated where changes are required by State or Federal law, rules, regulations, or court action, or when Participants agree that a new intergovernmental agreement would meet their particular needs.

9. This intergovernmental agreement is binding upon the Participants, their successors and assigns.

10. If any section, sentence, clause, phrase or portion of this Intergovernmental Agreement is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of the Agreement. It is hereby declared the intent of the Participants that this Agreement shall remain valid and enforceable, notwithstanding the invalidity of any part hereof.

11. That only one original copy of this Intergovernmental Agreement shall be signed and executed by Participants and that any photocopies of the executed Intergovernmental Agreement shall be deemed to be duplicate originals.

COUNTY OF SHELBY, a body politic and corporate

By: George Troxler
Chairperson, Shelby County Board

ATTEST:

Kathy A. Lantz
Shelby County Clerk

COUNTY OF MONTGOMERY, a body politic and corporate

By: Mike A. Hawes
Chairperson, Montgomery County Board

ATTEST:

Sandy Leatherman
Montgomery County Clerk

BOOK 5 PAGE 246

Resolution 2005-13

Establishing Uniform Real Estate Transfer Tax

WHEREAS, pursuant to 55 ILCS 5/5-1031, the County Board has previously imposed a tax on the privilege of transferring title to real estate situated in Montgomery County for all transfers on which the county also collects a transfer tax for the State of Illinois pursuant to 35 ILCS 200/31-10; and

WHEREAS, Public Act 93-657 became effective June 1, 2004 and made certain changes in the Real Estate Transfer Tax authorized under the Illinois Revenue Code (35 ILCS 200/31-10) to impose such tax on the privilege of transferring a controlling interest in a real estate entity owning property located in Illinois, including a lessee's interest in certain ground leases; and

WHEREAS, said Public Act 93-657 failed to authorize counties to collect the transfer tax on such transfers of controlling interests, thereby inadvertently creating an inconsistency in the manner in which transfer taxes may be imposed by the state and the county respectively; and

WHEREAS, in order to rectify this inconsistency, Public Act 93-1099 will become effective June 1, 2005, authorizing counties to also impose a tax on the transfer of a controlling interest in a real estate entity owning property located in Illinois, including a lessee's interest in certain ground leases; and

WHEREAS, the County Board has determined it is appropriate and beneficial for the effective administration of the transfer tax that there be a uniform application of such tax imposed by the county and the state respectively.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Montgomery County that effective June 1, 2005 and pursuant to Public Act 93-1099 and 55 ILCS 5/5-1031, there is hereby imposed a tax on the privilege of transferring a controlling interest in a real estate entity owning property located in Montgomery County, including a lessee's interest in certain ground leases, in the amount of $.25 per $500 consideration or fraction of $500 value declared in the real estate transfer declaration required by 35 ILCS 200/31-25, such tax to be in addition to any and all transfer tax currently authorized for collection by the county.

PASSED, APPROVED, AND ADOPTED by the County Board of Montgomery County this 10th day of May, 2005.

Mike A. Havera

MIKE HAVERA, Chairman

ATTEST:

Sandy Leitheiser

SANDY LEITHEISER, County Clerk

**RESOLUTION 05- 04**

## RESOLUTION ESTABLISHING A CAPITALIZATION POLICY FOR MONTGOMERY COUNTY

**WHERAS,** the County of Montgomery believes it to be in its best interest to establish a policy for the accounting of capital assets and depreciation;

**THEREFORE BE IT RESOLVED THAT** for the purposes of the Government Accounting Standards Board Statement #34 the following capitalization policy is established. The minimum capitalization threshold for non-infrastructure assets is; land (structured and open) and land improvements $25,000; buildings $50,000; building improvements $25,000; all other non-infrastructure assets $5,000; and for infrastructure assets (roads, bridges, culverts, curbs, sidewalks, lighting systems, gutters, drainage systems, easements, waterways, etc.) $200,000.

Depreciation will be the straight-line method. There will be no depreciation on land (structured and/or open) or easements.

The following useful life schedule is established:
Non-infrastructure;

- Computer Equipment – 5 years,
- Radio/Communication Equipment – 10 years,
- Radio Antenna (relay) – 20 years,
- Office Equipment – 7 years,
- Equipment – (other than vehicles, office, and computer equipment) 10 years,
- Land Improvements – 20 years,
- Vehicles under 13,000 GVWR (non-law enforcement) – 5 years,
- Vehicles under 13,000 GVWR (law enforcement) – 3 years,
- Vehicles over 13,000 GVWR – 7 years,
- Buildings - Permanent - 40 years,
- Buildings - Portable - 25 years,
- Parking Lots – 20 years,
- Heating, Ventilating, and Air Conditioning Systems – 20 years,
- Roof Replacement – 20 years.

Infrastructure;

- Radio Tower - 20 years,
- Roads – oil and chip– 40 years,
- Roads – concrete – 40 years,
- Roads – bituminous – 40 years,
- Road Signs – 20 years,
- Curbing - concrete with gutters – 40 years,
- Bridges – 40 years.

**RESOLUTION 05-____**

**RESOLUTION ESTABLISHING A CAPITALIZATION POLICY FOR MONTGOMERY COUNTY (continued)**

**APPROVED and ADOPTED this 10th day of May, 2005.**

**Section 2:** This resolution shall take effect immediately after its approval and adoption.

Mike A. Havera
**CHAIRMAN MIKE HAVERA**

**ATTEST:**

Sandy Leitheiser
**COUNTY CLERK SANDY LEITHEISER**

BOOK 5 PAGE 249

RESOLUTION NO. 05-05

WHEREAS, pursuant to Section 21-90 of the Illinois Property Tax Code (35 ILCS 200/21-90), the County Board of Montgomery County, Illinois, has undertaken a Delinquent Tax Program for the purposes of:

(1) bringing about the recovery of delinquent real estate taxes for the benefit of all taxing districts having an interest in the particular parcel of real estate, and,

(2) in the case of property to which the County of Montgomery, as Trustee, ultimately takes a Tax Deed pursuant to the Revenue Act, it will aid in the expeditious transfer of ownership and the return of that property to a tax paying status.

WHEREAS, pursuant to this program the County of Montgomery has acquired an interest in the following described real estate:

SEE ATTACHMENT FOR LEGAL DESCRIPTION

Parcel Index # 04-001-250-00

as described in Certificate No. 54 sold October 29, 2001.

WHEREAS, a public auction was held March 30, 2005, where the subject property was offered for sale. A bid price was offered of at least or in excess of the minimum bid set prior thereto.

NOW THEREFORE BE IT RESOLVED by the County Board of Montgomery County, Illinois, that the Chairman of the Board of Montgomery County, Illinois, be authorized to execute a deed of conveyance of the County's interest of the above described real estate. Proceeds from sale shall be paid to the Treasurer of Montgomery County, Illinois, and to be distributed according to law.

APPROVED AND ADOPTED at a regular meeting of the Montgomery County Board, Montgomery County, State of Illinois this 10th day of May, 2005.

Mike A. Haven
CHAIRMAN

ATTEST:

Sandy Leitheiser
Clerk of the Board

Permanent Index No.: 04-001-250-00

## ATTACHMENT
## LEGAL DESCRIPTION

That part of Lots One and Two in Block One in the Original Town of Coffeen, described as follows to-wit: Beginning at a point 23 feet and 5 inches Northwest of the Southeast corner of Lot Two in said Block One, and running thence Northeast parallel with the line between Lots One and Two, 34 feet; running thence Southeasterly parallel with the Southwest line of Lots One and Two, to the line between Lot One and the right of way of the New York, Chicago, & St. Louis Railroad Company; running thence in a Southwesterly direction 34 feet to the Southeast corner of Lot One, running thence Northwest along the Southwest end line of said Lots One and Two to the place of beginning; also the Southwest Half of the Southeast Half of Lot One, excepting the Southwest 34 feet thereof hereinabove described; all in Block One of the Original Town of Coffeen; subject to the reservations as contained in a Deed duly recorded in the Office of the Recorder of Montgomery County, Illinois, as shown in Deed Record 179 at Page 428, excepting the coal and mineral rights underlying said real estate, all if said property being situated in the City of Coffeen and further, situated in theCounty of Montgomery in the State of Illinois. 8-3-1250 17-35-340-013

BOOK 5 PAGE 251

200500026012
Filed for Record in
MONTGOMERY COUNTY, IL
SANDY LEITHEISER
05-10-2005 At 01:51 pm.
QUIT CLAIM 29.00
OR Book 1065 Page 317 - 318

Instrument Book Page
200500026012 OR 1065 317

# DEED

Return Deed &
Mail Tax Statement To:

Beverly A. Greenwood
P. O. Box 346
Coffeen, IL 62017

THIS INDENTURE WITNESSETH, that the Grantor, MONTGOMERY COUNTY, TRUSTEE, (for all taxing districts having an interest herein), of the State of Illinois, for the consideration of the sum of -- TEN AND NO/100 -- Dollars and pursuant to authority given by the County Board of Montgomery County, Illinois, under Resolution duly adopted on May 17, 1994 does hereby CONVEY AND QUIT CLAIM TO: BEVERLY A. GREENWOOD

all interest in the following described real estate, situated in the County of Montgomery and State of Illinois:

SEE ATTACHMENT FOR LEGAL DESCRIPTION

Permanent Index No.: 04-001-250-00

Grantee to assume payment of the taxes for the year 2006 and thereafter.

IN WITNESS WHEREOF, the said MONTGOMERY County, Trustee, has caused its name to be signed hereto and its corporate seal affixed hereto by MICHAEL HAVERA, Chairman of the County Board of County, Illinois, on the 10th day of May, 2005.

ATTEST:

Sandy Leitheiser
County Clerk of Montgomery County, Illinois

MONTGOMERY COUNTY, TRUSTEE

Mike A. Havera
Chairman of the County Board of Montgomery County, Illinois

STATE OF ILLINOIS )
) ss.
COUNTY OF MONTGOMERY )

I, the undersigned, a notary public in and for said County in the State aforesaid, do here by certify that MICHAEL HAVERA, CHAIRMAN OF THE COUNTY BOARD, MONTGOMERY COUNTY, ILLINOIS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day, in person, and acknowledged that he signed, sealed and delivered the said instrument as such chairman of the County Board of Montgomery County, Illinois, caused the corporate seal of said County of Montgomery, Illinois, to be affixed thereon, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 10th day of May 2005.

"Exempt under provisions of Paragraph 'F',
Section 4, Real Estate Transfer Act."

Buyer, Seller or Representative

Vicky L. Murphy
NOTARY PUBLIC

OFFICIAL SEAL
VICKY L. MURPHY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5-19-2008

This Instrument Drafted by Dennis D. Ballinger

Instrument 200500026012 OR Book 1065 Page 374

Permanent Index No.: 04-001-250-00

## ATTACHMENT
## LEGAL DESCRIPTION

That part of Lots One and Two in Block One in the Original Town of Coffeen, described as follows to-wit: Beginning at a point 23 feet and 5 inches Northwest of the Southeast corner of Lot Two in said Block One, and running thence Northeast parallel with the line between Lots One and Two, 34 feet; running thence Southeasterly parallel with the Southwest line of Lots One and Two, to the line between Lot One and the right of way of the New York, Chicago, & St. Louis Railroad Company; running thence in a Southwesterly direction 34 feet to the Southeast corner of Lot One, running thence Northwest along the Southwest end line of said Lots One and Two to the place of beginning; also the Southwest Half of the Southeast Half of Lot One, excepting the Southwest 34 feet thereof hereinabove described; all in Block One of the Original Town of Coffeen; subject to the reservations as contained in a Deed duly recorded in the Office of the Recorder of Montgomery County, Illinois, as shown in Deed Record 179 at Page 428, excepting the coal and mineral rights underlying said real estate, all if said property being situated in the City of Coffeen and further, situated in theCounty of Montgomery in the State of Illinois. 8-3-1250 17-35-340-013

BOOK 5 PAGE 253

RESOLUTION NO. 05-06

WHEREAS, pursuant to Section 21-90 of the Illinois Property Tax Code (35 ILCS 200/21-90), the County Board of Montgomery County, Illinois, has undertaken a Delinquent Tax Program for the purposes of:

(1) bringing about the recovery of delinquent real estate taxes for the benefit of all taxing districts having an interest in the particular parcel of real estate, and,

(2) in the case of property to which the County of Montgomery, as Trustee, ultimately takes a Tax Deed pursuant to the Revenue Act, it will aid in the expeditious transfer of ownership and the return of that property to a tax paying status.

WHEREAS, pursuant to this program the County of Montgomery has acquired an interest in the following described real estate:

The North (N) One Hundred Twenty-nine (129) feet of the East Half (E1/2) of Block Four (4) and all that part of Block Five (5) lying East (E) of the centerline of said block; all in J.E. Haller's subdivision of Block Five (5) in Miller and Young's Second addition to Nokomis (excepting all coal underlying said Blocks), situated in Montgomery County, Illinois. 10-2-1204 08-14-455-004

Parcel Index # 10-001-204-00

as described in Certificate No. 191 sold October 29, 2001.

WHEREAS, a public auction was held March 30, 2003, where the subject property was offered for sale. A bid price was offered of at least or in excess of the minimum bid set prior thereto.

NOW THEREFORE BE IT RESOLVED by the County Board of Montgomery County, Illinois, that the Chairman of the Board of Montgomery County, Illinois, be authorized to execute a deed of conveyance of the County's interest of the above described real estate. Proceeds from sale shall be paid to the Treasurer of Montgomery County, Illinois, and to be distributed according to law.

APPROVED AND ADOPTED at a regular meeting of the Montgomery County Board, Montgomery County, State of Illinois this 10th day of May, 2005.

Mike A. Havero

CHAIRMAN

ATTEST:

Sandy Lutheran

Clerk of the Board

BOOK 5 PAGE 254

200500026011
Filed for Record in
MONTGOMERY COUNTY, IL
SANDY LEITHEISER
05-10-2005 At 01:51 pm.
QUIT CLAIM 29.00
OR Book 1065 Page 316 - 316

Instrument 200500026011 Book OR 1065 Page 316

# DEED

Return Deed &
Mail Tax Statement To:

Bridget Hill and David Hill
218 Singer
Nokomis, IL 62075

THIS INDENTURE WITNESSETH, that the Grantor, MONTGOMERY COUNTY, TRUSTEE, (for all taxing districts having an interest herein), of the State of Illinois, for the consideration of the sum of -- TEN AND NO/100 -- Dollars and pursuant to authority given by the County Board of Montgomery County, Illinois, under Resolution duly adopted on May 17, 1994 does hereby CONVEY AND QUIT CLAIM TO: BRIDGET HILL AND DAVID HILL AS JOINT TENANTS

all interest in the following described real estate, situated in the County of Montgomery and State of Illinois:

The North (N) One Hundred Twenty-nine (129) feet of the East Half (E1/2) of Block Four (4) and all that part of Block Five (5) lying East (E) of the centerline of said block; all in J.E. Haller's subdivision of Block Five (5) in Miller and Young's Second addition to Nokomis (excepting all coal underlying said Blocks), situated in Montgomery County, Illinois. 10-2-1204 08-14-455-004

Permanent Index No.: 10-001-204-00

Grantee to assume payment of the taxes for the year 2006 and thereafter.

IN WITNESS WHEREOF, the said MONTGOMERY County, Trustee, has caused its name to be signed hereto and its corporate seal affixed hereto by MICHAEL HAVERA, Chairman of the County Board of County, Illinois, on the 10th day of May, 2005.

ATTEST:

Sandy Leitheiser
County Clerk of Montgomery County, Illinois

MONTGOMERY COUNTY, TRUSTEE

Mike A. Havera
Chairman of the County Board of Montgomery County, Illinois

STATE OF ILLINOIS )
) ss.
COUNTY OF MONTGOMERY )

I, the undersigned, a notary public in and for said County in the State aforesaid, do here by certify that MICHAEL HAVERA, CHAIRMAN OF THE COUNTY BOARD, MONTGOMERY COUNTY, ILLINOIS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day, in person, and acknowledged that he signed, sealed and delivered the said instrument as such chairman of the County Board of Montgomery County, Illinois, caused the corporate seal of said County of Montgomery, Illinois, to be affixed thereon, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 10th day of May 2005.

"Exempt under provisions of Paragraph 'F', Section 4, Real Estate Transfer Act."

Buyer, Seller or Representative

Vicky L. Murphy
NOTARY PUBLIC

OFFICIAL SEAL
VICKY L. MURPHY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5-19-2008

This Instrument Drafted by Dennis D. Ballinger

BOOK 5 PAGE 255

RESOLUTION NO. 05-07

WHEREAS, pursuant to Section 21-90 of the Illinois Property Tax Code (35 ILCS 200/21-90), the County Board of Montgomery County, Illinois, has undertaken a Delinquent Tax Program for the purposes of:

(1) bringing about the recovery of delinquent real estate taxes for the benefit of all taxing districts having an interest in the particular parcel of real estate, and,

(2) in the case of property to which the County of Montgomery, as Trustee, ultimately takes a Tax Deed pursuant to the Revenue Act, it will aid in the expeditious transfer of ownership and the return of that property to a tax paying status.

WHEREAS, pursuant to this program the County of Montgomery has acquired an interest in the following described real estate:

The North Two (2) acres of the Southwest Quarter of the Northeast Quarter of Section Fourteen, Township Ten North, Range Five West of the Third Pincipal Meridian, situated in the County of Montgomery, in the State of Illinios
05-14-200-002

Parcel Index # 19-000-137-00

as described in Certificate No. 379 sold October 29, 2001.

WHEREAS, a public auction was held March 30, 2005, where the subject property was offered for sale. A bid price was offered of at least or in excess of the minimum bid set prior thereto.

NOW THEREFORE BE IT RESOLVED by the County Board of Montgomery County, Illinois, that the Chairman of the Board of Montgomery County, Illinois, be authorized to execute a deed of conveyance of the County's interest of the above described real estate. Proceeds from sale shall be paid to the Treasurer of Montgomery County, Illinois, and to be distributed according to law.

APPROVED AND ADOPTED at a regular meeting of the Montgomery County Board, Montgomery County, State of Illinois this 10th day of May, 2005.

Mike A. Haven
CHAIRMAN

ATTEST:

Sandy Leitheiser
Clerk of the Board

BOOK 5 PAGE 256

200500026010
Filed for Record in
MONTGOMERY COUNTY, IL
SANDY LEITHEISER
05-10-2005 At 01:51 pm.
QUIT CLAIM 29.00
OR Book 1065 Page 315 - 315

Instrument 200500026010 OR Book 1065 Page 315

# DEED

Return Deed &
Mail Tax Statement To:

Alma Stoutamoyer
412 Western Street
Gillespie, IL 62033

THIS INDENTURE WITNESSETH, that the Grantor, MONTGOMERY COUNTY, TRUSTEE, (for all taxing districts having an interest herein), of the State of Illinois, for the consideration of the sum of -- TEN AND NO/100 -- Dollars and pursuant to authority given by the County Board of Montgomery County, Illinois, under Resolution duly adopted on May 17, 1994 does hereby CONVEY AND QUIT CLAIM TO: ALMA STOUTAMOYER

all interest in the following described real estate, situated in the County of Montgomery and State of Illinois:

The North Two (2) acres of the Southwest Quarter of the Northeast Quarter of Section Fourteen, Township Ten North, Range Five West of the Third Pincipal Meridian, situated in the County of Montgomery, in the State of Illinios 05-14-200-002

Permanent Index No.: 19-000-137-00

Grantee to assume payment of the taxes for the year 2006 and thereafter.

IN WITNESS WHEREOF, the said MONTGOMERY County, Trustee, has caused its name to be signed hereto and its corporate seal affixed hereto by MICHAEL HAVERA, Chairman of the County Board of County, Illinois, on the 10th day of May, 2005.

ATTEST:

Sandy Leitheiser
County Clerk of Montgomery County, Illinois

MONTGOMERY COUNTY, TRUSTEE

Mike A. Havera
Chairman of the County Board of Montgomery County, Illinois

STATE OF ILLINOIS )
) ss.
COUNTY OF MONTGOMERY )

I, the undersigned, a notary public in and for said County in the State aforesaid, do here by certify that MICHAEL HAVERA, CHAIRMAN OF THE COUNTY BOARD, MONTGOMERY COUNTY, ILLINOIS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day, in person, and acknowledged that he signed, sealed and delivered the said instrument as such chairman of the County Board of Montgomery County, Illinois, caused the corporate seal of said County of Montgomery, Illinois, to be affixed thereon, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 10th day of May 2005.

"Exempt under provisions of Paragraph 'F',
Section 4, Real Estate Transfer Act."

Buyer, Seller or Representative

Vicky L. Murphy
NOTARY PUBLIC

OFFICIAL SEAL
VICKY L. MURPHY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5-19-2008

This Instrument Drafted by Dennis D. Ballinger

BOOK 5 PAGE 257

# RESOLUTION # 05 - 08

## RESOLUTION
## ALLOWING MONTGOMERY COUNTY TO REIMBURSE FOR PRISONER MEDICAL SERVICES AND/OR PRESCRIPTIONS TO INMATES, AT THE ILLINOIS PUBLIC AID RATE

**WHEREAS,** the County Jail Act, 730 ILCS 125/17 requires Montgomery County to reimburse any hospital, physician or any other agency, which provides medical services and/or prescriptions to inmates of the Montgomery County Jail, and;

**WHEREAS,** the County Jail Act, 730 ILCS 125/17 further provides authority to a County Board by resolution or ordinance to provide for such reimbursements at the Department of Public Aid's rates for medical assistance and/or prescriptions, and;

**WHEREAS,** that said Department of Public Aid's rates are normally less than the usual rates charged for such services;

**THEREFORE BE IT RESOLVED,** by the Montgomery County Board that pursuant to 730 ILCS 125/17 of the County Jail Act, the County shall, effective immediately, reimburse private hospitals, physicians, or other agency's providing medical services and/or prescriptions to inmates of the Montgomery County Jail at the Department of Public Aid's rates for medical assistance and/or prescriptions, said rates to be determined by the Sheriff in consultation with the Illinois Department of Public Aid.

PASSED; this 10th, day of May 2005.

Mike A. Havera

Montgomery County Board Chairman, Mike Havera

Attest by: Sandy Leitheiser

Montgomery County Clerk & Recorder, Sandy Leitheiser

**PROMULGATION DOCUMENT**

**DATE** May 10th, 2005

In accordance with the provisions of the Illinois Emergency Management Act (P.A. 87 - 168, January 1, 1992) and the Illinois Civil Defense Act as adopted by the Montgomery County Board of, August 4th 1994 the Chairman of the Montgomery County Board is authorized to cause to be prepared and maintained a comprehensive emergency management plan and program for the County of Montgomery. This Montgomery County Emergency Operation Plan (EOP) has been developed and updated to meet this requirement. The Plan has been developed in cooperation with representatives of Emergency Response Groups, County Offices or agencies, the American Red Cross and other volunteer agencies. Montgomery County EMA is responsible for coordination of this effort.

The Plan identifies the hazards which the County is vulnerable; sets down responsibilities of all County and volunteer agencies and outlines a means for the County's resources to be used to assist the citizens and political subdivisions of the County. The planning authorities and responsibilities conveyed to the individual agencies are recognized and acknowledged.

The Plan describes a coordination mechanism for response to and recovery from disasters and incidences arising there from. On my implementation, all agencies shall abide by and cooperate fully with the provisions described or referenced herein.

All tasked organizations' responsibility to prepare and maintain standard operating procedures (SOPs) and commit them to the training, exercising, and plan maintenance efforts needed to support the Emergency Operation Plan is declared.

As ***County Board Chairman***, I affirm my support for emergency management in ***Montgomery County.***

Sincerely,

Mike A. Havera

Mike Havera
County Board Chairman
Montgomery County

**MONTGOMERY COUNTY EMERGENCY OPERATIONS PLAN**

Mike H. Havera
MONTGOMERY COUNTY BOARD CHAIRMAN
Michael Havera

5-10-05
Date

MONTGOMERY COUNTY EMA CHAIRMAN
Dennis Jagodzinski

Date

MONTGOMERY COUNTY EMA COORDINATOR
Diana Holmes

Date

Sandy Leitheiser
MONTGOMERY COUNTY CLERK
Sandy Leitheiser

5-10-05
Date

APPROVED: Date _____

IEMA REGION 8 COORDINATOR
Stan Krushas

Date

## AUTHENTICATION

If any section, clause, or other provision of this plan shall be invalid, the invalidity thereof shall not affect any other provision of this plan.

All regulations and/or parts of regulations, conflicting with any of the provisions of this plan, shall be replaced.

This emergency operation plan shall be in force and effect the date of its approval by the Montgomery County Board Chairman.

Approved this 10th day of May, 2005.

