

# Montgomery County Board Minutes

For Tuesday, May 10<sup>th</sup>, 2005 – 8:30 AM

The following are minutes of a regular meeting of the Montgomery County Board held at 8:30 AM on Tuesday, May 10<sup>th</sup>, 2005 in the County Board Chambers of the Historic Courthouse, Hillsboro, Illinois.

**The meeting was called to order by County Board Chairman Mike Havera.**

**Roll call was taken, 21 members present, 0 absent.**

**Members Present:** Nelson Aumann, Mary Bathurst, George Blankenship, Terry Bone, Bonnie Branum, Ronald Deabenderfer, Toby Dean, John Downs, Robert Durbin, Mike Havera, Dave Heaton, Edward Helgen, Keith Horn, Dennis Jagodzinski, Frank Komor, Roger Myers, Dale Ogden, Glenn Painter, Don Petty, Mike Plunkett, Bill Sielschott.

**Members Absent:** None

**Pledge of Allegiance to the flag was given.**

**Mileage and Per Diem Approval:**

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

**Approval of Minutes of Previous County Board Meeting:**

**Motion by Myers, second by Painter to approve the Minutes of the Previously Adjourned County Board Meeting held on Tuesday, April 12<sup>th</sup>, 2005. All in favor, motion carried.**

**CONSENT AGENDA:**

1. **Circuit Clerk's Report** – submitted.
2. **County Treasurer's Report** – Ron Jenkins was present for questions.
3. **County Clerk and Recorder's Report** – Sandy Leitheiser was present for questions and stated that the newly elected Township Officials list was updated and handed out to board members.
4. **Sheriff's Report** – Jim Vazzi was present for questions.
5. **Health Department Report** – Hugh Satterlee was present for questions and handed out proposed changes in the County Resolution 88-16 Private Sewage Disposal System Ordinance and the county Food Service Sanitation Ordinance. Satterlee stated that the Health Board will review and vote on changes at their next board meeting, and county liaison George Blankenship stated that the meeting date to review the changes has changed to the July 2005 Health Board meeting. After the Health Board approves the changes in the Ordinances, the proposals will be presented to the HWE Committee which will then recommend them to the Full Board.
6. **T.B. Department Report** – Kathy Tapley was present for questions.
7. **Public Defender's Report** – submitted.
8. **Probation Office Report** – submitted.
9. **911 Report** – submitted.

**APPROVAL OF 9 ITEMS ON THE CONSENT AGENDA:**

**Motion by Bone, second by Downs to approve the 9 office reports on the Consent Agenda. All in favor, motion carried.**

**COMMITTEE REPORTS:**

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

1. **Public Transportation Ordinance #05-02 Approval:** Linda Mitchell, Chief Operations Officer for CEFS, was at the board meeting to present an Ordinance that authorizes an application to the Division of Public Transportation and Illinois Department of Transportation for operating assistance for public transportation in Montgomery County. (Clerk Leitheiser reads Ordinance). **Motion by Sielschott, second by Aumann to accept the CEFS Ordinance to provide for Public Transportation in Montgomery County. All in favor, motion carried. (See Resolution Book 5, page 243).**