By: Mike A. Havera
Montgomery County Board Chairman
Michael Havera

By: _____
Montgomery County EMA Board Chairman
Dennis Jagodzinski

By: _____
Montgomery County EMA Coordinator
Diana Holmes

By: Sandy Leitheiser
Montgomery County Clerk
Sandy Leitheiser

**SIGNATURE PAGE**

We, the undersigned, have read, written, or approved our respective part or parts of the Montgomery County Emergency Operations Plan. I accept the duties and responsibilities as assigned and written, and acknowledge the relationships thereby established. I further agree to provide to the extent possible, manpower, equipment, and material to perform the assigned duties.

Signed: _____ Date: _____
Illinois Emergency Management Agency - Region 8
Stan Krushas

Signed: Mike A. Havera Date: 5-10-05
Montgomery County Board Chairman
Michael Havera

Signed: _____ Date: _____
Montgomery County EMA Board Chairman
Dennis Jagodzinski

Signed: _____ Date: _____
Montgomery County EMA Coordinator
Diana Holmes

Signed: _____ Date: _____
Montgomery County Sheriff
Jim Vazzi

Signed: Sandy Leitheiser Date: 5-10-05
Montgomery County Clerk
Sandy Leitheiser

Signed: _____ Date: _____
Montgomery County State's Attorney
James Roberts

BOOK 5 PAGE 262

MONTGOMERY COUNTY HIGHWAY DEPARTME
RESOLUTION # 16-05
(Amends Resolution #11-05 Dated 03/08/05)

# AMENDED RESOLUTION
# FOR
# COUNTY AID TO ROAD DISTRICT FOR BRIDGE PURPOSES

**WHEREAS, The General Assembly of the State of Illinois, amended Section 5-602 of the Road and Bridge Laws of Illinois, providing that any County for the purpose of administering Section 5-501, 5-502, 5-503 and 5-504 of this Code and having less than 1,000,000 inhabitants may levy an additional annual tax not exceeding 0.05 percent of the value of all the taxable property in such County, as equalized or assessed by the Department of Revenue, which tax shall be in addition to all other County taxes and shall be in excess of any other rate limitation, and**

**WHEREAS, The Road District of RAYMOND has petitioned the County Board of Montgomery County for aid in constructing a bridge under Section 5-501 and 6-508 of the Road a Bridge Laws of Illinois, as specified in the petition on file with the Montgomery County Highway Department, and**

**WHEREAS, The Road District of RAYMOND of Montgomery County has agreed to pay an amount of $5,268.97 from the proceeds of its road and bridge levy for the current year toward financing the requested bridge:**

**NOW THEREFORE BE IT RESOLVED, that the prayer of the Road District be and the same is hereby granted for aid in the construction of the bridge described below;**

| ROAD DISTRICT | NAME OF BRIDGE | LOCATION | EST. COST |
|---|---|---|---|
| RAYMOND | 1014 B-CA, | See Attached Map | $10,537.94 |

**BE IT FURTHER RESOLVED, that the funds necessary to furnish the County Aid required in the construction of the above described bridge to be obtained from the special tax authorized by Sec. 5-602 of the Road and Bridge Laws of Illinois, Revised 1996.**

**I, SANDY LEITHEISER, County Clerk in and for said County, in the State aforesaid and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be true, perfect and complete copy of a resolution adopted by the Board of Montgomery County at their adjourned Meeting held at Hillsboro on this 14th day of June, AD, 2005.**

**IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Hillsboro in said County this 14th day of June, AD, 2005.**

Sandy Leitheiser

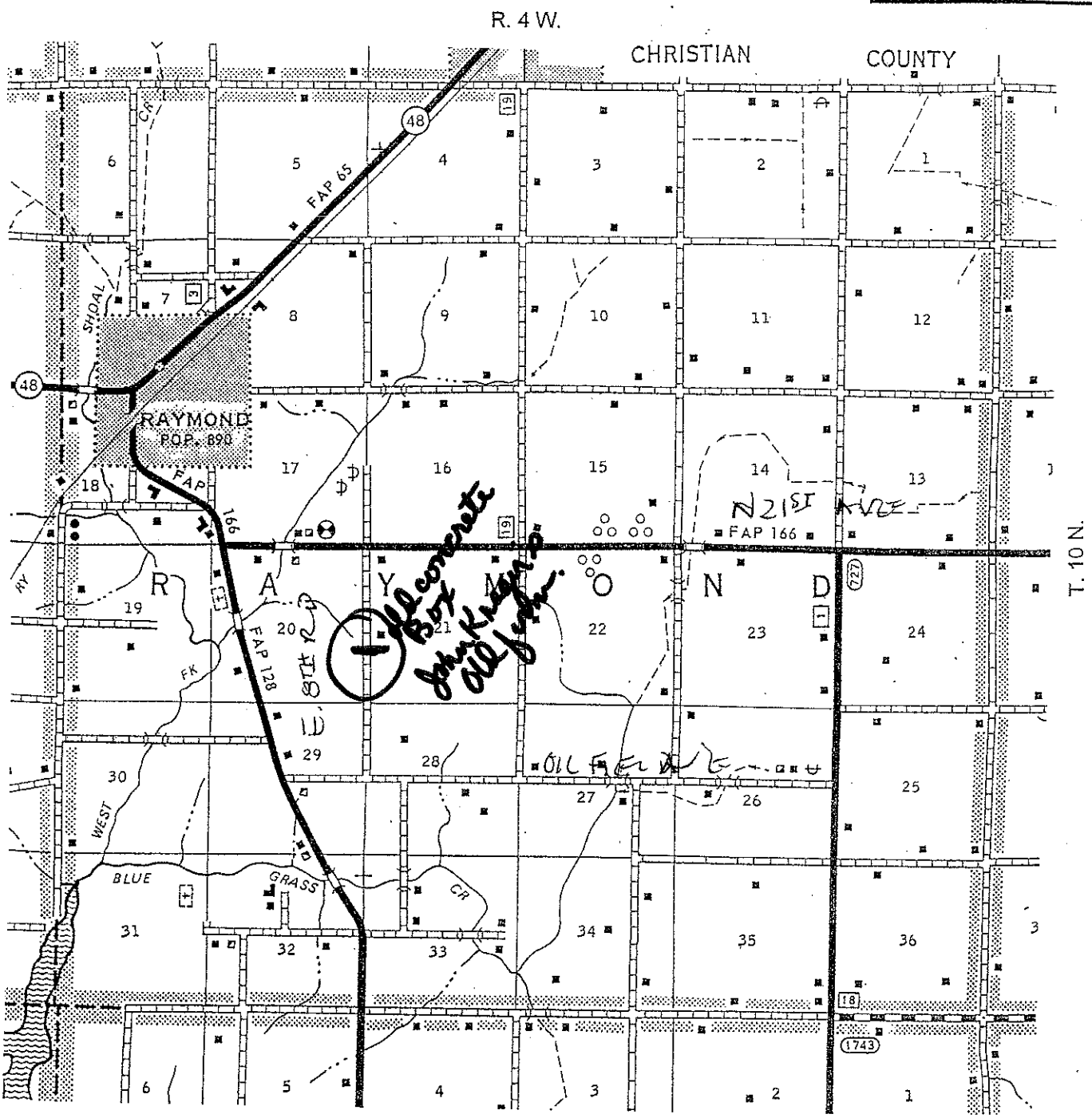
**SANDY LEITHEISER, COUNTY CLERK**

**COST BREAKDOWN:**

| | |
|---|---|
| Montgomery County | 50% |
| Raymond | 50% |

BOOK 5 PAGE 263

RAYMOND R. D.
R. 4 W., T. 10 N.



# CLUSTERED PRECINCTS - CONTACT LIST

**42 Prec./26 Polling Pl. CB Approval planned for 7/05 meeting**

| PRECINCT(S) | POLLING PLACE | VOTERS | CONTACT NAME | Change from original proposal given at 4/20 Special CB Meeting, if any |
|---|---|---|---|---|
| Audubon | new Ohlman Village Hall (former Methodist Church) | 406 | Dennis Aumann, Mayor | none |
| Bois D'Arc | Village Hall, Farmersville | 698 | Joe Tischkau, Mayor | none |
| Butler Grove | Butler Community Center | 545 | Don Walker, Assn. President | was Town Hall, found to be not as ADA compliant |
| East Fork 1 & 4 | East Fork Twsp Bldg. | 462/270 | Libby Chumley, Twp. | none |
| East Fork 2 & Grisham 2 | Donnellson School | 140/191 | S. Cunningham, Acting Clerk | none |
| East Fork 3 | Village Hall, Schram City | 629 | Michael Rhoades, Mayor | none |
| Fillmore & S. Fillmore | Fill.Village Hall (former Gym) | 454/159 | Rex Bollard, Mayor | none |
| Grisham 1 | Grisham Town Hall, Panama | 258 | Joe McCario, Mayor | none |
| Harvel | Harvel Village Hall | 158 | Gilbert Merkel, Mayor | none |
| Hillsboro 1 & 2 | United Methodist Church | 460/378 | Rev. Floyd Blackard | none |
| Hillsboro 3 & 4 | Free Methodist Church | 711/386 | Rev. Randy Sands | none |
| Hillsboro 5 & 6 | Knights of Columbus Hall | 731/727 | Ray Ginnard, Grand Knight | none |
| Irving/Rountree | Century House | 608/181 | Harold Jurgena, Mayor | Rountree Twp. Supr. requested Irving since in MTA there |
| Nokomis 1 | Coalton Village Hall (building unfinished as of 6/1/2005) | 202 | Rick Cearlock, Mayor | none |
| Nokomis 2, 4 | Memorial Park House | 408/267 | Jean McCall, Clerk | Rountree changed to Irving |
| Nokomis 3, 5 | Parish Center | 474/517 | Father Chris/Doris Huber | none |
| N. Lfd. 1,4 | Armory | 688/396 | Sgt. Hires | none |
| N. Lfd. 2,3 | First Baptist Church | 571/436 | Paul Morgan, Church Trustee | none |
| N. Lfd. 5,6 | Union Ave. Christian Church | 444/743 | Pastor Johnson | none |
| Pitman | Pitman Township Hall | 340 | Leonard Boston, Twp. Clerk | none |
| Raymond | Raymond K.C. | 828 | Clarence Smith, Rep. | none |
| So Lfd. 1 & 4 | Lfd. Comm Bldg | 581/549 | Trisha Maulding, Clerk | none |
| S. Lfd. 2 & 3 | Faith Lutheran Church | 704/386 | Pastor Schmidt | Was Township Polling Place, ADA rep./Twp agrees larger building needed |
| Walshville | Village Hall | 242 | Bill Sykes, Mayor | none |
| Witt 1,2,3 | Lions Bldg. | 152/301/368 | Bob Durbin, Lions member | none |
| Zanesville | Pleasant Hill Christian Church | 313 | Darrin Daugherty, Trustee | was Town Hall, found to be not ADA compliant |

# Agreement between Montgomery County and (Name of Polling Place) for use of their facility as an Election Polling Place for (Name of Precinct(s))

**This agreement confirms the availability and use of the above listed Facility as a Montgomery County Polling Place for Elections to be held on the following dates each year:**

| | |
|---|---|
| **Even Years:** | **General Primary Election – 3rd Tuesday in March** |
| | **General Election- 1st Tuesday after the 1st Monday in November** |
| **Odd Years:** | **Consolidated Primary Election - Last Tuesday in February** |
| | **Consolidated Election- 1st Tuesday in April, except when it conflicts with Passover, when the Election will be held on the first Tuesday following the last day of Passover.** |

**The Polling Place Election Day use will commence at approximately 5:00 AM and end at approximately 10:00 PM or possibly sooner. Coordination to set up polling place booths, tables, chairs, ballot box with electrical cord will be made by the Township Supervisor or his/her representative with the Facility representative, which will occur prior to Election day and meet the requirements of the Facility.**

**Montgomery County agrees to pay $75.00 per Election to the above Facility for use as a polling place, to provide adequate insurance coverage for Election Day use (see attached Certificate of Insurance), and to assure facility is left in same condition as it is found.**

**The Facility agrees to allow full use of the polling area throughout the above specified times on each Election Day, and to provide the name and phone (to be listed below) of a Facility Contact Representative that will coordinate use of the Facility with the Township Supervisor and the Montgomery County Clerk.**

**This agreement will be ongoing and considered valid until written notification is given by the Facility to the Montgomery County Clerk, #1 Courthouse Square, PO Box 595, Hillsboro, IL 62049- phone (217) 532-9530, or by the Montgomery County Clerk to the Facility at the address listed below.**

**Signed,**

_____ **Facility Name**
_____ **Facility Address**
_____ **Contact Rep. Signature**
_____ **Contact Reps. Phone**
_____ **Facility Phone for Election Judges Use**
_____ **Date of Signature**

_____ **County Clerk**
**Montgomery County, Illinois**
_____ **Date of Signature**

BOOK 5 PAGE 266

# ORDINANCE # 05-09

## ORDINANCE ESTABLISHING PREVAILING WAGE RATES

**WHEREAS,** the State of Illinois has enacted, "An Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City, or any public body or any political subdivision or by anyone under contract for public works", approved June 26, 1941, codified as amended, 820 ILCS 130/1 et seq. (1993), formerly Illinois Revised Statutes, Chapter 48, par. 39e-1 et seq., and

**WHEREAS,** the aforesaid Act requires that the Board of Trustees of Montgomery County Board investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of Montgomery County Board employed in performing construction of public works, for said Board of Trustees.

**NOW THEREFORE, BE IT ORDAINED BY**

## Montgomery County Board:

**SECTION 1:** To the extent and as required by "An Act regulating wages of laborers, mechanics and other workers employed in any public works by State, County, City or any public body or political subdivision or any one under contract for public works," approved June 26th, 1941 as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the Board of Trustees is hereby ascertained to be the same as prevailing rate of wages for construction work in the Montgomery County area as determined by the Department of Labor of the State of Illinois as of June 2005 a copy of that determination being attached hereto and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the Board of Trustees. The definition of any terms appearing in this ordinance which are also used in aforesaid Act shall be the same as in said Act.

**SECTION 2:** Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the Board of Trustees to the extent required by the aforesaid Act.

**SECTION 3:** The Board of Trustees shall publicly post or keep available for inspection by any interested party in the main office of the Board of Trustees this determination or any revisions of such prevailing rate of wage. A copy of this determination or the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

**SECTION 4:** The Board of Trustees shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and particular class of workers whose wages will be affected by such rates.

**SECTION 5:** The Board of Trustees shall promptly file a certified copy of this Ordinance with BOTH the Secretary of State Index Division and the Department of Labor of the State of Illinois.

**SECTION 6:** The Board of Trustees shall cause to be published in a newspaper of general circulation within the area a notice of this Ordinance, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

**ADOPTED** this 14th day of June, 2005.

**APPROVED:**

**CHIEF PRESIDING OFFICER**

**ATTEST:**

Sandy Lethcoe

**SECRETARY/CLERK**

STATE OF ILLINOIS )
) S.S.
COUNTY OF MONTGOMERY )

## CERTIFICATION OF PREVAILING WAGE ORDINANCE

I, Sandy Leitheiser, DO HEREBY CERTIFY THAT I am the Clerk/Secretary in and for the Board of Trustees of Montgomery County Board; that the foregoing is a true and correct copy of an Ordinance duly passed by the Chairman and Board of Montgomery County Board being entitled: "AN ORDINANCE OF Montgomery County Board, Montgomery County, Illinois ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMAN AND MECHANICS EMPLOYED ON PUBLIC WORKS OF SAID Montgomery County Board," at the regular meeting held on the 14th day of June, 2005, the ordinance being a part of the official records of said Montgomery County Board.

IN WITNESS WHEREOF, I hereunto affix my hand and official seal this 14th day of June, 2005.

(SEAL)

Sandy Leitheiser
Clerk/Secretary

ATTEST:

Chief Presiding Officer/ Title

# Montgomery County Prevailing Wage for June 2005

| Trade Name | RG | TYP | C | Base | FRMAN | *M-F>8 | OSA | OSH | H/W | Pensn | Vac | Trng |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| ASBESTOS ABT-GEN | | ALL | | 21.150 | 21.650 | 1.5 | 1.5 | 2.0 | 4.600 | 7.400 | 0.000 | 0.500 |
| ASBESTOS ABT-MEC | | BLD | | 24.010 | 25.010 | 1.5 | 1.5 | 2.0 | 2.920 | 4.320 | 0.000 | 0.000 |
| BOILERMAKER | | BLD | | 27.000 | 29.500 | 1.5 | 1.5 | 2.0 | 7.020 | 10.21 | 0.000 | 0.210 |
| BRICK MASON | | BLD | | 24.970 | 26.590 | 1.5 | 1.5 | 2.0 | 4.100 | 7.400 | 2.000 | 0.370 |
| CARPENTER | N | BLD | | 23.530 | 25.280 | 1.5 | 1.5 | 2.0 | 6.250 | 5.880 | 0.000 | 0.300 |
| CARPENTER | N | HWY | | 23.620 | 25.370 | 1.5 | 1.5 | 2.0 | 6.250 | 5.880 | 0.000 | 0.300 |
| CARPENTER | S | BLD | | 23.000 | 24.750 | 1.5 | 1.5 | 2.0 | 6.250 | 6.410 | 0.000 | 0.300 |
| CARPENTER | S | HWY | | 23.050 | 24.800 | 1.5 | 1.5 | 2.0 | 6.250 | 6.450 | 0.000 | 0.300 |
| CEMENT MASON | | ALL | | 25.450 | 26.200 | 1.5 | 1.5 | 2.0 | 4.850 | 7.250 | 0.000 | 0.100 |
| CERAMIC TILE FNSHER | | BLD | | 22.040 | 0.000 | 1.5 | 1.5 | 2.0 | 4.800 | 4.100 | 0.000 | 0.250 |
| ELECTRIC PWR EQMT OP | NE | ALL | | 28.840 | 34.100 | 1.5 | 1.5 | 2.0 | 4.500 | 7.790 | 0.000 | 0.000 |
| ELECTRIC PWR EQMT OP | SW | ALL | | 29.820 | 35.940 | 1.5 | 2.0 | 2.0 | 4.120 | 7.450 | 0.000 | 0.150 |
| ELECTRIC PWR GRNDMAN | NE | ALL | | 19.790 | 34.100 | 1.5 | 1.5 | 2.0 | 4.500 | 5.340 | 0.000 | 0.000 |
| ELECTRIC PWR GRNDMAN | SW | ALL | | 22.260 | 35.940 | 1.5 | 2.0 | 2.0 | 3.080 | 5.570 | 0.000 | 0.110 |
| ELECTRIC PWR LINEMAN | NE | ALL | | 32.040 | 34.100 | 1.5 | 1.5 | 2.0 | 4.500 | 8.650 | 0.000 | 0.000 |
| ELECTRIC PWR LINEMAN | SW | ALL | | 34.280 | 35.940 | 1.5 | 2.0 | 2.0 | 4.740 | 8.570 | 0.000 | 0.170 |
| ELECTRIC PWR TRK DRV | NE | ALL | | 20.760 | 34.100 | 1.5 | 1.5 | 2.0 | 4.500 | 5.600 | 0.000 | 0.000 |
| ELECTRIC PWR TRK DRV | SW | ALL | | 24.340 | 35.940 | 1.5 | 2.0 | 2.0 | 3.370 | 6.080 | 0.000 | 0.120 |
| ELECTRICIAN | E | BLD | | 28.090 | 30.900 | 1.5 | 1.5 | 2.0 | 5.150 | 4.200 | 0.000 | 0.420 |
| ELECTRICIAN | NW | BLD | | 30.270 | 32.270 | 1.5 | 1.5 | 2.0 | 5.150 | 4.560 | 0.000 | 0.250 |
| ELECTRICIAN | SW | ALL | | 30.570 | 32.400 | 1.5 | 1.5 | 2.0 | 4.740 | 5.800 | 0.000 | 0.460 |
| ELECTRONIC SYS TECH | E | BLD | | 22.040 | 23.290 | 1.5 | 1.5 | 2.0 | 4.650 | 3.110 | 0.000 | 0.440 |
| ELECTRONIC SYS TECH | W | BLD | | 22.610 | 24.110 | 1.5 | 1.5 | 2.0 | 2.800 | 3.180 | 1.750 | 0.450 |
| ELEVATOR CONSTRUCTOR | | BLD | | 32.700 | 36.790 | 2.0 | 2.0 | 2.0 | 7.275 | 3.420 | 1.960 | 0.000 |
| GLAZIER | | BLD | | 25.430 | 0.000 | 1.5 | 2.0 | 2.0 | 4.480 | 3.230 | 0.000 | 0.280 |
| HT/FROST INSULATOR | | BLD | | 28.790 | 29.790 | 1.5 | 1.5 | 2.0 | 4.250 | 7.360 | 0.000 | 0.000 |
| IRON WORKER | N | BLD | | 23.510 | 25.260 | 1.5 | 1.5 | 2.0 | 5.200 | 7.450 | 0.000 | 0.300 |
| IRON WORKER | N | HWY | | 23.510 | 25.010 | 1.5 | 1.5 | 2.0 | 5.200 | 7.450 | 0.000 | 0.300 |
| IRON WORKER | S | ALL | | 24.540 | 26.040 | 1.5 | 1.5 | 2.0 | 5.710 | 7.750 | 0.000 | 0.420 |
| LABORER | | ALL | | 20.650 | 21.150 | 1.5 | 1.5 | 2.0 | 4.600 | 7.400 | 0.000 | 0.500 |
| LATHER | | BLD | | 23.530 | 25.280 | 1.5 | 1.5 | 2.0 | 6.250 | 5.880 | 0.000 | 0.300 |
| MACHINIST | | BLD | | 34.540 | 36.290 | 2.0 | 2.0 | 2.0 | 3.200 | 4.100 | 2.380 | 0.000 |
| MARBLE FINISHERS | | BLD | | 22.040 | 0.000 | 1.5 | 1.5 | 2.0 | 4.800 | 4.100 | 0.000 | 0.250 |
| MILLWRIGHT | | BLD | | 24.770 | 26.520 | 1.5 | 1.5 | 2.0 | 6.250 | 5.100 | 0.000 | 0.300 |
| MILLWRIGHT | | HWY | | 19.270 | 20.520 | 1.5 | 1.5 | 2.0 | 2.800 | 3.000 | 0.000 | 0.000 |
| OPERATING ENGINEER | | ALL | 1 | 24.650 | 25.780 | 1.5 | 1.5 | 2.0 | 5.600 | 9.900 | 0.000 | 1.000 |
| OPERATING ENGINEER | | ALL | 2 | 23.520 | 25.780 | 1.5 | 1.5 | 2.0 | 5.600 | 9.900 | 0.000 | 1.000 |
| OPERATING ENGINEER | | ALL | 3 | 19.040 | 25.780 | 1.5 | 1.5 | 2.0 | 5.600 | 9.900 | 0.000 | 1.000 |
| OPERATING ENGINEER | | ALL | 4 | 19.100 | 25.780 | 1.5 | 1.5 | 2.0 | 5.600 | 9.900 | 0.000 | 1.000 |
| OPERATING ENGINEER | | ALL | 5 | 18.770 | 25.780 | 1.5 | 1.5 | 2.0 | 5.600 | 9.900 | 0.000 | 1.000 |
| OPERATING ENGINEER | | ALL | 6 | 25.200 | 25.780 | 1.5 | 1.5 | 2.0 | 5.600 | 9.900 | 0.000 | 1.000 |
| OPERATING ENGINEER | | ALL | 7 | 25.500 | 25.780 | 1.5 | 1.5 | 2.0 | 5.600 | 9.900 | 0.000 | 1.000 |
| OPERATING ENGINEER | | ALL | 8 | 25.780 | 25.780 | 1.5 | 1.5 | 2.0 | 5.600 | 9.900 | 0.000 | 1.000 |
| PAINTER | | BLD | | 23.800 | 24.800 | 1.5 | 1.5 | 2.0 | 3.900 | 5.150 | 0.000 | 0.350 |
| PAINTER | | HWY | | 25.000 | 26.000 | 1.5 | 1.5 | 2.0 | 3.900 | 5.150 | 0.000 | 0.350 |
| PAINTER OVER 30FT | | BLD | | 24.800 | 25.800 | 1.5 | 1.5 | 2.0 | 3.900 | 5.150 | 0.000 | 0.350 |
| PAINTER PWR EQMT | | BLD | | 24.800 | 25.800 | 1.5 | 1.5 | 2.0 | 3.900 | 5.150 | 0.000 | 0.350 |
| PAINTER PWR EQMT | | HWY | | 26.000 | 27.000 | 1.5 | 1.5 | 2.0 | 3.900 | 5.150 | 0.000 | 0.350 |
| PILEDRIVER | N | BLD | | 24.030 | 25.780 | 1.5 | 1.5 | 2.0 | 6.250 | 5.880 | 0.000 | 0.300 |
| PILEDRIVER | N | HWY | | 24.120 | 25.870 | 1.5 | 1.5 | 2.0 | 6.250 | 5.880 | 0.000 | 0.300 |
| PILEDRIVER | S | BLD | | 23.500 | 25.250 | 1.5 | 1.5 | 2.0 | 6.250 | 6.410 | 0.000 | 0.300 |
| PILEDRIVER | S | HWY | | 23.550 | 25.300 | 1.5 | 1.5 | 2.0 | 6.250 | 6.450 | 0.000 | 0.300 |
| PIPEFITTER | NE | BLD | | 30.350 | 32.100 | 1.5 | 1.5 | 2.0 | 5.800 | 3.800 | 0.000 | 0.300 |
| PIPEFITTER | SW | BLD | | 29.000 | 30.250 | 2.0 | 2.0 | 2.0 | 5.350 | 4.950 | 0.000 | 0.000 |
| PLASTERER | | BLD | | 25.300 | 26.300 | 1.5 | 1.5 | 2.0 | 4.850 | 6.750 | 0.000 | 0.250 |
| PLUMBER | NE | BLD | | 30.350 | 32.100 | 1.5 | 1.5 | 2.0 | 5.800 | 3.800 | 0.000 | 0.300 |
| PLUMBER | SW | BLD | | 29.000 | 30.250 | 2.0 | 2.0 | 2.0 | 5.350 | 4.950 | 0.000 | 0.000 |
| ROOFER | | BLD | | 23.000 | 25.000 | 1.5 | 1.5 | 2.0 | 3.450 | 5.000 | 0.000 | 0.100 |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| SHEETMETAL WORKER | ALL | | 26.470 | 27.720 | 1.5 | 1.5 | 2.0 | 5.750 | 4.310 | 1.580 | 0.120 |
| SPRINKLER FITTER | BLD | | 29.390 | 30.890 | 1.5 | 1.5 | 2.0 | 6.100 | 4.950 | 0.000 | 0.250 |
| TERRAZZO FINISHER | BLD | | 30.050 | 0.000 | 1.5 | 1.5 | 2.0 | 0.000 | 0.000 | 0.000 | 0.000 |
| TERRAZZO MASON | BLD | | 29.550 | 29.850 | 1.5 | 1.5 | 2.0 | 0.000 | 3.750 | 0.000 | 0.000 |
| TRUCK DRIVER | ALL | 1 | 24.905 | 0.000 | 1.5 | 1.5 | 2.0 | 7.000 | 3.200 | 0.000 | 0.000 |
| TRUCK DRIVER | ALL | 2 | 25.305 | 0.000 | 1.5 | 1.5 | 2.0 | 7.000 | 3.200 | 0.000 | 0.000 |
| TRUCK DRIVER | ALL | 3 | 25.505 | 0.000 | 1.5 | 1.5 | 2.0 | 7.000 | 3.200 | 0.000 | 0.000 |
| TRUCK DRIVER | ALL | 4 | 25.755 | 0.000 | 1.5 | 1.5 | 2.0 | 7.000 | 3.200 | 0.000 | 0.000 |
| TRUCK DRIVER | ALL | 5 | 26.505 | 0.000 | 1.5 | 1.5 | 2.0 | 7.000 | 3.200 | 0.000 | 0.000 |
| TRUCK DRIVER | O&C | 1 | 19.924 | 0.000 | 1.5 | 1.5 | 2.0 | 7.000 | 3.200 | 0.000 | 0.000 |
| TRUCK DRIVER | O&C | 2 | 20.244 | 0.000 | 1.5 | 1.5 | 2.0 | 7.000 | 3.200 | 0.000 | 0.000 |
| TRUCK DRIVER | O&C | 3 | 20.404 | 0.000 | 1.5 | 1.5 | 2.0 | 7.000 | 3.200 | 0.000 | 0.000 |
| TRUCK DRIVER | O&C | 4 | 20.604 | 0.000 | 1.5 | 1.5 | 2.0 | 7.000 | 3.200 | 0.000 | 0.000 |
| TRUCK DRIVER | O&C | 5 | 21.204 | 0.000 | 1.5 | 1.5 | 2.0 | 7.000 | 3.200 | 0.000 | 0.000 |

Legend:

M-F>8 (Overtime is required for any hour greater than 8 worked each day, Monday through Friday.
OSA (Overtime is required for every hour worked on Saturday)
OSH (Overtime is required for every hour worked on Sunday and Holidays)
H/W (Health & Welfare Insurance)
Pensn (Pension)
Vac (Vacation)
Trng (Training)

# Explanations

MONTGOMERY COUNTY

CARPENTERS AND PILEDRIVERS (NORTH) - The area north of Route 108, running east to Route 55, then north to Routes 48/127, east following Route 48 from Raymond to Harvel.

ELECTRICIANS (EAST) - Townships of Audubon, East Fork, Fillmore, Irving, Nikomis, Roundtree, South Fillmore and Witt.

ELECTRICIANS (NW) - Townships of Bois D'Arc, Pitman, and Harvel (Northern projection).

ELECTRICIANS (SW) - Townships of Zanesville, Raymond, North and South Litchfield, Butler Grove, Hillsboro, Walshville and Grishman.

ELECTRIC POWER LINEMAN, GROUNDMAN, EQUIPMENT OPERATOR, TRUCK DRIVER (NE) - Entire county except Butler Grove, Grisham, Hillsboro, North and South Litchfield, Raymond, Walshville, and Zanesville Townships.

IRONWORKERS (NORTH) - That part of the county north of a diagonal line through Taylor Springs and Chapman.

PLUMBERS & PIPEFITTERS (SW) - That part of the county South and West of Route 127.

ELECTRONIC SYSTEMS TECHNICIAN (WEST) - Townships of Zanesville, Raymond, North Litchfield, Butler Grove, South Litchfield, Hillsboro, Walshville and Grisham..

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial/Decoration Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day. Generally, any of these holidays which fall on a Sunday is celebrated on the following Monday. This then makes work performed on that Monday payable at the appropriate overtime rate for holiday pay. Common practice in a given local may alter certain days

of celebration such as the day after Thanksgiving for Veterans Day. If in doubt, please check with IDOL.

Oil and chip resealing (O&C) means the application of road oils and liquid asphalt to coat an existing road surface, followed by application of aggregate chips or gravel to coated surface, and subsequent rolling of material to seal the surface.

EXPLANATION OF CLASSES

ASBESTOS - GENERAL - removal of asbestos material/mold and hazardous materials from any place in a building, including mechanical systems where those mechanical systems are to be removed. This includes the removal of asbestos materials/mold and hazardous materials from ductwork or pipes in a building when the building is to be demolished at the time or at some close future date.

ASBESTOS - MECHANICAL - removal of asbestos material from mechanical systems, such as pipes, ducts, and boilers, where the mechanical systems are to remain.

CERAMIC TILE FINISHER AND MARBLE FINISHER

The handling, at the building site, of all sand, cement, tile, marble or stone and all other materials that may be used and installed by [a] tile layer or marble mason. In addition, the grouting, cleaning, sealing, and mixing on the job site, and all other work as required in assisting the setter. The term "Ceramic" is used for naming the classification only and is in no way a limitation of the product handled. Ceramic takes into consideration most hard tiles.

ELECTRONIC SYSTEMS ELECTRICIAN

Installation, service and maintenance of low-voltage systems which utilizes the transmission and/or transference of voice, sound, vision, or digital for commercial, education, security and entertainment purposes for the following: TV monitoring and surveillance, background/foreground music, intercom and telephone interconnect, field programming, inventory control systems, microwave transmission, multi-media, multiplex, radio page, school, intercom and sound burglar alarms and low voltage master clock systems.

Excluded from this classification are energy management systems, life safety systems, supervisory controls and data acquisition systems not intrinsic with the above listed systems, fire alarm systems, nurse call systems and raceways exceeding fifteen feet in length.

TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION
Class 1. Drivers on 2 axle trucks hauling less than 9 ton. Air compressor and welding machines and brooms, including those pulled by separate units, truck driver helpers, warehouse employees, mechanic helpers, greasers and tiremen, pickup trucks when hauling materials, tools, or workers to and from and on-the-job site, and fork lifts up to 6,000 lb. capacity.

Class 2. Two or three axle trucks hauling more than 9 ton but hauling less than 16 ton. A-frame winch trucks, hydrolift trucks, vactor trucks or similar equipment when used for transportation purposes. Fork lifts over 6,000 lb. capacity, winch trucks, four axle combination units, and ticket writers.

Class 3. Two, three or four axle trucks hauling 16 ton or more. Drivers on water pulls, articulated dump trucks, mechanics and working

forepersons, and dispatchers. Five axle or more combination units.

Class 4. Low Boy and Oil Distributors.

Class 5. Drivers who require special protective clothing while employed on hazardous waste work.

TRUCK DRIVER - OIL AND CHIP RESEALING ONLY.

This shall encompass laborers, workers and mechanics who drive contractor or subcontractor owned, leased, or hired pickup, dump, service, or oil distributor trucks. The work includes transporting materials and equipment (including but not limited to, oils, aggregate supplies, parts, machinery and tools) to or from the job site; distributing oil or liquid asphalt and aggregate; stock piling material when in connection with the actual oil and chip contract. The Truck Driver (Oil & Chip Resealing) wage classification does not include supplier delivered materials.

OPERATING ENGINEERS

GROUP I. Cranes, Dragline, Shovels, Skimmer Scoops, Clamshells or Derrick Boats, Pile Drivers, Crane-Type Backhoes, Asphalt Plant Operators, Concrete Plant Operators, Dredges, Asphalt Spreading Machines, All Locomotives, Cable Ways, or Tower Machines, Hoists, Hydraulic Backhoes, Ditching Machines or Backfiller, Cherrypickers, Overhead Cranes, Roller, Steam or Gas, Concrete Pavers, Excavators, Concrete Breakers, Concrete Pumps, Bulk Cement Plants, Cement Pumps, Derrick-Type Drills, Boat Operators, Motor Graders or Pushcats, Scoops or Tournapulls, Bulldozers, Endloaders or Fork Lifts, Power Blade or Elevating Graders, Winch Cats, Boom or Winch Trucks or Boom Tractors, Pipe Wrapping or Painting Machines, Asphalt Plant Engineer, Journeyman Lubricating Engineer, Drills (other than Derrick Type), Mud Jacks, or Well Drilling Machines, Boring Machines or Track Jacks, Mixers, Conveyors (Two), Air Compressors (Two), Water Pumps regardless of size (Two), Welding Machines (Two), Siphons or Jets (Two), Winch Heads or Apparatuses (Two), Light Plants (Two), Waterblasters (two), All Tractors regardless of size (straight tractor only), Fireman on Stationary Boilers, Automatic Elevators, Form Grading Machines, Finishing Machines, Power Sub-Grader or Ribbon Machines, Longitudinal Floats, Distributor Operators on Trucks, Winch Heads or Apparatuses (One), Mobil Track air and heaters (two to five), Heavy Equipment Greaser, Relief Operator, Assistant Master Mechanic and Heavy Duty Mechanic, all Operators (except those listed below).

GROUP II. Assistant Operators.

GROUP III. Air Compressors (One), Water Pumps, regardless of Size (One), Waterblasters (one), Welding Machine (One), Mixers (One Bag), Conveyor (One), Siphon or Jet (One), Light Plant (One), Heater (One), Immobile Track Air (One), and Self Propelled Walk-Behind Rollers.
GROUP IV. Asphalt Spreader Oilers, Fireman on Whirlies and Heavy Equipment Oilers, Truck Cranes, Dredges, Monigans, Large Cranes - (Over 65-ton rated capacity) Concrete Plant Oiler, Blacktop Plant Oiler, and Creter Crane Oiler (when required).

GROUP V. Oiler.

GROUP VI. Master Mechanics, Operators on equipment with Booms, including jibs, 100 feet and over, and less than 150 feet long.

GROUP VII. Operators on equipment with Booms, including jibs, 150 feet and over, and less than 200 feet long.

GROUP VIII. Operators on Equipment with Booms, including jibs, 200 feet and over; Tower Cranes; Whirlie Cranes; and Operator Foreman.

TERRAZZO FINISHER

The handling of all materials used for Mosaic and Terrazzo work including preparing, mixing by hand, by mixing machine or transporting of pre-mixed materials and distributing with shovel, rake, hoe, or pail, all kinds of concrete foundations necessary for Mosaic and Terrazzo work, all cement terrazzo, magnesite terrazzo, Do-O-Tex terrazzo, epoxy matrix ter-razzo, exposed aggregate, rustic or rough washed for exterior or interior of buildings placed either by machine or by hand, and any other kind of mixture of plastics composed of chips or granules when mixed with cement, rubber, neoprene, vinyl, magnesium chloride or any other resinous or chemical substances used for seamless flooring systems, and all other building materials, all similar materials and all precast terrazzo work on jobs, all scratch coat used for Mosaic and Terrazzo work and sub-bed, tar paper and wire mesh (2x2 etc.) or lath. The rubbing, grinding, cleaning and finishing of same either by hand or by machine or by terrazzo resurfacing equipment on new or existing floors. When necessary finishers shall be allowed to assist the mechanics to spread sand bed, lay tarpaper and wire mesh (2x2 etc.) or lath. The finishing of cement floors where additional aggregate of stone is added by spreading or sprinkling on top of the finished base, and troweled or rolled into the finish and then the surface is ground by grinding machines.

Other Classifications of Work:

For definitions of classifications not otherwise set out, the Department generally has on file such definitions which are available. If a task to be performed is not subject to one of the classifications of pay set out, the Department will upon being contacted state which neighboring county has such a classification and provide such rate, such rate being deemed to exist by reference in this document. If no neighboring county rate applies to the task, the Department shall undertake a special determination, such special determination being then deemed to have existed under this determination. If a project requires these, or any classification not listed, please contact IDOL at 217/782/1710 for wage rates or clarifications.

LANDSCAPING

Landscaping work falls under the existing classifications for laborer, operating engineer and truck driver. The work performed by landscape plantsman and landscape laborer is covered by the existing classification of laborer. The work performed by landscape operators (regardless of equipment used or its size) is covered by the classifications of operating engineer. The work performed by landscape truck drivers (regardless of size of truck driven) is covered by the classifications of truck driver.

BOOK 5 PAGE 273

MONTGOMERY COUNTY TRUSTEE
DELINQUENT TAX AGENT
P. O. Box 1452
Decatur, Illinois 62525
Telephone (217) 429-5050

DATE: June 8,2005

FROM: MONTGOMERY COUNTY BOARD

TO: MONTGOMERY COUNTY CLERK - SANDY LEITHEISER
MONTGOMERY COUNTY SUPERVISOR OF ASSESSMENTS-JULIE PAYNE-KIEFER
MONTGOMERY COUNTY TREASURER/COLLECTOR - RONALD JENKINS

RE: NOTICE FROM COUNTY OFFICIALS--VOIDING OF TAX BILLS

NOTICE TO COUNTY OFFICIALS:

THE COUNTY HAS ACQUIRED CERTAIN PROPERTIES IN ACCORDANCE WITH THE DELINQUENT TAX SALE PROCEDURE AND IN ACCORDANCE WITH THE PROPERTY TAX CODE 35 ILCS, SEC 21-90, SEC 21-95, SEC 21-100, SEC 21-105.

THE COUNTY BOARD OF MONTGOMERY COUNTY REQUESTS THE VOIDING OF THE TAX BILLS FOR THE PARCELS ON THE ATTACHED EXHIBIT.

APPROVED BY THE MONTGOMERY COUNTY BOARD ON THE 12th DAY OF July 2005.

Mike A. Havera
COUNTY BOARD CHAIRMAN, MIKE HAVERA

William E Sielschott
FINANCE COMMITTEE CHAIRMAN, BILL SIELSCHOTT

ATTEST BY: Sandy Leitheiser
MONTGOMERY COUNTY CLERK, SANDY LEITHEISER

MONTGOMERY COUNTY TRUSTEE
2004-TAX VOID LIST

| |
|---|
| 02-000-215-00 |
| 02-000-544-00 |
| 02-000-550-00 |
| 02-000-550-05 |
| 02-000-550-10 |
| 02-000-554-01 |
| 02-000-555-00 |
| 02-000-556-00 |
| 02-000-557-00 |
| 02-000-559-00 |
| 02-000-560-00 |
| 02-000-561-00 |
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| 02-000-564-00 |
| 02-000-565-00 |
| 02-000-566-00 |
| 02-000-569-00 |
| 02-000-685-20 |
| 04-000-884-00 |
| 04-001-220-00 |
| 04-001-250-00 |
| 04-001-417-05 |
| 04-001-594-00 |
| 04-001-630-00 |
| 04-001-910-00 |
| 04-002-344-00 |

| |
|---|
| 06-000-731-05 |
| 07-000-177-00 |
| 07-000-230-00 |
| 08-100-013-00 |
| 08-100-707-93 |
| 08-100-707-94 |
| 08-100-707-98 |
| 08-103-795-00 |
| 08-201-682-00 |
| 08-202-488-00 |
| 08-202-794-00 |
| 08-202-810-00 |
| 09-000-939-05 |
| 10-001-204-00 |
| 10-001-315-05 |
| 11-100-059-00-10 |
| 11-100-059-00-14 |
| 11-100-059-00-27 |
| 11-100-059-00-43 |
| 11-100-059-00-47 |
| 11-100-059-00-50 |
| 11-100-059-00-56 |
| 11-100-059-12 |
| 11-100-059-13 |
| 11-100-059-15 |
| 11-100-059-17 |
| 11-100-059-20 |
| 11-100-059-26 |
| 11-100-059-36 |

| |
|---|
| 11-100-059-51 |
| 11-100-059-77 |
| 11-100-059-99 |
| 12-000-411-00 |
| 12-000-412-00 |
| 12-000-414-00 |
| 12-000-416-00 |
| 12-000-417-00 |
| 12-000-418-00 |
| 12-000-419-00 |
| 12-000-419-10 |
| 12-000-424-00 |
| 13-000-441-01 |
| 13-000-530-00 |
| 16-000-670-00 |
| 16-001-236-00 |
| 16-001-437-00 |
| 16-002-012-00 |
| 18-000-638-00 |
| 18-000-639-00 |
| 18-000-651-00 |
| 18-000-658-00 |
| 18-001-114-00 |
| 19-000-137-00 |

BOOK 5 PAGE 276

RESOLUTION NO. 05-10

WHEREAS, pursuant to Section 21-90 of the Illinois Property Tax Code (35 ILCS 200/21-90), the County Board of Montgomery County, Illinois, has undertaken a Delinquent Tax Program for the purposes of:

(1) bringing about the recovery of delinquent real estate taxes for the benefit of all taxing districts having an interest in the particular parcel of real estate, and,

(2) in the case of property to which the County of Montgomery, as Trustee, ultimately takes a Tax Deed pursuant to the Revenue Act, it will aid in the expeditious transfer of ownership and the return of that property to a tax paying status.

WHEREAS, pursuant to this program the County of Montgomery has acquired an interest in the following described real estate:

Lot 11 and the West Half of Lot 12 in Block 3 in Sedentop's Second Addition to the Village of Farmersville, (except coal underlying said premises), in Montgomery County, Illinois. 12-5-685-4 01-33-412-017

Parcel Index # 02-000-685-20

as described in Certificate No. 33 sold October 29, 2001.

WHEREAS, a public auction was held March 30, 2005, where the subject property was offered for sale. A bid price was offered of at least or in excess of the minimum bid set prior thereto.

NOW THEREFORE BE IT RESOLVED by the County Board of Montgomery County, Illinois, that the Chairman of the Board of Montgomery County, Illinois, be authorized to execute a deed of conveyance of the County's interest of the above described real estate. Proceeds from sale shall be paid to the Treasurer of Montgomery County, Illinois, and to be distributed according to law.

APPROVED AND ADOPTED at a regular meeting of the Montgomery County Board, Montgomery County, State of Illinois this 12th day of July, 2005.

Mike A. Havens
CHAIRMAN

ATTEST:

Sandy Lutheran
Clerk of the Board

BOOK 5 PAGE 277

# DEED

Return Deed &
Mail Tax Statement To:

Shawn Butler and Randy Brockmeyer
29369 E 8th Road
Morrisonville, IL 62546

200500027252
Filed for Record in
MONTGOMERY COUNTY, IL
SANDY LEITHEISER
07-12-2005 At 12:35 pm.
QUIT CLAIM 25.00
OR Book 1077 Page 14 - 14

Instrument Book Page
200500027252 OR 1077 14

THIS INDENTURE WITNESSETH, that the Grantor, MONTGOMERY COUNTY, TRUSTEE, (for all taxing districts having an interest herein), of the State of Illinois, for the consideration of the sum of -- TEN AND NO/100 -- Dollars and pursuant to authority given by the County Board of Montgomery County, Illinois, under Resolution duly adopted on May 17, 1994 does hereby CONVEY AND QUIT CLAIM TO: SHAWN BUTLER AND RANDY BROCKMEYER AS JOINT TENANTS

all interest in the following described real estate, situated in the County of Montgomery and State of Illinois:

Lot 11 and the West Half of Lot 12 in Block 3 in Sedentop's Second Addition to the Village of Farmersville, (except coal underlying said premises), in Montgomery County, Illinois. 12-5-685-4 01-33-412-017

Permanent Index No.: 02-000-685-20

Grantee to assume payment of the taxes for the year 2006 and thereafter.

IN WITNESS WHEREOF, the said MONTGOMERY County, Trustee, has caused its name to be signed hereto and its corporate seal affixed hereto by MICHAEL HAVERA, Chairman of the County Board of County, Illinois, on the 12th day of July, 2005.

ATTEST:

Sandy Leitheiser
County Clerk of Montgomery County, Illinois

MONTGOMERY COUNTY, TRUSTEE

Mike A Havera
Chairman of the County Board of Montgomery County, Illinois

STATE OF ILLINOIS )
) ss.
COUNTY OF MONTGOMERY )

I, the undersigned, a notary public in and for said County in the State aforesaid, do here by certify that MICHAEL HAVERA, CHAIRMAN OF THE COUNTY BOARD, MONTGOMERY COUNTY, ILLINOIS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day, in person, and acknowledged that he signed, sealed and delivered the said instrument as such chairman of the County Board of Montgomery County, Illinois, caused the corporate seal of said County of Montgomery, Illinois, to be affixed thereon, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 12th day of July 2005.

"Exempt under provisions of Paragraph 'F',
Section 4, Real Estate Transfer Act."

Buyer, Seller or Representative

Vicky L. Murphy
NOTARY PUBLIC

OFFICIAL SEAL
VICKY L. MURPHY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5-19-2008

This Instrument Drafted by Dennis D. Ballinger

RESOLUTION NO. 05-11

WHEREAS, pursuant to Section 21-90 of the Illinois Property Tax Code (35 ILCS 200/21-90), the County Board of Montgomery County, Illinois, has undertaken a Delinquent Tax Program for the purposes of:

(1) bringing about the recovery of delinquent real estate taxes for the benefit of all taxing districts having an interest in the particular parcel of real estate, and,

(2) in the case of property to which the County of Montgomery, as Trustee, ultimately takes a Tax Deed pursuant to the Revenue Act, it will aid in the expeditious transfer of ownership and the return of that property to a tax paying status.

WHEREAS, pursuant to this program the County of Montgomery has acquired an interest in the following described real estate:

The West One-Hundred Twenty (120) feet of Lots Nineteen (19), Twenty (20), and Twenty-one (21), also the West Thir (30) feet of Lots Twenty-two (22) and Twenty-three (23) of McLean's Addition to the City of Coffeen, East Fork Township, Township Eight (8) North, Range Three (3) West of the Third Principal Meridian in Montgomery County, Illinois. 8-3-1594 17-35-384-003

Parcel Index # 04-001-594-00

as described in Certificate No. 65 sold October 29, 2001.

WHEREAS, a public auction was held March 30, 2005, where the subject property was offered for sale. A bid price was offered of at least or in excess of the minimum bid set prior thereto.

NOW THEREFORE BE IT RESOLVED by the County Board of Montgomery County, Illinois, that the Chairman of the Board of Montgomery County, Illinois, be authorized to execute a deed of conveyance of the County's interest of the above described real estate. Proceeds from sale shall be paid to the Treasurer of Montgomery County, Illinois, and to be distributed according to law.

APPROVED AND ADOPTED at a regular meeting of the Montgomery County Board, Montgomery County, State of Illinois this 12th day of July, 2005.

Mike A. Havero
CHAIRMAN

ATTEST:

Sandy Featherson
Clerk of the Board

# DEED

BOOK 5 PAGE 279

200500027251
Filed for Record in
MONTGOMERY COUNTY, IL
SANDY LEITHEISER
07-12-2005 At 12:36 pm.
QUIT CLAIM 29.00
OR Book 1077 Page 13 - 13

Instrument Book Page
200500027251 OR 1077 13

Return Deed &
Mail Tax Statement To:

Lavada S. Moyer
628 Talmage
Witt, IL 62094

THIS INDENTURE WITNESSETH, that the Grantor, MONTGOMERY COUNTY, TRUSTEE, (for all taxing districts having an interest herein), of the State of Illinois, for the consideration of the sum of -- TEN AND NO/100 -- Dollars and pursuant to authority given by the County Board of Montgomery County, Illinois, under Resolution duly adopted on May 17, 1994 does hereby CONVEY AND QUIT CLAIM TO: LAVADA S. MOYER

all interest in the following described real estate, situated in the County of Montgomery and State of Illinois:

The West One-Hundred Twenty (120) feet of Lots Nineteen (19), Twenty (20), and Twenty-one (21), also the West Thirty (30) feet of Lots Twenty-two (22) and Twenty-three (23) of McLean's Addition to the City of Coffeen, East Fork Township, Township Eight (8) North, Range Three (3) West of the Third Principal Meridian in Montgomery County, Illinois. 8-3-1594 17-35-384-003

Permanent Index No.: 04-001-594-00

Grantee to assume payment of the taxes for the year 2006 and thereafter.

IN WITNESS WHEREOF, the said MONTGOMERY County, Trustee, has caused its name to be signed hereto and its corporate seal affixed hereto by MICHAEL HAVERA, Chairman of the County Board of County, Illinois, on the 12th day of July, 2005.

ATTEST:

Sandy Leitheiser
County Clerk of Montgomery County, Illinois

MONTGOMERY COUNTY, TRUSTEE

Mike A. Havera
Chairman of the County Board of Montgomery County, Illinois

STATE OF ILLINOIS )
) ss.
COUNTY OF MONTGOMERY )

I, the undersigned, a notary public in and for said County in the State aforesaid, do here by certify that MICHAEL HAVERA, CHAIRMAN OF THE COUNTY BOARD, MONTGOMERY COUNTY, ILLINOIS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day, in person, and acknowledged that he signed, sealed and delivered the said instrument as such chairman of the County Board of Montgomery County, Illinois, caused the corporate seal of said County of Montgomery, Illinois, to be affixed thereon, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 12th day of July 2005.

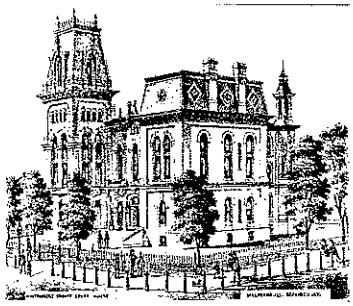
"Exempt under provisions of Paragraph 'F',
Section 4, Real Estate Transfer Act."

Buyer, Seller or Representative

Vicky L. Murphy
NOTARY PUBLIC

OFFICIAL SEAL
VICKY L. MURPHY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5-19-2008

This Instrument Drafted by Dennis D. Ballinger



INTERGOVERNMENTAL AGREEMENT
BETWEEN
MONTGOMERY COUNTY
AND
CITY OF Raymond

BOOK 5 PAGE 280

This agreement is entered into by and between the County of Montgomery, a unit of local government in the State of Illinois, acting through its County Board, hereinafter referred to as the County, and the City of Raymond, a unit of local government in the State of Illinois, acting through its Mayor and City Council, hereinafter referred to as the City.

WITNESSETH

WHEREAS, the County of Montgomery, State of Illinois, and the City of Raymond, County of Montgomery, State of Illinois, a municipality, are non-home rule units of government provided by Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act, and therefore have authority to enter into Intergovernmental Agreements with other governmental bodies; and

WHEREAS, the County has determined the need for the implementation for a coordinated countywide Geographic Information System (GIS) and have entered into an agreement with Bruce Harris & Associates for cadastral mapping, digital orthophotography, and an interactive computer graphics database; and

WHEREAS, the County is the logical entity to serve as lead agency for a countywide GIS system, and all agencies within Montgomery County could receive benefits if all GIS data of the various agencies were compatible; and

WHEREAS, the City wishes to use and participate in the use of the basemap GIS data and digital orthophotography of Montgomery County;

NOW, THEREFORE, in consideration of the mutual agreements hereinafter made, the recitals of fact herein above set forth, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. The County agrees to license to and cooperate with the City in the use, during the term of this Agreement, of the County's GIS database for the interactive computer graphics of the cadastral land data and digital orthophotographs. The GIS database will be a digital base map, digital aerial photography and a database that will include owner's name and address, tax code, legal description, Parcel Identification Number (PIN) and a tax code table.

2. The City agrees that Montgomery County GIS data or products shall be used during the term of this Agreement for governmental purposes only, and that the City shall not sell, transfer, or otherwise provide or publish said data or products obtained through this Agreement to any other agency, person, corporation, or entity other than City departments, without the express written consent and/or agreement of the County. The City shall not sell or provide the data to governmental, private, or commercial entities, which in turn could potentially profit from the data, except that the City may provide information for purposes of regulatory compliance or ordinal enforcement regarding individual parcels to entities with which the City contracts for said purposes.

3. In consideration of said use, the City agrees to pay the County, unless waiver agreement exists, as an annual license fee, the sum of Fifty Cents ($.50) per parcel. The license fee will be subject to a Five Percent (5%) increase for each subsequent year. In addition to the license fee, a one-time setup fee of Four Hundred and 00/100 Dollars ($400.00) will be paid to Bruce Harris & Associates to cover their cost for processing the initial startup.

4. The County assumes no responsibility as to the accuracy of the information contained in the database or to any modifications made by the City in the course of the City's use of the product. All information will be provided to the City on an as-is basis, with no guarantee of accuracy, completeness, or currency. Maps are built from City, County, State and/or Federal records, the accuracy of which is not guaranteed. Any map generated, which is sold pursuant to this Agreement, shall have a disclaimer which shall provide, in pertinent part, as follows: "There is no guarantee of accuracy, completeness, or currency on this map. This map is not intended to replace an accurate survey on any parcel depicted herein."

5. In providing data (or access to it), the County assumes no obligation to assist the City in the use of the data, or in the development, use or maintenance of any applications applied to the data.

6. These parties agree that the County shall have no responsibility to provide any computer hardware and/or software to the City, or provide training to the City for use of the data.

7. The County shall maintain the cadastral parcel base map. The County may incorporate all City-created data into the County's database. The County shall coordinate uniform mapping standards used in modification to the base map. Any data created by the City using the County's GIS data shall be delivered to the County annually.

8. The County intends to distribute updated base maps annually , or as soon thereafter as practicable, but only as often as a significant number of changes are made to the database. At which time the municipality will deliver their updated data.

9. The County and the City will enter into a License Agreement and will cause it, upon acceptance, to be attached to and made a part of this Agreement, and its terms and conditions are incorporated into this Intergovernmental Agreement by this reference.

10. This Agreement shall terminate at the end of three (3) years from the anniversary date as noted below, provided that the City gives written notice of intent to terminate at least thirty (30) days prior thereto. Upon termination, the City shall return to the County the database, along with any copies, upgrades, modifications, and changes, all of which shall become property of the County. This Agreement is renewable upon mutual agreement of the parties.

This Agreement is adopted and set in force on July 12, 2005, by:

MONTGOMERY COUNTY, ILLINOIS

Mike A Haven
Chairman, County Board

CITY OF Raymond, ILLINOIS

Mayor

ATTEST:

Sandy Pitt
Montgomery County Clerk

Yvonne Martin
City Clerk

**Ownership**

This License Agreement does not constitute a transfer of title or interest in the database. Any portion of the database that is modified or merged into another computer file or program by the Licensee, or is integrated with other programs or data to form derivative products, shall continue to be subject to the provisions of this License Agreement. The County retains ownership of the database and all such portions.

**Licensee Generated Data**

The County reserves the right to incorporate any Licensee created data into the County's database.

**Copyright**

All publications using any part of the County GIS database for release to the public or others outside the Licensee's organization must include the notices hereinafter set forth. Such publications include all paper or film plots made using the copyrighted files and reports, or derivative works, except those that are working copies and which are not released outside the Licensee's organization.

**"Montgomery County GIS**
**Copyrighted by Montgomery County"**

Upon notification of any changes in copyright requirements, the Licensee will make said changes to all subsequent maps or reports, as required, and recopyright the appropriate map information.

**Distribution of the Montgomery County Database**

The database is to be solely retained by the Licensee. In no instance is the database to be sold, leased, copied, loaned, or transferred, in whole or part to other public agencies, private individuals, private firms, or not-for-profit entities. Any Freedom of Information Law request associated with the use of the Montgomery County database must be authorized by the County.

Should the Licensee utilize the services of a consultant, said consultant must execute a separate agreement with the County prior to receiving any copies of the licensed data.

**Usage of the Montgomery County Database**

The Licensee agrees to use data from the County's system solely for the purpose defined in their request for use. Under no circumstances is information from the County system to be used for any other function or purpose within the Licensee's organization.

**Term of License Agreement**

This License Agreement is effective from the date it is accepted by all parties and will remain in effect until completion of Licensee's contracted activity, or until this License Agreement is terminated by the County, the contracting organization, or the Licensee, pursuant to the notice provisions set out in the Intergovernmental Agreement.

**Limitation of Liability**

The Licensee agrees that it will, at all times, indemnify and hold the County and its officers and employees harmless and free and clear of any liability arising from any act of omission or commission of the Licensee with respect to this License Agreement and any terms thereof.

The County assumes no responsibility as to the accuracy of the database or modifications made in the course of the use of the product. All information will be provided on an as-is basis, with no guarantee of accuracy, completeness, or currency. Maps are built from City, State, and/or Federal records, the accuracy of which is not guaranteed. Any map generated, which is sold pursuant to this Agreement, shall have a disclaimer which shall provide in pertinent part as follows: "There is no guarantee of accuracy, completeness, or currency on this map. This map is not intended to replace an accurate survey on any parcel depicted herein."

**Termination**

This License Agreement may be terminated by any party, upon thirty (30) days written notice to the other parties. n termination, the Licensee must cease use of all licensed data and return the data and any copies to the County.

**Assignment**

This License Agreement may not be assigned, transferred, or in any way disposed of by the Licensee without first having obtained written approval from the County.

This Agreement is adopted and set in force on July 12, 2005, by:

MONTGOMERY COUNTY, ILLINOIS

Milo A. Hovern
Chairman, County Board

CITY OF Raymond, ILLINOIS

Mayor

ATTEST:

Sandy Leitheiser
Montgomery County Clerk

Yvonne Martin
City Clerk

Scott Schluckebier's statement read to County Board

This is a sampling of citizens concerned about the method of longwall extraction and its certain earthquake like damage from subsidence.

These concerned citizens are not against the coal mine. We all know the county would benefit from the proposed jobs. However, if the longwall extraction is used it will forever change the topography & landscape forever. The land will never be repaired to its original pre-mine condition.

BOOK 5 PAGE 284 A

# SCHEDULES FOR MASTER AGREEMENT FOR LICENSED SOFTWARE, HARDWARE AND SERVICES

The attached Schedules Numbered IL2002.035.02 are made and entered into pursuant, and subject to the terms and conditions of, a certain Master Agreement for Licensed Software, Hardware and Services No. IL2002.035 between Manatron, Inc. and the undersigned Customer (the "Agreement").

| By and Between | And |
|---|---|
| **MANATRON, INC.**<br>510 E. Milham Avenue<br>Portage, Michigan 49002<br>("**Manatron**") | **MONTGOMERY COUNTY, ILLINOIS**<br>#1 Courthouse Square<br>Hillsboro, Illinois 62049<br>Customer's Legal Name ("**Customer**"): |
| Attention: Vicky Mergen, Contract Administration<br>Telephone No.: (866) 471-2900 ext. 197<br>Fax No.: (269) 567-2930<br>E-mail Address: vicky.mergen@manatron.com | Attention: Bill Purcell<br>Telephone No.: 217-532-9582<br>Fax No.:<br>E-mail Address: |

The parties have executed these Schedules as of the dates set forth below their respective signatures.

**MANATRON, INC.**

By: Paul Sylvester (Signature)

Its: President / CEO (Title)

Date: August 16, 2005

Witnessed: Matthew Henry

By: Matthew Henry

FILED
AUG 29 2005
Sandra Leitheiser COUNTY CLERK

**MONTGOMERY COUNTY, ILLINOIS**

By: Mike A. Havens (Signature)

Its: County Board Chairman (Title)

Date: 8.9.05

By: Willie E Seibert (Signature)

Its: Finance Chairman (Title)

Date: 8/11/05

By: John Dawes (Signature)

Its: 08/11/05 (Title)

Date:

Witnessed: Sandy Leitheiser

Date: 8/11/05

**SIGNATURE PAGE**

**Date: July 13, 2005 M.M.**

BOOK 5 PAGE 284 B

**SOFTWARE SCHEDULE FOR MONTGOMERY COUNTY, ILLINOIS**

Schedule No. IL2002.035.02 to the Master Agreement for Licensed Software, Hardware and Services.

This Schedule is made and entered into pursuant, and subject to the terms and conditions of, a certain Master Agreement for Licensed Software, Hardware and Services No. IL2002.035 between Manatron, Inc. and the undersigned Customer (the "Agreement").

| SOFTWARE | | | | | |
|---|---|---|---|---|---|
| Software Description | Model Number | QTY | Unit Price | Total Price | Office |
| ManaLink - Single User License | GIS-MANALINK | 1 | $ 5,000.00 | $ 5,000.00 | S of A |
| **Total Software Fees:** | | | | | **$ 5,600.00** |

SOFTWARE USE RESTRICTIONS:

1-User of ManaLink

**TERM OF SOFTWARE SCHEDULE:** This Schedule shall expire upon the completion of the installation of the Software and the payment of all fees as specified in this Schedule.

**Date: July 13, 2005 M.M.**

BOOK 5 PAGE 284 C

**MAINTENANCE AND SUPPORT SERVICES SCHEDULE FOR MONTGOMERY COUNTY, ILLINOIS**

Schedule No. IL2002.035.02 to the Master Agreement for Licensed Software, Hardware and Services.

This Schedule is made and entered into pursuant, and subject to the terms and conditions of, a certain Master Agreement for Licensed Software, Hardware and Services No. IL2002.035 between Manatron, Inc. and the undersigned Customer (the "Agreement").

| SOFTWARE SUPPORT SERVICES | | | |
|---|---|---|---|
| **Software Product** | **Model Number** | **Annual Price** | **Office** |
| ManaLink Single User Software Support | GIS-MANALINK-S | $ 2,000.00 | S of A |
| **Total Software Support Services Fees:** | | | **$ 2,000.00** |

**CUSTOMER MAY BE REQUIRED TO PROVIDE ON-SITE ASSISTANCE VIA TELEPHONE FOR REMEDIAL HARDWARE AND/OR SOFTWARE MAINTENANCE OR SUPPORT.**

**THIRD-PARTY SOFTWARE SUPPORT**: Manatron will be the primary interface through direct communications with vendors, manufacturers and service providers of the Third-Party Software. As part of first-level support, Manatron shall diagnose errors or problems reported by Customer. If the errors or problems are determined by Manatron to be related to the Third-Party Software, Manatron shall contact the appropriate service to provide for the Third-Party Software and to provide assistance in connection with the resolution of the error or problem.

**TERM OF SUPPORT SERVICES SCHEDULE**: Support Services shall commence on the first of the month next following Installation and shall continue for an initial period of thirty-six (36) months. This Schedule shall renew automatically for additional terms of twelve (12) months unless either party provides the other written notice of termination ninety (90) days prior to the expiration date of the initial term or any subsequent twelve-month term. If Support Services are discontinued by Customer or terminated for any period, and Customer desires to reinstate such services, Customer shall pay all annual support fees in arrears, in addition to the then-current annual support fee.

**DELAYED BILLING FEES**: If Customer is billed on a monthly or quarterly basis for Software Support Services Fees, Customer shall pay Manatron an annual delayed billing fee equal to the greatest of 5% of the total Software Support Services or Three Hundred Dollars ($300.00). The delayed billing fee may be paid in equal monthly installments.

**Date: July 13, 2005 M.M.**

BOOK 5 PAGE 284 D

**PROFESSIONAL SERVICES SCHEDULE FOR MONTGOMERY COUNTY, ILLINOIS**

Schedule No. IL2002.035.02 to the Master Agreement for Licensed Software, Hardware and Services.

This Schedule is made and entered into pursuant, and subject to the terms and conditions of, a certain Master Agreement for Licensed Software, Hardware and Services No. IL2002.035 between Manatron, Inc. and the undersigned Customer (the "Agreement").

**PROFESSIONAL / CONSULTATION TRAINING SERVICES**

| GENERAL DESCRIPTION OF SERVICES | Model Number | # of Days | Unit Price | Total Price | Office | Estimated Completion Date |
|---|---|---|---|---|---|---|
| Application Software Installation & Training | INSAPP/TRNG | 1 | $ 850.00 | $ 850.00 | S of A | TBD |
| **Total Professional Services Fees:** | | | | | **$ 850.00** | |

All Consultation/Training Services Fees are quoted at the current rate and are subject to increase without notice.

**CONSULTATION/TRAINING SERVICES PAYMENT TERMS:** Consultation/Training services fees are due and payable after Manatron performs such service in accordance with Manatron's invoice(s) that shall be sent to the Customer. Customer is responsible for all travel-related expenses associated with Manatron's consulting/training services.

**ADDITIONAL CONSULTATION/SUPPORT SERVICES PAYMENT TERMS**: Manatron shall provide training to Customer for the Application Software in the amounts identified above. Any additional training days requested by Customer shall be billed, as used, at the rate in effect at the time of service. Customer is responsible for all travel-related expenses associated with Manatron's consulting/training services.

**GENERAL PROVISIONS**:
(1) Customer shall provide a suitable room or space where training can be conducted in an uninterrupted manner;
(2) All Customer personnel to be trained should have adequate job coverage to ensure uninterrupted training sessions;
(3) Up to six hours of training are included in a "full day" of training;
(4) Customer acknowledges the importance of receiving the training provided herein and shall use all commercially reasonable efforts to ensure that said training is fully completed; and
(5) Manatron recommends one (1) person per PC/Terminal.

**Date: July 13, 2005 M.M.**

BOOK 5 PAGE 284 E

## SUMMARY SCHEDULE FOR MONTGOMERY COUNTY, ILLINOIS

Schedule No. IL2002.035.02

| ONE TIME FEES | | |
|---|---|---|
| DESCRIPTION | Total Price | |
| | | |
| SOFTWARE | $ | 5,000.00 |
| | | |
| PROFESSIONAL SERVICES (Billed as Used) | $ | 850.00 |
| | | |
| **Total One Time Fees - Plus Freight:** | **$** | **5,850.00** |

**Payment Terms for One Time Fees:** Manatron will invoice 100% of the Hardware and Third Party Software upon receipt by Customer. Manatron shall invoice 25% of the Software on agreement execution (signing), 60% on the Installation Date and 15% on Acceptance, in accordance with Section 8.1 of the Master Agreement, except for those instances in which the total Software amount is less than $10,000, in which case said amount shall be invoiced 100% on installation. Professional Services fees are due and payable after Manatron performs such service in accordance with Manatron's invoice(s) that shall be sent to the Customer. Customer is responsible for all travel-related expenses associated with Manatron's consulting/training services. The fees set forth in this Agreement do not include any amounts for taxes. Unless Customer provides Manatron with proof of exemption therefrom, Customer shall pay all applicable taxes levied by any tax authority based upon this Agreement, the Software, Hardware and/or any Professional Services performed by Manatron, excluding any taxes based upon Manatron's income.

It shall be Customer's sole obligation to challenge the applicability of any tax. If Customer shall become subject to tax at any time following the execution of this Agreement, Manatron shall have the right to assess the tax liability applicable under this Agreement to Customer and Customer agrees to pay Manatron for such tax liability within thirty (30) days after receiving written notice of such tax liability from Manatron.

| ONGOING FEES | | |
|---|---|---|
| DESCRIPTION | Total Price | |
| | | |
| SOFTWARE SUPPORT SERVICES | $ | 2,000.00 |
| | | |
| **Total Ongoing Fees:** | **$** | **2,000.00** |

**Payment Terms: Hardware Maintenance Services** shall be invoiced annually, in advance, commencing on the first day of the month next following the date of Hardware installation or the commencement of Hardware Maintenance Services; whichever is earlier. If Manatron utilizes a third-party equipment maintenance services provider, Manatron shall be entitled to change any price charged to Customer for Hardware maintenance services upon thirty (30) days prior (to the next invoicing cycle) written notice in order to pass through to the Customer any price increases or decreases which the Hardware maintenance services provider may from time to time make. Manatron shall be entitled to increase any price charged to Customer for Hardware maintenance services provided by Manatron upon thirty (30) days prior written notice to Customer, no more than once every twelve (12) month period under this Agreement.

**Payment Terms: Software Support:** Support fees are due and payable in advance of each annual term and subject to increases as defined in section 8.2 of the Master Agreement.

**Date: July 13, 2005 M.M.**

**APPENDIX A**

**MINIMUM REQUIREMENTS**

| Server Components | Minimum Requirements | Recommended Configuration |
|---|---|---|
| Processor: | 3GHz Intel Xeon | Dual 3.6GHz Intel Xeon |
| Memory: | 1GB of RAM (servers not running an RDBMS)<br>2GB of RAM (servers running an RDBMS) | 1GB of RAM (servers supporting one application)<br>2GB of RAM (servers supporting multiple applications) |
| Disk Subsystem: | Wide Ultra160 RAID Controller<br>RAID Level 5 Drive<br>(Three or more 10,000 RPM Disk Drives)<br>24x CD-ROM Drive<br>20/40GB DLT Tape Drive | Wide Ultra320 RAID Controllers(s)<br>RAID Level 1 Drive (Two 15,000 RPM Disk Drives)<br>Operating system and memory swap file<br>RAID Level 1 Drive (Two 15,000 RPM Disk Drives)<br>RDBMS Logs<br>RAID Level 5 Drive (Three or more 15,000 RPM Disk Drives)<br>RDBMS Data and Image Data<br>Redundant Power Supply<br>40/80 DLT Tape Drive or Library |
| Software: | Windows 2000 or Windows 2003 Server<br>SQL Server 2000<br>Veritas Backup Exec 9.x<br>PCAnywhere 11.x | eTrust Antivirus |
| **Workstation Components** | **Minimum Requirements** | **Recommended Configuration** |
| Hardware: | 2.8 GHz Pentium IV<br>512MB of RAM<br>17" Monitor (1024x768 resolution)<br>20GB Disk Drive<br>100Mbit PCI bus Ethernet Card<br>24X CD-ROM Drive | 3.6 GHz Pentium IV<br>1GB of RAM<br>19" Monitor (1024-768 resolution)<br>40GB Disk Drive<br>100Mbit PCI bus Ethernet Card<br>DVD-ROM Drive |
| Software: | Windows 2000 Professional<br>PcANYWHERE (one host per office) | Windows XP Professional<br>SnagIt, PrintKey, or other equivalent screen capture utility<br>Crystal Reports |
| **Network Components** | **Minimum Requirements** | **Recommended Configuration** |
| Network: | Category 5 UTP cable ran to each Ethernet device<br>100Mbit Switched Ethernet for all devices | |

**APPLICATION SPECIFIC SPECIFICATIONS**
**(CUSTOMER is responsible for providing a dedicated phone line)**

| Application | Minimum Requirements | Recommended Configuration |
|---|---|---|
| Manatron CAMA | **Printer:** HP 4250N w/additional 64MB & duplexing | **Printer:** HP8150DN w/additional 128MB highly recommended for printing property record cards |
| Recorder | **Printers:** HP4250N w/additional 64MB<br>Eltron TLP 2844 w/Black Line Sensor | **Printer:** HP8150DN w/additional 128MB |
| Recorder w/ Imaging | **Printers:** HP 8150N w/additional 64MB<br>**Monitors:** 1280X1024 resolution<br>19" Monitor, view only<br>21" Monitor, scanning<br>**Scanners:** Canon DR-3060<br>Adaptec 2940 SCSI Card w/appropriate cable | **Printers:** HP 8150DN w/additional 128MB<br>**Monitors:** 1280X1024 resolution<br>21" Monitor, scanning<br>**Scanners:** Canon DR-5020<br>Fujitsu M3097DG |
| Manatron Tax | **Printers:** HP 4250N w/additional 128MB<br>Epson TM-U675P validator (receipting options)<br>**Scanners:** Metrologic 9520 w/keyboard wedge | **Printers:** HP 8150DN w/additional 128MB highly recommended for printing tax bills |

BOOK 5 PAGE 285

# RESOLUTION # 05 - 12

## RESOLUTION OF THE COUNTY BOARD VOIDING TAX BILL 2004-2005 ON BIKE TRAIL PROPERTY

WHEREAS there has been presented to this Board a bill due on Property #12-000-405-05, which describes the Green Diamond Bike Trail in Pitman Township, Illinois and Montgomery County is in possession of the above property, we hereby direct that the tax bill for 2004 payable 2005 be voided.

Approved by the Montgomery County Board on the 9th day of August 2005.

Mike A. Havera

Montgomery County Board Chairman, Mike Havera

William E Sielschott

Montgomery County Finance Committee Chairman, Bill Sielschott

Attest by: Sandy Leitheiser

Montgomery County Clerk & Recorder, Sandy Leitheiser

A copy of this resolution is to be provided to the following:

Montgomery County Treasurer/Collector, Ron Jenkins
Montgomery County Trustee, Dennis Ballinger
Montgomery County Clerk & Recorder, Sandy Leitheiser
Montgomery County Chief Assessment Officer, Julia Kiefer

BOOK 5 PAGE 286

FILED
AUG 09 2005
Sandra Leitheiser COUNTY CLERK

Montgomery County Reso/Ord. 05- 13

FOOD SERVICE SANITATION ORDINANCE

FOR

MONTGOMERY COUNTY HEALTH DEPARTMENT

This Ordinance rescinds the February 15, 1979, Montgomery County Food Service Sanitation Ordinance.

An ordinance defining adequate, approved, authorized representatives, board of health, county board, health authority, ECT. Providing for the sale of only unadulterated, wholesome, properly labeled/branded food, regulating the source of food, establishing sanitation standards for food, food protection, food service personnel, food service operations, food equipment and utensils, sanitary facilities and controls, and other facilities, and retail food stores. Regulating the inspection of food service establishments, retail food stores, taverns, and other such establishments which provide food or drink for the public's consumption. Providing for examination and condemnation of food. Providing for the enforcement of the current Illinois Food Service Sanitation Code and Retail Food Store Sanitation Code of the Illinois Department of Public Health, Division of Food, Drugs and Dairies and any subsequent revisions. Providing for the enforcement of this ordinance and the fixing of penalties.

Be it ordained by the County Board of the County of Montgomery, State of Illinois, as follows:

Adopted: 8/9/05 2005

Effective: 8/9/05 2005

Approved: Mike A. Havera 2005
County Board Chairman

Attest: Sandy Leitheiser 2005
County Clerk

Section 1 DEFINITIONS

The following definitions shall apply to the interpretation of the enforcement of this ordinance along with definitions set forth in the current, unabridged, Illinois Department of Public Health, Food Service Sanitation Code, and the Retail Food Store Sanitation Code.

1. ADEQUATE shall mean acceptable to the health authority based on its determination as to conformance with appropriate standards and good health practices.
2. APPROVED shall mean acceptable to the health authority based on its determination as to conformance with appropriate standards and good health practices.
3. AUTHORIZED REPRESENTATIVE shall mean the legally designated health authority of the Montgomery County Health Department and shall include those persons designated by the health authority to enforce the provisions of this ordinance.
4. BOARD OF HEALTH shall mean the Montgomery County, Illinois, Board of Health or its authorized representative(s).
5. HEALTH AUTHORITY shall mean person(s) who have been designated by the Board of Health to administer the affairs of the Montgomery County Health Department.
6. FOOD SERVICE ESTABLISHMENT shall mean any place where food or drink that is intended for individual service and consumption is routinely provided and completely prepared. The term includes any such place, regardless of whether

consumption is in, on, or off premises and regardless of whether there is a charge for the food or drink. The term does not include a private home where food is prepared for individual family consumption.

7. RETAIL FOOD STORE shall mean a grocery store, meat market, poultry market, fish market, fresh fruit and vegetable market, confectionary, nut store, bakery, or any other establishment whether fixed or moveable, where food intended for human consumption off the premises is prepared, handled, transported, sold, or offered for sale, at retail.

SECTION 2 COMPLIANCE PROVISIONS AND ADOPTION BY REFERENCE:

In addition to those provisions set forth in Section 1 through 3, this ordinance shall be interpreted and enforced in accordance with provisions set forth in the unabridged form of the most current State of Illinois, Department of Public Health, Division of Food, Drugs and Dairies, Rules and Regulations titled, "Food Service Sanitation Code" and "Retail Food Store Sanitation Code", and any subsequent revisions.

SECTION 3 ENFORCEMENT PROVISIONS:

1. PERMIT: It shall be unlawful for any person to operate a food service establishment or retail food store within the County of Montgomery, State of Illinois, who does not possess a valid permit issued by the health authority. Only a person who complies with the requirements of this ordinance shall be entitled to receive and retain such a permit. Permits shall not be transferable from one person to another person or place or address. A valid permit shall be posted in a conspicuous place in every food service establishment or retail food store. Permits

for permanent food service establishments or retail food stores shall be issued on a calendar year basis. Permits expire December 31, each year. Permits for temporary food service establishments shall be issued for a time period not to exceed fourteen (14) days. Temporary permits are not transferable to another person or persons or place or address.

a. ISSUANCE OF **ANNUAL** PERMITS: Any person(s) desiring to operate a food service establishment or retail food store or other food or drink establishment as defined or to renew a permit shall make written application for a permit on forms provided by the health authority. Such application shall include: establishment's name and permanent address, telephone number; establishment mailing address; the applicant's full name, post office address, telephone number, whether applicant is an individual, partner, firm or corporation, insurance carrier, proposed menu, listing of certified food handlers and installation of grease trap as required by the "Illinois Plumbing Code". The names of partners, corporate owners, and residence addresses are also required, together with the responsible partners name and address, type of food service establishment or retail food store, and signature of the applicant(s).

Upon receipt of such an application, the health authority shall make an inspection of the food service establishment or retail food store to determine compliance with the provisions of this ordinance. When inspection reveals that the applicable

requirements of this ordinance have been met, a permit shall be issued to the applicant(s) by the health authority.

1) Terms of Permit

The annual permit term shall be January 1 through December 31 of each calendar year. All permits granted hereunder shall expire on December 31 of the year of issuance; except a temporary establishment license shall expire not more than fourteen (14) days after the date of issuance.

b. ISSUANCE OF TEMPORARY FOOD PERMITS: If the application is for a temporary food service ~~establishment~~ vendor, ~~the~~ applicant ~~it~~ shall ~~also~~ include dates of the proposed operation, name of organization, name of responsible party, location of event, phone number of responsible party and a proposed menu. Temporary food service permit applications shall be requested and approved prior to the event. When a temporary permit is not pre-approved and issued in advance, then a $50 non-compliance fee shall be paid to the local health authority. Food served at temporary food stands shall be limited to those food products defined in the Illinois Food Service Sanitation Code, and/or potentially hazardous foods that require only limited preparation. Foods that require combinations of potentially hazardous foods or complex preparations is restricted and may only be authorized if pre-approved 30 days in advance by the local health authority.

c. RENEWAL OF PERMITS: Whenever past inspections ~~for renewal of a permit~~ reveal serious or repeated violations of this ordinance and/or the

Illinois Food Service Sanitation Code, the permit for renewal will not be issued and the health authority shall notify the applicant immediately thereof. Such notice shall state the reasons for not renewing the permit. Such notice shall also state that an opportunity for a hearing shall be provided for the applicant at a time and place designated by the health authority. Such hearing shall be scheduled not later than ten (10) days from the date of the notice. The notice referred to in this paragraph shall be delivered to the applicant in person by the health authority or may be sent by certified mail, return receipt requested.

d. SUSPENSION OF PERMITS: Permits may be suspended temporarily by the health authority for failure of the holder of the permit to comply with requirements of this ordinance and/or the Illinois Food Service Sanitation Code. Whenever a permit holder or operator has failed to comply with any notice issued under the provisions of SECTION 3, of this ordinance, the permit holder or operator shall be notified in writing that the permit is, upon service of the notice, immediately suspended and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the health authority by the permit holder. Upon suspension of the permit, the permit shall be removed from the establishment by the health authority and returned to the health department. Notwithstanding the other provisions of this ordinance, whenever the health authority finds unsanitary food service establishments or retail food stores which, in its judgment, constitute a substantial hazard to the public health, the health authority without warning,

notice or hearing, shall issue a written notice to the permit holder or operator citing such conditions, specifying the time period within which such action shall be taken; and if deemed necessary , such order shall state that the permit is immediately suspended and all food service operations are to be immediately discontinued. Any person to whom such an order is issued shall comply immediately therewith, but upon written petition within five (5) days to the health authority shall be afforded a hearing as soon as possible.

e. REINSTATEMENT OF SUSPENDED PERMIT: Any person whose permit has been suspended may, at any time, make application for a re-inspection for the purpose of reinstatement of the permit. Within ten (10) days following the receipt of a written request, including a statement signed by the applicant that the conditions causing suspension of the permit have been corrected, the health authority shall make a re-inspection. If the applicant has completed the required corrections, reinstatement of the suspended permit, on a provisional basis, shall be reviewed for consideration by the local health authority. The provisional restriction shall be removed when the facility demonstrates consistant compliance with the requirements of the food code. This ordinance and other food safety stipulations agreed upon by the department and the facility may be reinstated for a minimum of one year. ~~is complying with the requirements of this ordinance, the permit shall be reinstated.~~

f. REVOCATION OF PERMIT: For serious or repeated violations of any of the requirements of this ordinance, or for interference with the health authority in the performance of its duties, the permit may be permanently revoked after an opportunity for a hearing has been provided by the health authority. Prior to such action, the health authority shall notify the permit holder in writing, stating the reason for which the permit is subject to revocation and advising that the permit shall be permanently revoked at the end of five (5) days following service of such notice, unless a request for a hearing is filed with the health authority, by the permit holder within such five (5) day period. A permit may be suspended for cause pending its revocation or a hearing relative thereto.

g. APPLICATION FOR PERMIT AFTER REVOCATION: Whenever revocation of a permit is final, the holder of the revoked permit may make written application for a new permit. Application shall be made on forms provided by the health authority.

h. HEARING: The hearing provided for in this section shall be conducted by the health authority at a time and place designated by it. Based on the record of such hearing, the health authority shall make a finding and shall sustain, modify, or rescind any official notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the permit holder by the health authority.

i. FOOD HANDLERS CLASS: The Regulatory Authority may order any food handler to immediately attend a food handler training course when, in

the judgment of the Regulatory Authority, the work habits of said food handler constitute a hazard to public health. Fees may be charged by the Regulatory Authority to offset the cost of the course.

j. FEES: Fees shall be charged by the Regulatory Authority for permits to recover a portion of the cost and resources for regulation, education and inspection for the food safety program. Fees for various categories of food service establishments may be established by the joint agreement of the Board of Health and the County Board. Fees shall be collected by the Montgomery County Health Department and deposited into the Health Department Fund. Persons requesting a permit shall pay an annual permit fee as follows:

1. For Profit Organizations

A. Permanent Food Service Establishments with Annual Permit

1) Category 1 Facilities (High Risk), as defined in the "Food Service Sanitation Code". ..... $100.00

2) Category 2 Facilities (Medium Risk), as defined in the Food Service Sanitation Code ..... $75.00

3) Category 3 Facilities (Low Risk), as defined in the Food Service Sanitation Code ..... $50.00

4) a) Seasonal Food Service Establishments open less than 180 days annually ..... $25.00

b) Temporary food service vendors, mobile units and functions including; homecoming, carnivals, civic gatherings and

other gatherings where food will be prepared and served to the public.

1. Issued prior to the day of the event... ..... $10.00

2. Issued day of the event (Non-Compliance Fee) $50.00

2. Not-For-Profit Organizations

A) Food Service Establishments operated by religious, voluntary, or not-for profit community service organizations operating 24 or more times per calendar year ..... ~~$10.00~~

B) Day care centers, schools ..... ~~$10.00~~

C) Temporary food service functions in direct association with religious, voluntary or non-profit community service organizations when there is a charge for food. $10.00

3. Late Application Fees

All permitted food establishments or retail food stores who fail to renew the annual food permit prior to January 30th shall be assessed an additional late fee of:

a) High risk category (1) late fee ..... $75.00

b) Medium risk category (2) late fee ..... $50.00

c) Low risk category (3) late fee..... $25.00

d) Seasonal open 180 days annually, late fee..... $25.00

e) Temporary food service vendors who fail to submit an application

for a temporary food permit within three working days prior to the scheduled event shall be assessed a non-compliance fee.. $50.00

4. Invalid and Revoked Permit Fees

a) Establishments conducting food service operations not within the acceptable limits of the permit category assigned by the local health authority in accordance with the Illinois Food Service Sanitation Code, are therefore operating without a valid permit. Therefore, the applicant shall make appropriate changes to operate within the assigned permit category, and are subject to the following fine .....$200.00

*b*) If a permit is revoked by the health authority due to but not limited to the following issues: non-compliance with terms or conditions of the permit, an imminent health risk issue, food-borne illness, repeated critical violations or other critical issues. Or if the facility is requesting a change in permit status; then a new permit application shall be completed and accompanied by the renewal fee for the status change.

c) Temporary establishments, special events, organizations, and/or persons serving food to the public without first obtaining a temporary food permit from the local health authority shall be subject to a $25 fee for each day of operation.

5. Terms of Permit and Fees

The annual permit term shall be January 1 through December 31 of each calendar year. All permits granted hereunder shall expire on December 31 of the year issuance; except

a) temporary permits, which are valid for no longer than fourteen (14) days.

b) and seasonal permits that shall expire 180 days after issuance.

2. INSPECTION OF FOOD ESTABLISHMENTS AND RETAIL FOOD STORES: The health authority shall inspect each food service establishment and retail food store located in the County of Montgomery, State of Illinois, and shall make as many additional inspections and re-inspections as are necessary for the enforcement of this ordinance. The frequency of inspections shall be determined by the Local Health Protection Grant Rules (77 ILL. Adm. Code 615.310).

a. ACCESS TO ESTABLISHMENTS: The health authority, after proper identification, shall be permitted to enter, at any reasonable time, any food service establishment, retail food store or tavern within the County of Montgomery, State of Illinois, for the purpose of making inspections to determine compliance with this ordinance. The inspector shall be permitted to examine the records of the establishment or store to obtain pertinent information pertaining to food and supplies purchased, received or used, and persons employed.

b. INSPECTION RECORDS: Whenever the health authority makes an inspection of a food service establishment or retail food store, he shall record his findings on an inspection report form provided for this purpose and shall furnish a copy of such inspection report to the permit holder or operator.

c. ISSUANCE OF NOTICE: When the health authority makes an inspection of a food service establishment or retail food store, and discovers that any of the requirements of SECTION 2 or SECTION 3 of this ordinance have been violated, it shall notify the permit holder or operator of such violations by means of an inspection form or other written notice. In such notification, the health authority shall:

1) Set forth the specific violation(s) found.

2) Establish a specific and reasonable period of time for the correction of the violation(s) found.

3) State that failure to comply with any notice issued in accordance with the provisions of this ordinance may result in immediate suspension of the permit.

4) State that an opportunity for appeal from any notice or inspection findings will be provided if a written request for a hearing is filed with the health authority within the period of time established in the notice of correction.

d. SERVICE OF NOTICE: Notice provided for under this section shall be deemed to have been properly served when a copy of the inspection report

form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent certified mail, return receipt requested. A copy of such notice shall be filed with the records of the health authority.

3. EXAMINATION AND CONDEMNATION OF FOOD: Food may be examined or sampled by the health authority as often as may be necessary to determine freedom from adulteration or misbranding. The health authority may, upon written notice to the permit holder or person in charge, place a hold order on any food when he determines, or has probable cause to believe to be unwholesome, or otherwise adulterated or misbranded. Under a hold order, food shall be permitted to be suitably stored. It shall be unlawful for any person to remove or alter a hold order notice tag placed on food by the health authority, and neither the containers thereof shall be relabeled, repacked, reprocessed, altered, disposed of, or destroyed without permission of the health authority, except on order by a court of competent jurisdiction. After the permit holder or person in charge has had a hearing as provided for in SECTION 3, Subsection 1 (g), and on the basis of evidence produced at such hearing, or on the basis of its examination in the event a written request for a hearing is not received, within ten (10) days, the health authority may vacate the hold order, direct the permit holder or person in charge, of the food which was placed under the hold order, to denature or destroy such food or bring it into compliance with the provisions of this ordinance, provided that such order of the health authority to denature or destroy such food or bring it into compliance

with the provisions of this ordinance shall be stayed if the order is appealed to a court of competent jurisdiction within three (3) days.

4. FOOD SERVICE ESTABLISHMENTS OR RETAIL FOOD STORES OUTSIDE JURISDICTION OF THE HEALTH AUTHORITY: Food from food service establishments or retail food stores outside the jurisdiction of the health authority of the County of Montgomery, State of Illinois, may be sold within said County, if such food service establishment of retail food store conforms to the provisions of this ordinance or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the health authority may accept reports from responsible authorities in other jurisdictions where such food service establishments or retail food stores are located.

5. PLAN REVIEW OF FUTURE CONSTRUCTION & RE-OPENING EXISTING FACILITIES: When a food service establishment or retail food store is hereafter constructed or extensively remodeled, or when an existing structure is converted for use as a food service establishment or retail food store, properly prepared plans and specifications for such construction, remodeling, or alterations, showing layout, arrangement, and construction materials of work areas, and the location, size, and type of fixed equipment and facilities, shall be submitted to the health authority for approval before such work begins and shall receive a preoperational inspection.

When a facility has closed for more than 30 days because of ownership transfer or other reasons, then a pre-opening inspection, plumbing inspection by the state plumbing inspector shall be conducted. Any violations documented by these inspections shall be corrected to bring the facility into compliance

with the "Illinois Food Service Sanitation Code".

6. PROCEDURE WHEN INFECTION IS SUSPECTED: When the health authority has reasonable cause to suspect the possibility of disease transmission from any food service establishment or retail food store employee, the health authority shall secure a morbidity history of the suspected employee, or make such other investigations as may be indicated, and take appropriate action. The health authority may require any or all of the following:

   a. The immediate exclusion of the employee(s) from all food service establishments or retail food stores.

   b. The immediate closure of the food service establishment or retail food store concerned until, in the opinion of the health authority, no further danger of disease outbreaks or infection exists.

   c. Restriction of the employee's services to some area of the establishment or store where there would be no danger of transmitting disease.

   d. Adequate medical and laboratory examination of employee(s), of other employees, and of his, her or their bodily discharges for evidence of being free of said disease or infection(s). This includes (but not limited to): stool specimens, urine samples and blood work. Employee(s) must obtain clearance from their physician before being allowed to return to work in a food handling, preparation or customer service area of the establishment. A physician's written statement shall state the employee is free of disease or

infection and allowed to return to work in the food handling, preparation or service area of the establishment.

7. ENFORCEMENT INTERPRETATION – FOOD SEVICE ESTABLISHMENTS: This ordinance shall be enforced by the health authority in accordance with the current Illinois Department of Public Health, Food Service Sanitation Code, as amended.

8. ENFORCEMENT INTERPRETATION – RETAIL FOOD STORES: This ordinance shall be enforced by the health authority in accordance with the current Illinois Department of Public Health, Retail Food Store Sanitation Code, as amended.

9. PENALTIES: Any person who shall violate any of the provisions of this ordinance shall be guilty of a Class B misdemeanor and , upon conviction thereof, shall be punishable by a fine not to exceed $500.00, or imprisonment of not to exceed six (6) months, as may be deemed necessary. In addition thereto, such persons may be enjoined from continuing such violations. Each day upon which such a violation occurs shall constitute a separate violation.

10. REPEAL AND DATE OF EFFECT: This ordinance repeals the 1979 Food Service Sanitation Ordinance for the Montgomery County Health Department, and shall be in full force and in effect immediately after its adoption and publication as provided by law; and, at that time, all ordinances in conflict with this ordinance are hereby repealed.

11. CONFLICT OF ORDINANCE, EFFECT ON PARTIAL INVALIDITY:

a. In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance or law or code of Montgomery County existing on the effective date of this ordinance, the provision which, in the judgment of the health authority, establishes the higher standard for promotion of the health and safety of the people shall prevail. In any case, where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of Montgomery County existing on the effective date of this ordinance which establishes a lower standard for the promotion and protection of the health and safety of the people, the provision of this ordinance shall prevail, and such other ordinance or codes are hereby declared to be repealed to the extent that they may be found in conflict with this ordinance.

b. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared to be severable.

BOOK 5 PAGE 304

# Private
# Sewage Disposal System
# Ordinance #05-14

Effective 8/9/05

## MONTGOMERY COUNTY, ILLINOIS

FILED

AUG 09 2005

Sandra Lathrum COUNTY CLERK

MONTGOMERY COUNTY RESOLUTION 05 - 14

PRIVATE SEWAGE DISPOSAL SYSTEM ORDINANCE
MONTGOMERY COUNTY, ILLINOIS

This Ordinance rescinds the 1975 Montgomery County Private Sewage Disposal System Ordinance.

An ordinance regulating private sewage disposal systems, the construction and/or reconstruction of such systems within the limits of Montgomery County, Illinois.

Pursuant to the powers granted to the Montgomery County Board by the Statutes of the State of Illinois in such case made and provided therefore, and WHEREAS, the improper disposal of sewage is a menace to the public health: THEREFORE, BE IT RESOLVED by the County Board of Montgomery County, Illinois, that the following rules and regulations are hereby made and adopted.

BE IT ORDAINED by the County Board of the County of Montgomery, State of Illinois, as follows:

ADOPTED 8/9, 2005

EFFECTIVE 8/9, 2005

APPROVED Mike A. Hanero
Chairman

ATTEST Sandy Lutherson
County Clerk

# PRIVATE SEWAGE DISPOSAL SYSTEM ORDINANCE
## MONTGOMERY COUNTY, ILLINOIS

ARTICLE I DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this Ordinance

Section A AUTHORIZED REPRESENTATIVE shall mean the legally designated Administrator or the Acting Administrator of the Montgomery County Health Department and Shall include those persons designated by the Administrator or Acting Administrator to enforce the provisions of this Ordinance.

Section B BEDROOM shall mean any room within the building that is used for sleeping purposes or could be converted into a room used for sleeping purposes, such as a den or sewing room.

Section C BOARD OF HEALTH shall mean the Montgomery County Board of Health or its Authorized Representative(s).

Section D DOMESTIC SEWAGE means waste water derived principally from dwellings, business or office buildings, institutions, food service establishments and similar facilities.

Section E HEALTH AUTHORITY shall mean the person or persons who have been designated by the Board of Health to administer the affairs of the Health Department.

Section F HEALTH DEPARTMENT shall mean the Montgomery County Health Department, an agency of the Montgomery County Board of Health.

Section G HOMEOWNER means a person who holds legal title to a residential structure which is to be used or is used for his personal, single family residence.

Section H HOMEOWNER INSTALLED SYSTEM means a private sewage disposal system installed by a homeowner for his personal, single family residence.

Section I HUMAN WASTES means undigested food and by-products of metabolism which are passed out of the human body.

| | |
|---|---|
| ARTICLE I | DEFINITIONS - cont'd |
| Section J | LICENSED INSTALLER means an Illinois Licensed Private Sewage Disposal System Installation Contractor. |
| Section K | PERMIT shall mean a written permit issued by the Board of Health or its Authorized Representative permitting the construction of an individual private sewage disposal system under this Ordinance. |
| Section L | PERSON (S) means an individual, group of individuals, association, trust partnership, corporation, person(s) doing business under an assumed name, the State of Illinois, or any Department thereof, or any other entity. |
| Section M | PRIVATE SEWAGE DISPOSAL SYSTEM means any sewage handling or treatment facility receiving domestic sewage from less than fifteen (15) people or population equivalents and having a ground surface discharge or any sewage handling or treatment facility receiving domestic sewage and having no ground surface discharge. |
| Section N | PRIVATE SEWAGE DISPOSAL SYSTEM INSTALLATION CONTRACTOR means any person constructing, repairing, installing, modifying or maintaining private sewage disposal systems. |
| Section O | PRIVATE SEWAGE DISPOSAL SYSTEM PUMPING CONTRACTOR means any person who cleans or pumps waste from a private sewage disposal system or hauls or disposes of wastes removed therefrom. |
| Section P | PROPERTY OWNER means the person in whose name legal title to the real estate is recorded. |
| Section Q | SEWAGE SYSTEM means private sewage disposal system. |
| Section R | SEWAGE TREATMENT OR DISPOSAL SYSTEM means private sewage disposal system. |
| Section S | WASTE means either human waste or domestic sewage or both. |

ARTICLE II ADOPTION BY REFERENCE

Section A In addition to those provisions set forth, this Ordinance shall be interpreted and enforced in accordance with provisions set forth in the unabridged form, State of Illinois, Department of Public Health, "Private Sewage Disposal Licensing Act and Code", current edition, any subsequent amendments or revisions thereto, three (3) certified copies of which shall be on filed in the office of the Montgomery County Clerk.

ARTICLE III PERMITS

Section A It shall be unlawful for any person to construct, alter or extend individual private sewage disposal systems within Montgomery County unless he holds a valid permit issued by the Health Department stating the name of such person for which the specific construction, alteration or extension is proposed. Said permit shall indicate a maximum permissible waste loading.

Section B All sewage treatment or disposal systems to be installed in Montgomery County must be of a design and location that is approved by the Montgomery County Health Department and within compliance of the Illinois Private Sewage Disposal Licensing Act and Code, as amended; and appropriate sections of the Illinois Revised Statutes, Chapter 111½, as amended.

Section C Lots which cannot reasonably be served by a public sanitary sewer system shall have a minimum width of one hundred (100) feet, measured at the building line, and a minimum area of twenty thousand (20,000) square feet. Where topography, timber, buried objects or other obstructions interfere with the installation of the private sewage disposal system, additional lot size will be required. The Health Authority may refuse to issue a permit where lot size has not been increased to accommodate said system.

Section D Application for installation of a new ~~septic tank and disposal system~~ private sewage disposal system~~,~~ or reconstruction of an existing private sewage disposal system, must be completed and signed in ink before submittal to the Montgomery County Health Department for evaluation and subsequent approval or disapproval. Authorized Health Department personnel are available to assist in the preparation of applications upon request, by appointment only.

ARTICLE III PERMITS – cont'd

Section E An approved copy of the application must be received by the homeowner and licensed installer before work begins. Said approved application shall be the permit to begin construction of said private sewage system.

Section F All applications for permit granted under the provisions of this Ordinance shall be made to the Board of Health or its duly Authorized Representative. Sufficient data shall be included to allow review and to determine whether the proposed application for permit meets the requirements of this Ordinance.

Section G A permit shall only be issued to an Illinois Licensed Private Sewage Disposal System Installation Contractor or a homeowner installing his own private sewage disposal system.

Section H Complete plans of the proposed disposal facility, with substantiating data, if necessary, attesting to its compliance with minimum standards of this Ordinance is required.

Section I Other information may be required by the Health Authority to substantiate that the proposed construction, alteration or extension complies with minimum standards of this Ordinance.

Section J Before an application for a permit ~~can be received~~ is reviewed by the Montgomery County Health Department, evaluation of the soil conditions must be made and submitted with the application. The absorption capacity of the soil shall be determined in accordance with applicable Sections of the Illinois Private Sewage Disposal Licensing Act and Code, current edition, as amended or revised.

Section K A completed and signed application must be submitted to the Montgomery County Health Department for a permit. The application shall be on forms provided by the Health Department and shall contain the following:

1. Owner's name, mailing address and telephone number.
2. Legal description of property, road coordinate numbers and Township.
3. Legal address (post office address) of proposed installation, if different from owner's present mailing address.
4. Size and area of lot (s) or building site.

ARTICLE III PERMITS – cont'd

Section K

5. In all residential buildings, the number of bedrooms, water closets, lavatories, bathtubs, showers, washing machines, garbage disposals and all other plumbing fixtures requiring water.
6. In all buildings other than residential, the number of water closets, urinals, lavatories, sinks, showers and other fixtures or processes which require water.
7. A description including size of each unit of the proposed sewage treatment or disposal system.
8. The proposed Private Sewage Disposal System Installation Contractor's name, mailing address, telephone number and his license number.
9. Signature of homeowner and licensed contractor with date of signing.
10. Percolation rate or soil survey information as outlined in the Illinois Private Sewage Licensing Act and Code, date of test and name of person conducting tests. Percolation test results will be recorded on forms provided by the Health Department for that purpose.
11. A drawing showing the actual location of all pertinent data such as water well or wells, all buildings on property and adjacent property. Proposed location of the sewage system and complete layout of the sewage system, all driveways or other paved areas and other situations which could effect the operation or maintenance of the sewage treatment or disposal system.

Section L Any change from the permit drawing as approved must be discussed with Authorized Personnel of the Health Department before such changes are made and excavation has begun.

Section M If the sewage disposal installation is to be installed in a manner different than that shown on the permit that was approved, then a new application showing the proposed installation must be submitted to the Montgomery County Health Department for approval before installation or construction takes place.

ARTICLE III PERMITS – cont'd

Section N

The Board of Health or its Authorized Representative may refuse to grant a permit for construction of a private sewage disposal system where public or community sewage systems are available. A sewer shall be deemed available when a public sewer line is in place within any street, alley, right-of-way or easement that adjoins or abuts the premises for which the permit is requested, or when the improvement to be served is located within a reasonable distance of a public sewer to which a connection is practical and is permitted by the controlling authority for the sewer. A reasonable distance for the purpose of this provision shall be deemed to be not greater than two hundred (200) feet for a single family residence. Commercial establishments and multi-family dwellings with a load equivalent corresponding to or above fifteen (15) people equivalent units must conform to EPA requirements if a surface discharge is proposed.

Section O

An Environmental Protection Agency permit must be obtained for the installation of a sewage treatment device to serve fifteen (15) or more persons or criteria as outlined in the Illinois Public Health and Illinois Environmental Protection Agency Laws when a surface discharging system is proposed. If IEPA waives permit requirements under their laws and regulations, a letter from IEPA so stating said waiver must be forwarded to the Montgomery County Health Department before the latter will implement the County Private Sewage Disposal Ordinance or act on said application for installation permit.

Section P

Where approved ground surface discharge systems are allowed to be installed, discharging onto adjacent property not owned by applicant, a written easement will be required before a permit will be issued.

Section Q

The Health Authority shall act on all application within fifteen (15) days of receipt, provided that all information required has been entered in its appropriate place and all information is correct. Applications not completed properly and needing additional information may require additional time.

Section R

Said Permit to construct a Private Sewage Disposal System is valid for one (1) year from the date of issuance. If construction has not started within this one (1) year period, the permit will be in validated. A new permit will be required if installation is contemplated after said permit is invalidated.

ARTICLE III PERMITS – cont'd

Section S Authorized Health Department personnel are available for office consultation and field evaluations by appointment between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding holidays.

Section T It shall be the responsibility of the Illinois Licensed Private Sewage Disposal System Contractor to ensure that a Private Sewage Disposal System Permit has been issued and to follow the conditions of said permit. Failure of the licensed installer to ensure said permit has been issued or to violate the conditions of said permit shall constitute a violation of this Ordinance and penalty action may be taken, punishable under provisions of a Class B misdemeanor.

Section U No permit will be issued on a private sewage disposal system installed without a permit. Said Ordinance shall have been violated and penalty action may be taken against the installer and the property owner.

Section V A standard permit application fee of $50 shall accompany the completed permit application.

*Section W* *Any permit application and/or installation violations, or failure to provide proper notification of an installation, are subject to a $50.00 fine for each act of violation; including but not limited to 48 hour notification prior to installation and/or covering an installed septic system without final inspection, and obtaining an approved permit prior to installation. This fee does not apply to technical violations of an installation, which are subject to violations of the "Private Sewage Disposal Code".*

ARTICLE IV COMPLIANCE AND PERFORMANCE

Section A All private sewage disposal systems within the limits of Montgomery County shall be INSTALLED, modified or serviced by and Illinois Licensed Private Sewage Disposal System Installation Contractor, and all such systems shall be PUMPED, cleaned and the contents disposed of by an Illinois Licensed Private Sewage Disposal System Pumping Contractor; provided, however, that a homeowner may install and/or service a private sewage disposal system which serves his own personal family residence.

Section B — All private sewage disposal systems shall be INSTALLED, modified, serviced, PUMPED and the contents disposed of in accordance with the Illinois Private Sewage Disposal Licensing Act and Code, current edition, and any subsequent amendments or revisions thereto.

Section C — Surface Discharge from a private sewage disposal system shall not leave the property the system serves, unless discharged to a public road ditch under granted permission and the requirements of the Illinois Department of Transportation, Environmental Protection Agency and the Montgomery County Health Department.

Section D — To reduce and/or eliminate surface discharges, sites conducive to subsurface seepage according to site characteristics and soil evaluation, are required to install a subsurface disposal system.

Section E — Surface discharging systems may be used when subsurface disposal systems are not feasible for the site. *Subsurface treatment feasibility is determined from the soil evaluation, site topography and limiting layer set forth in the "Illinois Private Sewage Code"* However, surface discharging systems shall require one or more of the following supplemental treatments to be determined by the health authority according to the site characteristics, surrounding environment, surrounding population and other pertinent factors.

Supplemental treatment shall include the following:

*1) Subsurface seepage, evaporation trench and/or other approved sewage disposal treatment techniques. The size may be reduced to not less than 2/3 of that required according to the Illinois Private Sewage Disposal Code Section 905.100 c).*

*2) Private sewage disposal systems, which incorporate a surface discharge, shall provide an extended service agreement with a licensed installer to provide semi-annual inspections and required maintenance as specified by the manufacture of the unit and/or to ensure compliance with the Illinois Private Sewage Disposal Code.*

ARTICLE V FINAL INSPECTION

Section A — Private Sewage Disposal System must be installed and laterals covered with rock and straw or hay as required in the Illinois Private Sewage Disposal Licensing Act and Code. No part of the sewer line from the building to the septic tank, the septic tank, buried sand filter or other approved secondary treatment component shall be covered with earth before a final inspection (s) is made and approved.

Section B — Arrangements must be made for the Montgomery County Health Department personnel to enter onto said property at the time of inspection (s).

Section C — Before any portion of the private sewage disposal system is covered and/or placed in operation, an inspection and final approval must first be obtained from the Montgomery County Health Department.

Section D — The Health Department shall be allowed to inspect or investigate the installation of a private sewage disposal system whenever it is deemed necessary. If, in the opinion of the Health Department, the construction should cease due to violations of the Illinois Private Sewage Disposal Licensing Act and Code, the Montgomery County Private Sewage Disposal Ordinance, it is authorized to order the construction to cease. Resumption of construction shall not take place until written approval is received from the Health Authority.

Section E — Final Inspection must be requested at least two (2) days in advance of the date of the sewage system installation.

Section F — Requests for Final Inspection can be made any time between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding holidays.

ARTICLE VI — ENFORCEMENT

Section A — Homeowners having private sewage systems constructed prior to the effective date of this Ordinance shall comply with all provisions of this Ordinance and the Illinois Private Sewage Disposal Licensing Act and Code, when deemed necessary by the Health Authority, when a health hazard and/or nuisance exists due to a septic tank or disposal system malfunction allowing illegal surface discharge or ponding.

ARTICLE VI — ENFORCEMENT – cont'd

Section B

Whenever the Health Authority determines that a violation of any provision of this Ordinance has occurred, the Health Authority shall give notice to the person (s) responsible for such violation. The notice shall:

1. Be in writing
2. Include a statement of the reason for issuance of said notice.
3. Allow reasonable time as determined by the Health Department for performance of any act is required.
4. Be served upon the person (s) responsible for the violation (s), provided that such notice shall have been properly served upon the person (s) responsible for the violation (s) when a copy thereof has been sent by certified mail to his last known address as furnished to the Health Department or when he has been served with such notice by any other method authorized by laws of this State.
5. Contain an outline of remedial action which is required to effect compliance with this Ordinance.
6. Issue a $50.00 fine for each separate violation to the "Illinois Private Sewage Disposal Licensing Act and Code" and/or this ordinance.

Section C

The Board of Health or its Authorized Representatives is hereby authorized to make such inspections as are necessary to determine satisfactory compliance with this Ordinance.

Section D

It shall be the duty of the owner or occupant of a property to give the Board of Health or its Authorized Representative free access to the property at the reasonable times for the purpose of making such inspections as are necessary to determine compliance with the requirements of this Ordinance. Refusal to allow entry onto the property will be grounds to void said permit, at which time penalty action will be taken.

Section E

An individual private sewage disposal system which has been installed by a homeowner for his personal residence shall not be covered or placed into operation until said installation shall have had a final inspection and written approval of said system shall have been issued by the Health Department.

Section F

The Authorized Representative may make inspections during the course of the construction of any private sewage disposal system to ensure compliance with this Ordinance.

ARTICLE VI ENFORCEMENT – cont'd

Section G If any homeowner who installs his own private sewage disposal system shall have backfilled any portion of said systems with earth, which will prevent the same from being readily viewed to determine if said system meets all requirements of this Ordinance before receipt of written approval by the Health Department, said Health Department may give fifteen (15) days notice in writing to such homeowner so violating the provision (s) of the Ordinance to uncover such backfilled or covered portion of said system.

Section H If, at the end of such fifteen (15) days, the homeowner shall not have uncovered the individual private sewage disposal system and inspection conducted thereof with subsequent approval of said system, the permit is automatically invalidated and penalty action may be taken.

ARTICLE VII HEARINGS

Section A Hearings before the Health Authority:

Any person affected by an order or notice issued by the Health Department in connection with the enforcement of any Section of this Ordinance may file in the office of the Health Department a written request for a Hearing before the Health Authority. The Health Authority shall hold a Hearing at a time and place designated by said agency within thirty (30) days from the date on which the written request was filed. The petitioner for the Hearing is to be notified of the time and place of the Hearing not less than five (5) days prior to the date on which the Hearing is to be held. If, as a result of the Hearing , the Health Authority finds that strict compliance with the order, or notice, would cause undue hardship on the petitioner, and that the public health would be adequately protected and substantial justice done by varying or withdrawing th order or notice, the Health Authority may modify or withdraw the order or notice and as a condition for such action may, where he deems it necessary, make requirements which are additional to those prescribed in this Ordinance for the purpose of properly protecting the public health. The Health Authority shall render a decision within ten (10) days after the date of the Hearing which shall be reduced to writing and place don file in the office of the Health Department as a matter of public record. Any person aggrieved by the decision of the Health Authority may seek relief there from through a Hearing before the Board of Health.

ARTICLE VIII PENALTY

Section A Any person who violates any provision of this Ordinance shall be guilty of a Class B misdemeanor.

Section B Each day's violation constitutes a separate offense. The State's Attorney of Montgomery County shall bring such action in the name of the People of the State of Illinois or may bring action for an injunction to restrain such violation or to enjoin the operation of any such establishment causing such violation.

ARTICLE IX CONFLICT OF ORDINANCE, EFFECT ON PARTIAL INVALIDITY

Section A In any case where a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or code of Montgomery County existing on the effective date of this Ordinance, the provision which, in the judgment of the Health Authority establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance or code of Montgomery County existing on the effective date of this Ordinance which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this Ordinance shall be deemed to prevail and such other ordinance or codes are hereby declared to be repealed to the extent that they may be fount in conflict with this Ordinance.

Section B If any section, sub-section, paragraph, sentence, clause or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared to be severable.

ARTICLE X EFFECTIVE DATE

Section A This Ordinance shall become effective after the 9th day of Aug, 2005.

OnPoint L.L.C.
Telecommunications Consultants

Phone: 314-963-3226
Fax: 314-963-4419
P.O. Box 221092
Saint Louis, Missouri 63122

# Engagement Agreement – Bill Audit

This agreement is entered into this 13th day of Sept., 2005, by and between OnPoint, LLC, St. Louis Missouri ("OnPoint") and Montgomery County, IL, PO Box 596, Hillsboro, IL 62049, ("MCIL.").

Whereas, OnPoint is a consulting company specializing in telecommunications issues, including, without limitation, bill auditing, contract negotiation; account management, and;

Whereas, MCIL desires to retain the services of OnPoint pursuant to the terms and conditions set forth below;

NOW THEREFORE, in consideration of the mutual covenants and obligations described below, the receipt and sufficiency of such consideration being hereby acknowledged, the parties agree as follows:

1. **Services.** MCIL hereby retains OnPoint for the following services:

   (a) Consultation with MCIL regarding, identification of all existing telecommunications billing and ensure that bills are correct. OnPoint will analyze contracts and billings; make refund claims as necessary and make recommendations on better options if applicable.

2. **Fees and Expenses.** In consideration of the services rendered, MCIL will pay to OnPoint the following fees and expenses:

   (a) For the services set forth in paragraph 1(a), above, 50% of ***savings realized*** by findings and recommendations made by OnPoint for a twelve (12) month period beginning the first billing cycle changes occur and 25% of any credit or refund. *These percentages are based on the average billing of each provider for the previous three billing cycles.*

   (b) Invoices for payment of fees and expenses shall be clearly stated and itemized by OnPoint. Invoices are due within 15 days of the date thereof.

3. **Termination of Contract**

   MCIL may terminate this Agreement at any time for convenience or for cause, upon thirty (30) days written notice to OnPoint. Upon receipt of such notice

OnPoint shall immediately discontinue all services and work in connection with the performance of this Agreement.

OnPoint, upon termination, shall be paid for all services rendered through the date of the termination, together with additional expense and reimbursable expenses then due.

**4. Ownership of Documents**

All completed or partially completed reports, letters, notices, etc. prepared under this Agreement, shall become the property of MCIL if the Agreement is terminated.

**5. Independent Contractor**

OnPoint covenants and agrees that it will perform the work hereunder as an independent contractor, and not as an officer, agent, servant, or employee of Montgomery County, Illinois; that OnPoint shall have the exclusive control of and exclusive right to control the details of the work performed hereunder, and all persons performing same, and shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors, subcontractors, and consultants and nothing herein shall be construed as creating a partnership or joint enterprise between MCIL and OnPoint.

**6. Indemnification**

MCIL SHALL AND DOES HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS ONPOINT, ITS OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL DAMAGES, LOSS OR LIABILITY OF ANY KIND WHATSOEVER, BY REASON OF DEATH OR INJURY TO PROPERTY OR PERSONS CAUSED BY ANY OMISSION OR NEGLIGENT ACT OF MONTGOMERY COUNTY, ITS OFFICERS, AGENTS, EMPLOYEES, INVITEES OR OTHER PERSONS FOR WHOM IT IS LEGALLY LIABLE, WITH REGARD TO THE PERFORMANCE OF THIS CONTRACT, AND MCIL WILL, AT ITS SOLE COST AND EXPENSE, DEFEND, PAY ON BEHALF OF, AND PROTECT ONPOINT AND ITS OFFICERS, AGENTS, AND EMPLOYEES AGAINST ANY AND ALL SUCH CLAIMS AND DEMANDS.

ONPOINT SHALL AND DOES HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS MONTGOMERY COUNTY, ITS OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL DAMAGES, LOSS OR LIABILITY OF ANY KIND WHATSOEVER, BY REASON OF DEATH OR INJURY TO PROPERTY OR PERSONS CAUSED BY ANY OMISSION OR NEGLIGENT ACT OF ONPOINT, ITS OFFICERS, AGENTS, EMPLOYEES, INVITEES OR OTHER PERSONS FOR WHOM IT IS LEGALLY LIABLE, WITH REGARD TO THE PERFORMANCE OF THIS CONTRACT, AND ONPOINT WILL, AT ITS SOLE

COST AND EXPENSE, DEFEND, PAY ON BEHALF OF, AND PROTECT MCIL AND ITS OFFICERS, AGENTS, AND EMPLOYEES AGAINST ANY AND ALL SUCH CLAIMS AND DEMANDS.

**7. Entire Agreement**

This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written previous and contemporary agreements between the parties relating to matters herein; and except as otherwise provided herein, cannot be modified without written agreement of the parties.

**8. Successors and Assigns**

MCIL and OnPoint each bind themselves and their successors, executors, administrators and assigns to the other party of this Agreement and to the successors, executors, administrators and assigns of such other party with respect to all covenants of this Agreement. Neither MCIL nor OnPoint shall assign or transfer its interest in this Agreement without prior written consent of the other.

**9. Severability**

In the event that any portion of this Agreement shall be found to be void or unenforceable, such finding shall not be construed to render any other provision of this Agreement either void or unenforceable. All provisions, which are void or unenforceable, shall not substantially affect the rights or obligations granted to or undertaken by either party.

**10. Venue Law**

Venue of any suit or cause of action under Agreement shall lie exclusively in the Circuit Court of Montgomery County Illinois. This Agreement shall be construed in accordance with the laws of the State of Illinois.

THIS AGREEMENT is executed as of the date first written above.

J. Bart Lovett
OnPoint L.L.C.

by: _____

Mike A. Haven, County Board Chairman
Montgomery County, Illinois

by: Sandy Leitheiser, County Clerk

**Montgomery County Illinois**

**CERTIFIED OFFICIAL RESOLUTION**

Date Enacted: 9/13/05 Resolution No. 05-15

RESOLVED, that the Montgomery County Board (hereafter "Board") hereby takes the following actions:

1. The "Board" agrees to apply for and accept funds being held by the Illinois State Board of Elections, which funds were furnished by the United States Government under the provisions of the Help America Vote Act ("HAVA") for the purchase of new accessible voting equipment certified by the State Board of Elections and in compliance with HAVA requirements.

2. The "Board" agrees to take such action as may be necessary to comply with the requirements of the State Board of Elections for the release of such HAVA funds by supplying the State Board of Elections detailed descriptions of equipment to be purchased, providing full information about payment amounts and other cost information for such equipment, and upon receipt of such HAVA funds, the "Board" agrees to forward payment to its vendor no later than 30 days following receipt of assistance payment from the State Board of Elections or by the due date of the contract, whichever is earlier, as required by federal cash management statutes. The "Board" agrees to forward a copy of the check paid to the vendor and a copy of a paid invoice from the vendor to the SBE within 30 days of paying its vendor .

The "Board" agrees to take such action as necessary to be certain that the new voting equipment is fully consistent and in compliance with the requirements of the laws described in Section 906 of the Help America Vote Act (Attachment A), will meet the voting system's standards adopted by the Federal Election Commission in May of 2002, and will meet the requirements of Title III Section 301 (a)(3) (Attachment B) by January 1, 2006 (Attachment B).

4. The "Board" understands and agrees that equipment purchased by the said jurisdiction from HAVA funds shall become the property of the jurisdiction, not the State of Illinois. It understands and agrees that all property control and custody responsibilities will be assumed by the "Board."

5. The "Board" further agrees that future costs related to equipment and/or upgrades now being furnished with HAVA assistance (for example: maintenance, repairs, software, upgrades, etc.) are and shall be the sole responsibility of the "Board" and understands that the State of Illinois assumes no liability for HAVA-mandated upgrades of the local jurisdictions.

6. The "Board" agrees to indemnify and hold the State Board of Elections harmless against claims brought against it by the Federal Election Commission, or other agency of the state or federal government, for reimbursement of any monies advanced under the HAVA to this "Board" in the event the "Board" is found guilty of misapplication, misuse or misappropriation of HAVA funds received from the State Board of Elections. Indemnification shall include but not be limited to attorney's fees, fines, penalties, and other associated costs of litigation. The "Board" specifically agrees that in the event of any claim of misapplication, misuse or misappropriation of the funds and demand for reimbursement against this "Board", this "Board" agrees that the State Board of Elections may conduct an audit of the application of the funds received from the State Board of Elections in order to determine whether such funds have actually been misapplied or misappropriated.

7. The "Board" authorizes Sandy Leitheiser, County Clerk, to act as the agent for the "Board" in preparing and executing all applications and other documents required by the State Board of Elections for the purchase of HAVA approved and SBE certified accessible voting equipment, and the "Board" authorizes her to take such action as may be necessary or desirable as requested by the State Board of Elections to effectuate the full purposes of this Resolution, including but not limited to the

indemnities provided in this Resolution. She is further authorized to provide a certified copy of this Resolution to any agency of government which may request it, certifying that this Resolution was presented and approved according to law at a duly constituted meeting of this "Board."

The vote was:

AYES 20

NAYS 0

ABSENT 1

APPROVED BY:

Mike A. Haven 9-13-05

Chairman Date

ATTESTED BY:

Sandy Lee 9/13/05

Secretary Date

(Place Official Seal here)

**Attachment A**

**SEC. 906. NO EFFECT ON OTHER LAWS.**

(a) In General.--Except as specifically provided in section 303(b) of this Act with regard to the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), nothing in this Act may be construed to authorize or require conduct prohibited under any of the following laws, or to supersede, restrict, or limit the application of such laws:

(1) The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

(2) The Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.).

(3) The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).

(4) The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.).

(5) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(6) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

(b) No Effect on Preclearance or Other Requirements Under Voting Rights Act.--The approval by the Administrator or the Commission of a payment or grant application under title I or title II, or any other action taken by the Commission or a State under such title, shall not be considered to have any effect on requirements for preclearance under section 5 of the Voting Rights Act of 1965 (42 U.S.C. 1973c) or any other requirements of such Act.

## ATTACHMENT B

**SEC. 301. VOTING SYSTEMS STANDARDS.**

(a) Requirements.--Each voting system used in an election for Federal office shall meet the following requirements:

(1) In general.--

(A) Except as provided in subparagraph (B), the voting system (including any lever voting system, optical scanning voting system, or direct recording electronic system) shall--

(i) permit the voter to verify (in a private and independent manner) the votes selected by the voter on the ballot before the ballot is cast and counted;

(ii) provide the voter with the opportunity in a private and independent manner) to change the ballot or correct any error before the ballot is cast and counted (including the opportunity to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error); and

(iii) if the voter selects votes for more than one candidate for a single office--

(I) notify the voter that the voter has selected more than one candidate for a single office on the ballot;

(II) notify the voter before the ballot is cast and counted of the effect of casting multiple votes for the office; and

(III) provide the voter with the opportunity to correct the ballot before the ballot is cast and counted.

(B) A State or jurisdiction that uses a paper ballot voting system, a punch card voting system, or a central count voting system (including mail-in absentee ballots and mail-in ballots), may meet the requirements of subparagraph (A)(iii) by--

(i) establishing a voter education program specific to that voting system that notifies each voter of the effect of casting multiple votes for an office; and

(ii) providing the voter with instructions on how to correct the ballot before it is cast and counted (including instructions on how to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error).

C) The voting system shall ensure that any notification required under this paragraph preserves the privacy of the voter and the confidentiality of the ballot.

(2) Audit capacity.--

(A) In general.--The voting system shall produce a record with an audit capacity for such system.

(B) Manual audit capacity.--

(i) The voting system shall produce a permanent paper record with a manual audit capacity for such system.

(ii) The voting system shall provide the voter with an opportunity to change the ballot or correct any error before the permanent paper record is produced.

(iii) The paper record produced under subparagraph (A) shall be available as an official record for any recount conducted with respect to any election in which the system is used.

(3) Accessibility for individuals with disabilities.--The voting system shall--

(A) be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters;

(B) satisfy the requirement of subparagraph (A) through the use of at least one direct recording electronic voting system or other voting system equipped for individuals with disabilities at each polling place; and

(C) if purchased with funds made available under title II on or after January 1, 2007, meet the voting system standards for disability access (as outlined in this paragraph).

(4) Alternative language accessibility.--The voting system shall provide alternative language accessibility pursuant to the requirements of section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a).

(5) Error rates.--The error rate of the voting system in counting ballots (determined by taking into account only those errors which are attributable to the voting system and not attributable to an act of the voter) shall comply with the error rate standards established under section 3.2.1 of the voting systems standards issued by the Federal Election Commission which are in effect on the date of the enactment of this Act.

(6) Uniform definition of what constitutes a vote.--Each State shall adopt uniform and nondiscriminatory standards that define what constitutes a vote and what will be counted as a vote for each category of voting system used in the State.

(b) Voting System Defined.--In this section, the term "voting system" means--

(1) the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used--

(A) to define ballots;

(B) to cast and count votes;

(C) to report or display election results; and

(D) to maintain and produce any audit trail information; and

(2) the practices and associated documentation used--

(A) to identify system components and versions of such components;

(B) to test the system during its development and maintenance;

(C) to maintain records of system errors and defects;

(D) to determine specific system changes to be made to a system after the initial qualification of the system; and

(E) to make available any materials to the voter (such as notices, instructions, forms, or paper ballots).

(c) Construction.--

(1) In general.--Nothing in this section shall be construed to prohibit a State or jurisdiction which used a particular type of voting system in the elections for Federal office held in November 2000 from using the same type of system after the effective

date of this section, so long as the system meets or is modified to meet the requirements of this section.

(2) Protection of paper ballot voting systems.--For purposes of subsection (a)(1)(A)(i), the term "verify" may not be defined in a manner that makes it impossible for a paper ballot voting system to meet the requirements of such subsection or to be modified to meet such requirements.

(d) Effective Date.--Each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2006.

RESOLUTION 05- 16

A TAX LEVY FOR THE LITCHFIELD SPECIAL SERVICE AREA

WHEREAS, the County of Montgomery has established the Litchfield Special Service Area pursuant to the authority of Illinois Compiled Statues, Chapter 35, Act 200, Article 27 et. seq., consisting of the territory specifically described in the Resolution creating said Special Service Area, and

WHEREAS, the County of Montgomery is now authorized to levy taxes for the special services to be provided in said Special Service Area, said service being the providing of ambulance services within said area, and

WHEREAS, the total appropriation for the Litchfield Special Service Area for Fiscal Year 2006 is the sum of $120,000.00.

THEREFORE, be it hereby resolved that there is levied upon all the taxable property in the Litchfield Special Service Area the sum of One Hundred Twenty Thousand Dollars and No Cents ($120,000.00) for the following purposes:

Equipment, Materials, and Services.

BE IT FURTHER RESOLVED that the County Clerk is authorized to extend said amount on the Collector's books for the current taxable year against all taxable property in said Special Service Area as will generate the sum of $120,000.00, said tax to be levied and collected in like manner with the general taxes of the County of Montgomery and in addition to any general taxes now or hereafter levied.

APPROVED and ADOPTED this 13th day of September, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

RESOLUTION 05- 17

A TAX LEVY FOR THE HILLSBORO SPECIAL SERVICE AREA

WHEREAS, the County of Montgomery has established the Hillsboro Special Service Area pursuant to the authority of Illinois Compiled Statues, Chapter 35, Act 200, Article 27 et. seq., consisting of the territory specifically described in the Resolution creating said Special Service Area, and

WHEREAS, the County of Montgomery is now authorized to levy taxes for the special services to be provided in said Special Service Area, said service being the providing of ambulance services within said area, and

WHEREAS, the total appropriation for the Hillsboro Special Service Area for Fiscal Year 2006 is the sum of $150,000.00.

THEREFORE, be it hereby resolved that there is levied upon all the taxable property in the Hillsboro Special Service Area the sum of One Hundred Fifty Thousand Dollars and No Cents ($150,000.00) for the following purposes:

Equipment, Materials, and Services.

BE IT FURTHER RESOLVED that the County Clerk is authorized to extend said amount on the Collector's books for the current taxable year against all taxable property in said Special Service Area as will generate the sum of $150,000.00, said tax to be levied and collected in like manner with the general taxes of the County of Montgomery and in addition to any general taxes now or hereafter levied.

APPROVED and ADOPTED this 13th day of September, 2005.

Mike A. Havera
CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser
COUNTY CLERK SANDY LEITHEISER

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RESOLUTION 05- 18

A TAX LEVY FOR THE NOKOMIS-WITT SPECIAL SERVICE AREA

WHEREAS, the County of Montgomery has established the Nokomis-Witt Special Service Area pursuant to the authority of Illinois Compiled Statues, Chapter 35, Act 200, Article 27 et. seq., consisting of the territory specifically described in the Resolution creating said Special Service Area, and

WHEREAS, the County of Montgomery is now authorized to levy taxes for the special services to be provided in said Special Service Area, said service being the providing of ambulance services within said area, and

WHEREAS, the total appropriation for the Nokomis-Witt Special Service Area for Fiscal Year 2006 is the sum of $78,000.00.

THEREFORE, be it hereby resolved that there is levied upon all the taxable property in the Nokomis-Witt Special Service Area the sum of Seventy-eight Thousand Dollars and No Cents ($78,000.00) for the following purposes:

Equipment, Materials, and Services.

BE IT FURTHER RESOLVED that the County Clerk is authorized to extend said amount on the Collector's books for the current taxable year against all taxable property in said Special Service Area as will generate the sum of $78,000.00, said tax to be levied and collected in like manner with the general taxes of the County of Montgomery and in addition to any general taxes now or hereafter levied.

APPROVED and ADOPTED this 13th day of September, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

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RESOLUTION 05- 19

A TAX LEVY FOR THE RAYMOND-HARVEL SPECIAL SERVICE AREA

WHEREAS, the County of Montgomery has established the Raymond-Harvel Special Service Area pursuant to the authority of Illinois Compiled Statues, Chapter 35, Act 200, Article 27 et. seq., consisting of the territory specifically described in the Resolution creating said Special Service Area, and

WHEREAS, the County of Montgomery is now authorized to levy taxes for the special services to be provided in said Special Service Area, said service being the providing of ambulance services within said area, and

WHEREAS, the total appropriation for the Raymond-Harvel Special Service Area for Fiscal Year 2006 is the sum of $33,360.00.

THEREFORE, be it hereby resolved that there is levied upon all the taxable property in the Raymond-Harvel Special Service Area the sum of Thirty-three Thousand, Three Hundred Sixty Dollars and No Cents ($33,360.00) for the following purposes:

Equipment, Materials, and Services.

BE IT FURTHER RESOLVED that the County Clerk is authorized to extend said amount on the Collector's books for the current taxable year against all taxable property in said Special Service Area as will generate the sum of $33,360.00, said tax to be levied and collected in like manner with the general taxes of the County of Montgomery and in addition to any general taxes now or hereafter levied.

APPROVED and ADOPTED this 13th day of September, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

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RESOLUTION 05-20

A TAX LEVY FOR THE FARMERSVILLE-WAGGONER SPECIAL SERVICE AREA

WHEREAS, the County of Montgomery has established the Farmersville-Waggoner Special Service Area pursuant to the authority of Illinois Compiled Statues, Chapter 35, Act 200, Article 27 et. seq., consisting of the territory specifically described in the Resolution creating said Special Service Area, and

WHEREAS, the County of Montgomery is now authorized to levy taxes for the special services to be provided in said Special Service Area, said service being the providing of ambulance services within said area, and

WHEREAS, the total appropriation for the Farmersville-Waggoner Special Service Area for Fiscal Year 2006 is the sum of $58,000.00.

THEREFORE, be it hereby resolved that there is levied upon all the taxable property in the Farmersville-Waggoner Special Service Area the sum of Fifty-eight Thousand Dollars and No Cents ($58,000.00) for the following purposes:

Equipment, Materials, and Services.

BE IT FURTHER RESOLVED that the County Clerk is authorized to extend said amount on the Collector's books for the current taxable year against all taxable property in said Special Service Area as will generate the sum of $58,000.00, said tax to be levied and collected in like manner with the general taxes of the County of Montgomery and in addition to any general taxes now or hereafter levied.

APPROVED and ADOPTED this 13th day of September, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

STATE of ILLINOIS )
) SS
COUNTY of MONTGOMERY )

ORDINANCE PROVIDING FOR ANIMAL CONTROL IN MONTGOMERY COUNTY, ILLINOIS

NO. 05-21

This Ordinance shall be known and referred to as the MONTGOMERY COUNTY ANIMAL CONTROL ORDINANCE.

**WHEREAS,** the Montgomery County Board has determined that it is in the best interest of Montgomery County that an Ordinance be established providing for animal control in concurrence with the State of Illinois Animal Control Act; and

**WHEREAS,** Illinois Compiled Statutes, Chapter 55, Para, 5/5-1071 gives the County the power to regulate and prohibit the running at large of dogs in certain areas of the County; and

**WHEREAS,** Illinois Compiled Statutes, Chapter 510, Para, 5/1 et seq. required the County to effectuate a program for stray animal control and rabies prevention and through Public Act 094-0639 the spaying, neutering and sterilization of dogs and cats; and

**WHEREAS,** the Montgomery County Board desires to establish an Animal Control Program and adopt by Ordinance the provisions of an Animal Control Act for the State of Illinois set forth in Chapter 510, Section 5/1 et seq. of the 1992 Illinois Compiled Statutes.

**NOW, THEREFORE, BE IT ORDAINED** by the Montgomery County Board as follows:

1. That provisions of the Animal Control Act set forth in Chapter 510, Section 5/1 et seq. of the 1992 Illinois Compiled Statutes as now exists or as may be amended from time to time hereafter are hereby adopted by the Montgomery County Board and incorporated herein by reference thereto.

Approved and Adopted this 11th, Day of October, 2005.

Mike A Havera

Mike Havera, Montgomery County Board Chairman

ATTEST:

Sandy Leitheiser

Sandy Leitheiser, Montgomery County Clerk & Recorder

BOOK 5 PAGE 335

# Montgomery County Board

## *Holiday Schedule for Year 2006*

| | | |
|---|---|---|
| January 2, 2006 | New Year's Day (Obsv.d) | Monday |
| January 16, 2006 | Martin Luther King Day | Monday |
| February 20, 2006 | President's Day | Monday |
| April 14, 2006 | Good Friday | Friday |
| May 29, 2006 | Memorial Day | Monday |
| July 4, 2006 | Independence Day | Tuesday |
| September 4, 2006 | Labor Day | Monday |
| October 9, 2006 | Columbus Day (Obsv.d) | Monday |
| November 7, 2006 | Election Day | Tuesday |
| November 10, 2006 | Veteran's (Obsv.d) | Friday |
| November 23, 2006 | Thanksgiving Day | Thursday |
| November 24, 2006 | Day after Thanksgiving | Friday |
| December 25, 2006 | Christmas Day | Monday |

As approved by the MONTGOMERY COUNTY BOARD on Tuesday,

October 11, , 2006

Mike A Havera — 10-11-05

Chairman, Mike Havera — Date

Sandy Leitheiser — 10-11-05

County Clerk, Sandy Leitheiser — Date

BOOK 5 PAGE 336

# RESOLUTION 05 - 22

## A RESOLUTION TO AMEND THE ECONOMIC DEVELOPMENT ACT OF 1965 AND CHANGE THE WEST CENTRAL ILLINOIS VALLEY REGIONAL PLANNING COMMISSION NAME TO WEST CENTRAL DEVELOPMENT COUNCIL, INC.

**WHEREAS,** the West Central Development Council, consisting of the seven counties of Calhoun, Christian, Greene, Jersey, Macoupin, Montgomery, and Shelby was created in September of 1976 for the purpose of comprehensive planning and development assistance and for the benefit of the citizens of the seven counties; and

**WHEREAS**, in September of 1993 the West Central Development Council received designation as an Economic Development District under the provision of Title IV is the Public Works and Economic Development Act of 1965; and

**WHEREAS**, the Articles of Incorporation were amended in 2000 to benefit the name change of the agency from the West Central Illinois Valley Regional Planning Commission to the West Central Development Council, Inc.; and

**WHEREAS**, the not-for-profit corporation name change was necessitated for the purpose of including workforce development programs as part of the organization's regional planning activities. Regional development objectives now include economic, community, and workforce development strategies; and

**WHEREAS,** the agency has always had commitment to the districts process and continues the economic development planning process,

**NOW, THEREFORE, BE IT RESOLVED** that Montgomery County supports and concurs with the governing board's decision to amend the name of EDA's district designation of West Central Illinois Valley Regional Planning Commission to indicate a new name being West Central Development Council, Inc.

PASSED this 11th day of October, 2005

Mike A. Howell
CHAIRMAN, MONTGOMERY COUNTY BOARD

ATTEST:
Sandy Featherston
MONTGOMERY COUNTY CLERK

November 8, 2005

Gentlemen of the Montgomery County Board

My name is Catherine (Attebery) Edmiston, and I am a Montgomery County land owner. I grew up south of Hillsboro, my roots are here. I asked for five minutes of your time to present some important information that will affect Montgomery County in years to come.

Because I am a retired teacher, and own a computer, and am able to have time to research, I've learned a great deal. I learned about the different soils in the county, and how they may be affected by longwall mining. Shoal Creek bottomland soils and some upland soils can produce prime crops, even in a year of drought. With the help of David Loucks and the Good Lord, one of my fields produced 203 bushels of corn to the acre in a drought year.

I learned about acute water problems caused by longwall mining and how loss of flow is common, and permanent loss in some cases. The lack of premining data on springs and small streams, and lack of long-term monitoring in areas where mining has occurred is a problem. Three thousand miles of waterways in Southwestern Pennsylvania have been disrupted, and entire watersheds have been destroyed by longwall mining! The Water Survey told of aquifers in Montgomery Co. that supply small towns with water. These can be destroyed by longwall mining. Water needed for homes, and livestock operations cannot be replenished in large enough amounts to be practical for farming operations. Creeks can be contaminated by coal mining operations. An Ohio farmer told me what a terrible loss it was to them when their water was taken by longwall mining! Entire rivers have been drained in Australia by longwall mining.

We only have so much fresh water in the United States Are we going to conserve it for future generations, or are we going to recklessly destroy it for a few tons of coal? "Crabtree Branch" which supplies five farms with water, and used to power the historic old "Pepper Mill" that ground grain for our forefathers is still running strong, but will it be sacrificed?

The Ohio farmer told of subsidence cracks that were a hazard to humans and animals. Methane gas seeps up from these cracks, and caused an accident when it affected a motor, and a farmer was injured. Fences have to be built to protect animals, as some of these cracks can be quite deep.

The town of Hillsboro isn't the only place in Montgomery County with Historic houses. I have a list of 75 Centennial Farms with Hillsboro, Litchfield, Irving, Coffeen addresses in Southern Montgomery County, that have been registered with Montgomery County Centennial Farms Program, Dept. of Agriculture, Springfield. Farms have houses and barns that can be included on National Register of Historic Places Both of my grandparents homes are well kept up and owned by my sister and cousin.

Coal rights were not sold under original cemeteries, one room country schoolhouses, and country churches. The ruthless coal companies even took it to court in Washington, D.C. to get permission to mine under cemeteries, in 2003, which is unbelievable, but they did! However, the Illinois State Statutes of 2004 state that mining cannot come within 100 feet of cemeteries or 300 feet of an occupied dwelling. Can you imagine bringing veterans from overseas back to Hillsboro to bury in a country cemetery, and then cause manmade earthquake damage to that grave, and risk flooding damage, by longwall mining???

There are many cases of injuries, illnesses and stress caused by doing all this damage to land owned by rural residents. This land south of Hillsboro has supported generations of families...it is their business! They hoped to leave farmland to descendants, and their farms are their retirement account, but longwall mining may take that from them! Timber will be damaged, habitat for wildlife, endangered species of plants, Indian artifacts.....Montgomery County may be changed drastically by this form of mining.

But the most surprising thing I learned was found, when my cousin, Clarence Loucks, wondered if dropping the earth with this mining, registered on the Richter scale. I started researching Mining and Earthquakes on the Internet, and found that indeed mining has caused earthquakes. Seismologists in Utah, and Wyoming have recently published studies of mining causing quakes. There was one item in the news about a South African mine causing a quake on March 9 of this year where 2400 miners were evacuated and 13 were injured. I have maps showing fault lines in Illinois, and one map sent bv Prof. John McBride of Brigham Young Univ. Utah shows three epicenters in Montgomery County and many more in Southern Illinois. We are within 250 miles of the New Madrid Seismic Region in Missouri. The studies in Utah were done because longwall mines were planned near a da It was shown that seismic waves caused a rockfall 31 miles from the mine. We have several lakes in Montgomery County very close to where longwall mining is planned, as well as farm ponds with dams. Environmentalist Jane Johnson,Gilson is helping me with this research. She said several years ago, when they were considering a nuclear waste dump in Illinois, it was decided it shouldn't go south of I-80 because of the New Madrid Seismic Region in Missouri.

Now, we are planning to do all this mining right down there next to the fault lines. How wise is this? The Litchfield paper on June 22 told of an earthquake on June 21 with an epicenter in Kentucky that shook southern Illinois. Was that caused by mining?

A lawyer informs me that Montgomery County is still the legal owner of our coal rights. Holt Coal Company just has the option. Montgomery County Board members should think long and hard about the billions of dollars damage that will be done to our county with longwall miining, and also consider that they ar- representing ALL the people in Montgomery Co, not just a few.

Perhaps they should be considering getting those rights back to the people, whose land, homes and businesses are going to have destructive damages.

Thank you for your attention.

Catherine Edmiston

BOOK 5 PAGE 340

RESOLUTION NO. 05-23

WHEREAS, pursuant to Section 21-90 of the Illinois Property Tax Code (35 ILCS 200/21-90), the County Board of Montgomery County, Illinois, has undertaken a Delinquent Tax Program for the purposes of:

(1) bringing about the recovery of delinquent real estate taxes for the benefit of all taxing districts having an interest in the particular parcel of real estate, and,

(2) in the case of property to which the County of Montgomery, as Trustee, ultimately takes a Tax Deed pursuant to the Revenue Act, it will aid in the expeditious transfer of ownership and the return of that property to a tax paying status.

WHEREAS, pursuant to this program the County of Montgomery has acquired an interest in the following described real estate:

SEE ATTACHMENT FOR LEGAL DESCRIPTION

Parcel Index # 13-000-530-00

as described in Certificate No. 256 sold October 31, 1994.

WHEREAS, a public auction was held March 30, 2005, where the subject property was offered for sale. A bid price was offered of at least or in excess of the minimum bid set prior thereto.

NOW THEREFORE BE IT RESOLVED by the County Board of Montgomery County, Illinois, that the Chairman of the Board of Montgomery County, Illinois, be authorized to execute a deed of conveyance of the County's interest of the above described real estate. Proceeds from sale shall be paid to the Treasurer of Montgomery County, Illinois, and to be distributed according to law.

APPROVED AND ADOPTED at a regular meeting of the Montgomery County Board, Montgomery County, State of Illinois this 8th day of November, 2005.

Mike A. Haven

CHAIRMAN

ATTEST:

Sandy Leitheiser

Clerk of the Board

Permanent Index No.: 13-000-530-00

## ATTACHMENT
## LEGAL DESCRIPTION

All of Lot Nine (9) and the southeasterly 18 feet of Lot Eight (8) in Block Nine (9) of the Original Town, now Village, of Raymond, Illinois, more particularly described as follows: Beginning at the intersection of the northerly line of Highway #48 (O'Bannon Street) and the easterly line of Broad Street; thence Northwesterly along the easterly line of Broad Street 68 feet to a point; thence Northeasterly, parallel with the northerly line of Highway #48 (O'Bannon Street) 134 feet to the westerly line of an alley; thence Southeasterly along the westerly line of said alley 68 feet to the northerly line of Highway #48 (O'Bannon Street); thence Southwesterly along the northerly line of Highway #48 (O'Bannon Street) 134 feet to the point of beginning, situated in the Village of Raymond, Montgomery County, Illinois

BOOK 5 PAGE 342

200500029660
Filed for Record in
MONTGOMERY COUNTY, IL
SANDY LEITHEISER
11-08-2005 At 01:58 pm.
QUIT CLAIM 25.00
OR Book 1100 Page 17 - 18

Instrument Book Page
200500029660 OR 1100 17

# DEED

Return Deed &
Mail Tax Statement To:

County of Montgomery
P.O. Box 596
Hillsboro, IL 62049

THIS INDENTURE WITNESSETH, that the Grantor, MONTGOMERY COUNTY, TRUSTEE, (for all taxing districts having an interest herein), of the State of Illinois, for the consideration of the sum of -- TEN AND NO/100 -- Dollars and pursuant to authority given by the County Board of Montgomery County, Illinois, under Resolution duly adopted on May 17, 1994 does hereby CONVEY AND QUIT CLAIM TO: COUNTY OF MONTGOMERY

all interest in the following described real estate, situated in the County of Montgomery and State of Illinois:

SEE ATTACHMENT FOR LEGAL DESCRIPTION

Permanent Index No.: 13-000-530-00

Grantee to assume payment of the taxes for the year 2006 and thereafter.

IN WITNESS WHEREOF, the said MONTGOMERY County, Trustee, has caused its name to be signed hereto and its corporate seal affixed hereto by MICHAEL HAVERA, Chairman of the County Board of County, Illinois, on the 8th day of November, 2005.

ATTEST:

Sandy Leitheiser
County Clerk of Montgomery County, Illinois

MONTGOMERY COUNTY, TRUSTEE

Mike A. Havera
Chairman of the County Board of Montgomery County, Illinois

STATE OF ILLINOIS )
) ss.
COUNTY OF MONTGOMERY )

I, the undersigned, a notary public in and for said County in the State aforesaid, do here by certify that MICHAEL HAVERA, CHAIRMAN OF THE COUNTY BOARD, MONTGOMERY COUNTY, ILLINOIS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day, in person, and acknowledged that he signed, sealed and delivered the said instrument as such chairman of the County Board of Montgomery County, Illinois, caused the corporate seal of said County of Montgomery, Illinois, to be affixed thereon, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 8th day of November 2005.

"Exempt under provisions of Paragraph 'F',
Section 4, Real Estate Transfer Act."

Buyer, Seller or Representative

Vicky L. Murphy
NOTARY PUBLIC

OFFICIAL SEAL
VICKY L. MURPHY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5-19-2008

This Instrument Drafted by Dennis D. Ballinger

Instrument 200500029660 OR Book 1100 Page 18

Permanent Index No.: 13-000-530-00

## ATTACHMENT
## LEGAL DESCRIPTION

All of Lot Nine (9) and the southeasterly 18 feet of Lot Eight (8) in Block Nine (9) of the Original Town, now Village, of Raymond, Illinois, more particularly described as follows: Beginning at the intersection of the northerly line of Highway #48 (O'Bannon Street) and the easterly line of Broad Street; thence Northwesterly along the easterly line of Broad Street 68 feet to a point; thence Northeasterly, parallel with the northerly line of Highway #48 (O'Bannon Street) 134 feet to the westerly line of an alley; thence Southeasterly along the westerly line of said alley 68 feet to the northerly line of Highway #48 (O'Bannon Street); thence Southwesterly along the northerly line of Highway #48 (O'Bannon Street) 134 feet to the point of beginning, situated in the Village of Raymond, Montgomery County, Illinois

RESOLUTION 05-24

TO AMEND FISCAL YEAR 2005 FINANCIAL APPROPRIATION ORDINANCE

WHEREAS, the Finance Committee of Montgomery County has reviewed the FY 05 APPRORIATION ORDINANCE and determined a need to increase said ORDINANCE by Four Hundred Fifty-three Thousand Dollars and No Cents ($453,000.00) for the purposes of:

| | |
|---|---|
| Courthouse Roof Repair | $ 64,000; |
| Elections | $ 40,000; |
| Real Estate Transfer Tax | $ 44,000; |
| Employee Health Insurance | $ 93,000; |
| Replace Sheriff Vehicles | $144,000; |
| Emergency Management Equipment | $ 68,000. |

WHEREAS, said Committee has duly considered said amendment in light of the financial condition of said County, and

WHEREAS, said Committee has made its recommendations to the full Board of the County of Montgomery;

BE IT THEREFORE ADOPTED AND RESOLVED by the County Board of Montgomery County, meeting in adjourned session of its annual September meeting of the year 2005, that the attached Amended Financial Appropriation Ordinance for Fiscal Year 2005 which commenced December 1, 2004, and ends November 30, 2005, is hereby adopted and approved, said Amended Ordinance setting forth amended appropriations totaling the sum of Fifteen Million, One Hundred Seventy-nine Thousand, Four Hundred Forty-seven Dollars and No Cents ($15,179,447.00).

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

AYES: 21

NAYES: 0

PRESENT: 21

ABSENT: 0

BOOK 5 PAGE 345

RESOLUTION 05-25

TO ADOPT FISCAL YEAR 2006 FINANCIAL APPROPRIATION ORDINANCE

WHEREAS, the Finance Committee of Montgomery County has conducted hearings upon the budget requests and requirements of the various offices and departments of the County of Montgomery, and

WHEREAS, said Committee has duly considered said request in light of the financial condition of said County, and

WHEREAS, said Committee has made its recommendations to the full Board of the County of Montgomery;

BE IT THEREFORE ADOPTED AND RESOLVED by the County Board of Montgomery County, meeting in recessed session of its annual September meeting of the year 2005, that the attached Financial Appropriation Ordinance for Fiscal Year 2006 which commences December 1, 2005, and ends November 30, 2006, is hereby adopted and approved, said Ordinance setting forth appropriations totaling the sum of Sixteen Million, Three Hundred Forty-three Thousand, Two Hundred Sixty-three Dollars and No Cents. ($16,343,263.00).

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

AYES: 21

NAYES: 0

PRESENT: 21

ABSENT: 0

BOOK 5 PAGE 346

RESOLUTION 05-26

A TAX LEVY FOR THE GENERAL CORPORATE FUND

BE IT HEREBY RESOLVED by the County Board of Montgomery County, Illinois, meeting in recessed session of its annual September meeting of the year 2005, after having ascertained the sum of Six Hundred Thirty-seven Thousand, Eight Hundred Seventy-five Dollars and No Cents ($637,875.00) as being necessary to be raised for General County purposes for the current taxable year.

WHEREFORE, there be and there is hereby levied against all the taxable property in the County of Montgomery, State of Illinois, for the current taxable year, the sum of Six Hundred Thirty-seven Thousand, Eight Hundred Seventy-five Dollars and No Cents ($637,875.00) and the County Clerk is hereby authorized to extend such percent on the Collector's books for the current taxable year against all of the taxable property within Montgomery County as will raise the sum of Six Hundred Thirty-seven Thousand, Eight Hundred Seventy-five Dollars and No Cents ($637,875.00) provided that the percent of levy shall not exceed .2025 percent of the value of all taxable property in Montgomery County as equalized or assessed by the Department of Revenue.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

BOOK 5 PAGE 347

RESOLUTION 05-27

A TAX LEVY FOR THE COUNTY HEALTH DEPARTMENT

BE IT HEREBY RESOLVED by the County Board of Montgomery County, meeting in recessed session of its annual September meeting of the year 2005, that for the purpose of the maintenance of a County Health Department in Montgomery County, Illinois, that the sum of Three Hundred Fifteen Thousand Dollars and No Cents ($315,000.00) is necessary.

WHEREFORE, there is hereby levied against all the taxable property in the County of Montgomery, State of Illinois for the current taxable year, the sum of Three Hundred Fifteen Thousand Dollars and No Cents ($315,000.00), and the County Clerk is hereby authorized to extend such percent on the Collector's books of Montgomery County for the current taxable year against all of the taxable property within Montgomery County as will raise the sum of Three Hundred Fifteen Thousand Dollars and No Cents ($315,000.00) provided that the percent of levy shall not exceed .l0 percent of the value of all taxable property in Montgomery County as equalized or assessed by the Department of Revenue.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

BOOK 5 PAGE 348

RESOLUTION 05- 28

A TAX LEVY FOR THE ILLINOIS MUNICIPAL RETIREMENT FUND

WHEREAS, it has been ascertained that the sum of Seven Hundred Thousand Dollars and No Cents ($700,000.00) is necessary and should be raised by the levy of a tax upon all taxable property in Montgomery County, Illinois, as equalized or assessed by the Department of Revenue, for the purpose of providing a fund from which the County's required contribution under the provisions of an Act creating the "Illinois Municipal Retirement Fund" filed July 29, 1939, as amended, is payable.

BE IT RESOLVED that there is hereby levied against all the taxable property in the County of Montgomery, for the current taxable year, the sum of Seven Hundred Thousand Dollars and No Cents ($700,000.00) for the purpose of adding to the fund from which the required contribution of Montgomery County may be paid, under the provisions of an Act creating the "Illinois Municipal Retirement Fund", filed July 29, 1939 as amended.

BE IT FURTHER RESOLVED that the County Clerk of Montgomery County, extend such percent on the Collector's Books of the County for the current taxable year against all taxable property in the County as will raise the sum of Seven Hundred Thousand Dollars and No Cents ($700,000.00). The tax provided for herein shall be levied and collected in like manner with the general taxes of the County of Montgomery and shall be in addition to all other taxes which the County of Montgomery is now or may hereafter be authorized to levy upon all taxable property within the County, and shall be exclusive of and in addition to the amount of tax levied for general County purposes as the same may be limited by any laws of the State of Illinois.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY SANDY LEITHEISER

BOOK 5 PAGE 349

RESOLUTION 05- 29

A TAX LEVY FOR THE SOCIAL SECURITY FUND

BE IT HEREBY RESOLVED by the County Board of Montgomery County, meeting in recessed session of its annual September meeting of the year 2005, that for the purpose of adding to and maintaining the fund established to meet the cost of participating in the Federal Social Security Insurance Program and pursuant to the authority of Illinois Compiled Statutes, Chapter 40, Section 5/2-110, that there is hereby levied against all taxable property in the County of Montgomery for the current taxable year the sum of Five Hundred Thousand Dollars and No Cents ($500,000.00) for the purpose of paying said social security tax contributions from said fund.

BE IT FURTHER RESOLVED that the County Clerk of Montgomery County extend such percent on the Collector's Books of the County for the current taxable year against all taxable property in the County as will raise the sum of Five Hundred Thousand Dollars and No Cents ($500,000.00). The tax provided for herein shall be levied and collected in like manner with the general taxes of the County of Montgomery and shall be in addition to all other taxes which the County of Montgomery is now or may hereafter be authorized to levy upon all taxable property within the County, and shall be exclusive of and in addition to the amount of tax levied for general county purposes as the same may be limited by any law of the State of Illinois.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

RESOLUTION 05- 30

A TAX LEVY TO PAY THE COSTS OF INSURANCE PREMIUMS

WHEREAS, it is the duty and responsibility of and in accordance with sound financial practices for Montgomery County, Illinois, to protect itself and its assets against any liability which may be imposed upon it under the provisions of the Worker's Compensation Act, the Worker's Occupational Diseases Act and/or the Unemployment Insurance Act, all of the State of Illinois, and

WHEREAS, this County is authorized to levy a tax upon all taxable property within said county as the same is equalized or assessed by the Department of Revenue of this State, at a rate that will produce a sum of money which will be sufficient to pay the reasonable costs of protecting itself and/or its employees, by insurance, against such liability which may be imposed under such acts, and

WHEREAS, this County has duly adopted an Appropriation Ordinance for the fiscal year 2006 for the specific uses and purposes hereinafter set forth.

NOW THEREFORE BE IT RESOLVED by the County Board of Montgomery County, Illinois, that there be and there is hereby levied upon all the taxable property in this County, as equalized or assessed by the Department of Revenue, of the State of Illinois, for the current taxable year, the sum of Three Hundred Thousand Dollars and No Cents ($300,000.00) for the payment of insurance premiums for the protection of said county against liability which may be imposed upon it under the provisions of:

The Workmen's Compensation Act of the State of Illinois,

The Unemployment Insurance Act of the State of Illinois, and

Property and Liability Insurance.

BE IT FURTHER RESOLVED that the County Clerk of this County shall extend this tax for the current taxable year upon all taxable property in Montgomery County, Illinois, as the same is equalized or assessed by the Department of Revenue of this State, at a rate which will produce the amount of this levy and this tax shall be levied and collected in like manner with the general taxes of this County and this tax shall be and is exclusive of and in addition to the amount of tax levied for general County purposes. All monies derived from this levy shall be used for no other purpose than that set out herein.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

BOOK 5 PAGE 351

RESOLUTION 05-31

A TAX LEVY FOR THE TUBERCULOSIS CARE AND TREATMENT FUND

BE IT RESOLVED by the County Board of Montgomery County meeting in recessed session of its annual September meeting of the year 2005 after having ascertained the sum of Sixty-four Thousand, Four Hundred Sixty Dollars and No Cents ($64,460.00) as being necessary to be raised for the care and treatment of persons afflicted with tuberculosis in Montgomery County for the current taxable year.

WHEREFORE, there be and there is hereby levied against all taxable property in the County of Montgomery, for the current taxable year, the sum of Sixty-four Thousand, Four Hundred Sixty Dollars and No Cents ($64,460.00) to be held in and known as the Tuberculosis Care and Treatment Fund, and the County Clerk is hereby authorized to extend such percent on the Collector's books for the current taxable year against all the taxable property within Montgomery County as will raise the sum of Sixty-four Thousand, Four Hundred Sixty Dollars and No Cents ($64,460.00) provided that the percent of levy shall not exceed .075 percent of the value of all taxable property in Montgomery County, as equalized or assessed by the Department of Revenue.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

BOOK 5 PAGE 352

**RESOLUTION 05-32**

**A TAX LEVY FOR THE COUNTY HIGHWAY FUND**

**WHEREAS, it has been determined that the amount of money as stated below is necessary and should be raised by the levy of a County Highway Tax for the purpose of maintaining the highways in Montgomery County, Illinois, required to be maintained and/or for the purpose of acquiring machinery and equipment for the maintenance of highways in Montgomery County, Illinois, required to be maintained, upon all the real estate and taxable property in the County as the same is equalized and assessed for the purpose of taxation for the current year, said amount of money being Three Hundred Fifteen Thousand Dollars and No Cents ($315,000.00) and for the specific purposes hereinafter set forth:**

**For the purpose of maintaining the highways in Montgomery County, Illinois, as required to be maintained by said County.....$315,000.00**

**BE IT HEREBY RESOLVED by the County Board of Montgomery County meeting in recessed session of its annual September meeting of the year 2005 that there be and there is hereby levied against all taxable property in the County of Montgomery, State of Illinois, for the current taxable year, and to be known as and held in the County Highway Fund the sum of Three Hundred Fifteen Thousand Dollars and No Cents ($315,000.00), and the County Clerk is hereby authorized to extend such percent on the Collector's Books of said County for the current taxable year against all of the taxable property that will raise the sum of Three Hundred Fifteen Thousand Dollars and No Cents ($315,000.00), provided that the percent of levy shall not exceed .10 percent of the full, fair cash value of such taxable property as equalized or assessed by the Department of Revenue or exceed the maximum percentage of the full, fair cash value as limited or governed by the laws of the State of Illinois.**

**APPROVED and ADOPTED this 8th day of November, 2005.**

Mike A. Havera

**CHAIRMAN MIKE HAVERA**

**ATTEST:**

Sandy Leitheiser

**COUNTY CLERK SANDY LEITHEISER**

RESOLUTION 05- 33

A TAX LEVY FOR THE COUNTY HIGHWAY FEDERAL AID MATCHING FUND

BE IT HEREBY RESOLVED by the County Board of Montgomery County that there be and there is hereby levied against all of the taxable property in the County of Montgomery for the current taxable year the sum of One Hundred Fifty-seven Thousand, Five Hundred Dollars and No Cents ($157,500.00) for the purpose of providing funds to pay the proportionate share of Montgomery County of the expenses in constructing highways in the Federal Aid Secondary System as is provided by law.

BE IT FURTHER RESOLVED that the County Clerk of Montgomery County extend such percent on the Collector's Books of said County for the current taxable year against all of the taxable property in said County as will raise the sum of One Hundred Fifty-seven Thousand, Five Hundred Dollars and No Cents ($157,500.00). The tax provided for herein shall be levied and collected in like manner with the general taxes of the County of Montgomery and shall be in addition to the maximum of all other County taxes which the County is now or may hereafter be authorized by statute to levy upon the aggregate value of all taxable property within the County. Said tax, shall not be extended at a rate exceeding .05 percent of the full, fair cash value of all taxable property, as equalized or assessed by the Department of Revenue of the State of Illinois and upon ascertaining the rate percent that will produce the amount of such tax so levied herein any sum or amount to cover the loss or costs of collecting said tax. All monies derived from the "Matching Fund" shall be used for no other purpose.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

BOOK 5 PAGE 354

RESOLUTION 05- 34

A TAX LEVY FOR THE SPECIAL AID TO COUNTY BRIDGE FUND

WHEREAS, it has been determined that the amount of money as stated below be raised for the purpose of administering Sections 5-501, 5-502, 5-503 and 5-504 of the Illinois Highway Code, and more specifically herein after set forth, on all the taxable property in the county as the same is equalized and assessed by the Department of Revenue for the purpose of taxation for the current year, said amount of money being the sum of One Hundred Fifty-seven Thousand, Five Hundred Dollars and No Cents ($157,500.00) and for the specified purposes hereinafter set forth.

BE IT HEREBY RESOLVED by the County Board of Montgomery County that for the following purposes and in the following amounts:

For the purpose of building and maintaining bridges on Road Districts and County roads in Montgomery County, Illinois.....$157,500.00

That there be and there is hereby levied against all of the taxable property in the County of Montgomery, State of Illinois for the current taxable year, and to be known as and held in the "County Bridge Fund" the sum of One Hundred Fifty-seven Thousand, Five Hundred Dollars and No Cents ($157,500.00) provided that the percent of levy shall not exceed .05 percent of the full, fair cash value of such taxable property as equalized or assessed by the Department of Revenue. The tax provided for herein shall be in excess of any other rate limitations and shall be levied and collected for general County purposes.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

BOOK 5 PAGE 355

RESOLUTION 05-35

A TAX LEVY FOR THE COUNTY EXTENSION SERVICE

WHEREAS, the Extension Council for Montgomery County, Illinois, has submitted its budget request to the Montgomery County Extension Board for Fiscal Year 2006; and

WHEREAS, a majority of the electors of Montgomery County have voted to adopt a levy for funding of the extension service program, pursuant to the County Cooperative Extension Law, Illinois Compiled Statutes, Chapter 505, Section 45, et. seq, and

WHEREAS, the Montgomery County Board has now considered the budget certified by the Montgomery County Extension Board, and has determined the following amount must be funded by special levy for Cooperative Extension Service programs in Montgomery County: $146,000.00.

BE IT HEREBY RESOLVED by the County Board of Montgomery County, Illinois, meeting in recessed session of its annual September meeting of the year 2005, after having ascertained the sum of One Hundred Forty-six Thousand Dollars and No Cents ($146,000.00) as being necessary to be raised for County Extension Service purposes for the current taxable year.

WHEREFORE, there be and there is hereby levied against all the taxable property in the County of Montgomery, State of Illinois, for the current taxable year, the sum of One Hundred Forty-six Thousand Dollars and No Cents ($146,000.00) and the County Clerk is hereby authorized to extend such percent on the Collector's books for the current taxable year against all of the taxable property within Montgomery County as will raise the sum of One Hundred Forty-six Thousand Dollars and No Cents ($146,000.00), provided that the percent of levy shall not exceed .05 percent of the value of all taxable property in Montgomery County as equalized or assessed by the Department of Revenue.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

RESOLUTION 05-36

A TAX LEVY FOR SENIOR CITIZEN SOCIAL SERVICES

WHEREAS, a majority of the electors of Montgomery County have voted to adopt a levy for funding social services for senior citizens, pursuant to Illinois Compiled Statutes, Chapter 55, Section 5/5-1034, et. seq, and

WHEREAS, the Montgomery County Board has determined the following amount must be funded by special levy for social services for senior citizens in Montgomery County: $50,000.00.

BE IT HEREBY RESOLVED by the County Board of Montgomery County, Illinois, meeting in recessed session of its annual September meeting of the year 2005, after having ascertained the sum of Fifty Thousand Dollars and No Cents ($50,000.00) as being necessary to be raised for social services for senior citizens for the current taxable year.

WHEREFORE, there be and there is hereby levied against all the taxable property in the County of Montgomery, State of Illinois, for the current taxable year, the sum of Fifty Thousand Dollars and No Cents ($50,000.00) and the County Clerk is hereby authorized to extend such percent on the Collector's books for the current taxable year against all of the taxable property within Montgomery County as will raise the sum of Fifty Thousand Dollars and No Cents ($50,000.00), provided that the percent of levy shall not exceed .025 percent of the value of all taxable property in Montgomery County as equalized or assessed by the Department of Revenue.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

BOOK 5 PAGE 357

RESOLUTION 05-37

A TAX LEVY FOR VETERANS ASSISTANCE

BE IT HEREBY RESOLVED by the County Board of Montgomery County, Illinois, meeting in recessed session of its annual September meeting of the year 2005, after having ascertained the sum of Sixty-two Thousand Dollars and No Cents ($62,000.00) as being necessary to be raised for providing assistance to military veterans and their families for the current taxable year.

WHEREFORE, there be and there is hereby levied against all the taxable property in the County of Montgomery, State of Illinois, for the current taxable year, the sum of Sixty-two Thousand Dollars and No Cents ($62,000.00) and the County Clerk is hereby authorized to extend such percent on the Collector's books for the current taxable year against all of the taxable property within Montgomery County as will raise the sum of Sixty-two Thousand Dollars and No Cents ($62,000.00) provided that the percent of levy shall not exceed .02 percent of the value of all taxable property in Montgomery County as equalized or assessed by the Department of Revenue.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

BOOK 5 PAGE 358

RESOLUTION 05- 38

BE IT HEREBY RESOLVED by the County Board of Montgomery County that the following salaries for the Fiscal Year 2006 beginning December 1, 2005, and ending November 30, 2006, are set for the following department heads:

| | |
|---|---|
| SUPERVISOR OF ASSESSMENTS | $ 42,860.00 |
| PROBATION OFFICER | $ 38,920.00 |
| ASSISTANT PROBATION OFFICERS | $133,558.00 |

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera

CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser

COUNTY CLERK SANDY LEITHEISER

BOOK 5 PAGE 359

RESOLUTION 05-39

AUTHORIZING STATE'S ATTORNEYS APPELLATE PROSECUTOR

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Judicial Districts containing less than 3,000,000 inhabitants; and

WHEREAS, the powers and duties of the Office of the State's Attorneys Appellate Prosecutor are defined and enumerated in the "State's Attorneys Appellate Prosecutor's Act", 725 ILCS 210/1 et seq., as amended; and

WHEREAS, the Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives county approval and support rom within the respective Judicial Districts eligible to apply; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor shall administer the operation of the appellate offices so as to insure that all participating State's Attorneys continue to have final authority in preparation, filing, and arguing of all appellate briefs and any trial assistance; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor and the Illinois General Assembly have reviewed and approved a budget for Fiscal Year 2006, which funds will provide for the continued operation of the Office of the State's Attorneys Appellate Prosecutor.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Board, in recessed session of its annual September meeting of the year 2005, this 8th day of November 2005, does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its gent to administer the operation of the appellate offices and process said appellate court cases for this County.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorneys of this County in the appeal of all cases, when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney prepare, file, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the State's Attorney's duties under the Illinois Public Labor Relations Act, including negotiations thereunder, as well as in the trial and appeal of tax objections.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist the State's Attorney of this County in the lischarge of the State's Attorney's duties in the prosecution and trial of other cases, and may

RESOLUTION 05 39

AUTHORIZING STATE'S ATTORNEYS APPELLATE PROSECUTOR (continued)

act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

BE IT FURTHER RESOLVED that the Montgomery County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2006, commencing December 1, 2005, and ending November 30, 2006, by hereby appropriating the sum of $11,000 as consideration for the express purpose of providing a portion of the funds required for financing the operation of the Office of the State's Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the Fiscal Year 2006.

APPROVED and ADOPTED this 8th day of November, 2005.

Mike A. Havera
CHAIRMAN MIKE HAVERA

ATTEST:

Sandy Leitheiser
COUNTY CLERK SANDY LEITHEISER

BOOK 5 PAGE 361

**RESOLUTION #05-40**

**AFFIDAVIT FOR PURPOSE OF ILLINOIS PLAT ACT 765 ILCS 205/1 COMPLIANCE**

**BE IT RESOLVED** by the Montgomery County Board that in order to assist in the proper and legal transfer of title to lands within Montgomery County, the Montgomery County Board hereby adopts the following resolution which requires that before any deed, contract for deed, lease or any other document transferring interest in land located in Montgomery County, Illinois be accepted for recordation, that the grantor or person conveying his/her interest in the described property execute an Affidavit as attached hereto and made a part hereof.

**FURTHER,** that the Montgomery County Clerk/Recorder of Deeds shall require that on or after **January 1st, 2006**, no document of transfer of land located in Montgomery County, Illinois received by the Montgomery County Clerk/Recorder of Deeds shall be recorded unless the attached affidavit has been completed and is recorded with the document of transfer of land as an additional page to that document of transfer of land.

**SUBSCRIBED AND SWORN BEFORE ME THIS 8th DAY OF NOVEMBER, 2005.**

Mike A. Havera

**Mike Havera, Chairman**
**Montgomery County Board**

**ATTEST:** Sandy Leitheiser

**Sandy Leitheiser**
**Montgomery County Clerk/Recorder**

BOOK 5 PAGE 362 Res. 05-41

# RESOULTION SUPPORTING THE FUTUREGEN PROJECT TO BE LOCATED IN SOUTHERN ILLINOIS

WHEREAS, President Bush has proposed building a 275-megawatt prototype power plant with emissions equal to those of natural gas in 2003. The process will begin soon to select a site to build the power plant, known as FUTUREGEN; and

WHEREAS, County of Montgomery believes Southern Illinois has all of the natural resources necessary to make the plant successful and has strong community support throughout southern Illinois. The region is rich in high-sulfur coal reserves and the Coal Center at SIUC is located in southern Illinois. Coal underlies 65 percent of the state's surface and the Illinois coal industry annually produces approximately 35 million tons of coal and generates more than $1 billion in gross revenues; and

WHEREAS, Illinois has almost one-eighth of the coal reserves in the United States and one-quarter of the nation's bituminous coal reserves. Illinois' coal reserves contain more BTU's than the oil reserves of Saudi Arabia and Kuwait; and

WHEREAS, FUTUREGEN is a planned $1 billion government and industry partnership project by the US Department of Energy to design and operate a nearly emission-free coal-fired electric and hydrogen power plant; and

WHEREAS, all communities in southern Illinois want to ensure the economic vitality of their respective communities and of the counties as a whole; and

WHEREAS, FUTUREGEN will provide construction jobs and permanent jobs; and

WHEREAS, the history of our communities and our residents, which once depended upon the economic stability of coal-mining jobs, has the opportunity to be dramatically impacted in the future by the new coal technologies planned for use at FUTUREGEN.

NOW THEREFORE BE IT RESOLVED that the County of Montgomery in the State of Illinois, strongly supports the FUTURE GENERATION project and believes that the FUTUREGEN plant should be built in southern Illinois.

PASSED on this 8th day of November, 2005 and APPROVED by its Chairman of the Montgomery County Board on this 8th day of November, 2005.

APPROVED:

Mike A. Haven

Montgomery County Chairman

ATTEST:

Sandy Litherland

Montgomery County Clerk