2. **Intergovernmental Agreement Approval:** Mitchell also presented an Intergovernmental Agreement between Shelby, Fayette, Clay, Moultrie, Douglas and Montgomery counties for the provision of public transportation. **Motion by Sielschott, second by Helgen to approve the Intergovernmental Agreement between Shelby, Fayette, Clay, Moultrie, Douglas and Montgomery counties. All in favor, motion carried. (See Resolution Book 5, pages 244-245).**
3. **Approval of Resolution #05-03 to Establish a Uniform Real-Estate Transfer Tax:** County Clerk Leitheiser reported to the board about a Uniform Real Estate Transfer Tax Resolution that would impose a county tax in addition to an existing state tax on the property transfers of controlling interest, including ground leases. Public Act 93-657, effective on June 1, 2004, failed to authorize counties to collect the transfer tax, and in order to correct this oversight, the State of Illinois has passed Public Act 93-1099, which will become effective on June 1, 2005 which will authorize counties to impose the above listed tax. Clerk Leitheiser thanked State Legislators Hannig and Demuzio for their assistance in passing this law so that the county could receive the transfer tax monies already in place for other real estate transfers. **Motion by Sielschott, second by Downs to approve the resolution to establish a Uniform Real Estate Transfer Tax for Montgomery County. Discussion, all in favor, motion carried. (See Resolution Book page 246).**
4. **Approval of Resolution #05-04 Establishing a Capitalization Policy:** Ron Jenkins stated that under GASB 34 legal requirements, the county needs to establish a policy for capitalizing the county's assets, which would be followed for every asset the county acquires over \$5,000.00. **Motion by Sielschott, second by Plunkett to approve the resolution establishing a Capitalization Policy for Montgomery County. All in favor, motion carried. (See Resolution Book 5, pages 247-248).**
5. **Approval to Convey Tax Deed on Parcel ID #04-001-250-00 in the City of Coffeen- Resolution 05-05:** **Motion by Sielschott, second by Bone to convey Tax Deed on parcel ID #04-001-250-00 in the City of Coffeen. All in favor, motion carried. (See Resolution Book 5, pages 249-252).**
6. **Approval to Convey Tax Deed on Parcel ID #10-001-204-00 in the City of Nokomis- Resolution 05-06:** **Motion by Sielschott, second by Aumann to convey Tax Deed on parcel ID #10-001-204-00 in the City of Nokomis. All in favor, motion carried. (See Resolution Book 5, pages 253-254).**
7. **Approval to Convey Tax Deed on Parcel ID #19-000-137-00 in Zanesville Township- Resolution 05-07:** **Motion by Sielschott, second by Ogden to convey Tax Deed on parcel ID #19-000-137-00 in Zanesville Township. All in favor, motion carried. (See Resolution Book 5, pages 255-256).**
8. **Circuit Clerk AS4000 Computer System Approval:** Sielschott reported that the current computer system in the Circuit Clerk's Office which records fees and schedules for court purposes needs replaced. Circuit Clerk Mary Webb needs the approval of the County Board and the Chief Judge to replace the system, and submitted a proposal of approximately \$38,349.00 for hardware and software. Webb has \$251,000 in the Document Storage fund and \$284,000 in the Automation Fund that can be used to cover the cost of the system, so no monies would come out of the General Fund. **Motion by Sielschott, second by Myers to approve the purchase of a new AS4000 computer system from Levi Ray and Shoup, Inc., not to exceed \$40,000.00. All in favor, motion carried.**
9. **Senate Bill 75 Rental Housing Support Program Update:** Sielschott reported that Senate Bill 75 Rental Housing Support Program has passed both houses as of May 4<sup>th</sup>, 2005 and is awaiting the Governor's signature. The bill would go into effect on July 1, 2005 and require the county recorder to collect a \$10.00 surcharge for recording all real estate documents, with 50 cents to be deposited into the county's general fund, 50 cents to the Recorder's fund and the remaining \$9.00 sent to the State of Illinois to the Rental Housing Support Program Fund.
10. **Statewide Records Fee Schedule Update:** Sielschott reported that Clerk Leitheiser had submitted a survey spreadsheet at the committee meeting that showed Recording Fees for each county in Illinois. Montgomery County currently charges \$29.00 for the first four pages for recording fees, which puts the county in the middle range of other county recording fees, which vary from \$15.00 to \$45.00 statewide.

11. **2006 Budget Update:** The Finance Committee will be sending out a letter to Office Holders at the end of May regarding the Fiscal Year 2006 budget hearings. Sielschott stated that the letter is intended only as a *guideline* to aid Office Holders in making out their budgets.
12. **Real Estate Taxation Update:** Sielschott reported that the *Tentative* County Equalized Assessed Valuation is \$306,054,000. The Equalized Assessed Valuation decreased about \$9,000,000 as a result of lower Farmland assessments and increase in exemptions due to Public Act 93-715. The abstract has been sent to the State Department of Revenue and the County Clerk's Office is waiting on the final multiplier. Sielschott stated that assessors had their books turned in on time and thanked the Supervisor of Assessments office and the County Clerk's office for doing a good job. The *Tentative* Real Estate tax schedule is as follows: Tax bills will go out in early June and the first installment will be due July 22<sup>nd</sup>, 2005 with the second installment due on September 2<sup>nd</sup>, 2005. Sielschott reiterated that these dates are *Tentative*.

**ROAD AND BRIDGE COMMITTEE REPORT:** Given by Chairman Bonnie Branum as follows:

1. **Award of 1998 15' Model #2615 Legend Bat Wing Mower:** Branum reported that the committee decided to put the bat wing mower out for bid since there were some townships interested in purchasing it. Two bids were received from East Fork Township and Butler Grove Township, with East Fork's bid was \$2,751.00 and Butler Grove's bid was \$2,503.57. **Motion by Branum, second by Blankenship to sell the Bat Wing mower to East Fork Township for \$2,751.00. All in favor, motion carried.**
2. **Farmersville Overpass Update:** Branum referred to Engineer McNeal to update the board on the Farmersville Overpass project. McNeal stated that she hired a consultant to review the needed repairs to the Overpass approaches. The consultant gave an estimate of \$360,000 to repair with partial depth patches. McNeal then put in an application to get grant money to fix the approaches, and the grant money was received for approximately 80% of the project in the amount of \$286,000. IDOT is now informing her that the county must fix the approaches to their specifications and remove all of the pavement and add a 4" overlay. This would include tearing out and replacing the median. McNeal stated that just to upgrade the west side of the overpass to the State specifications would cost approximately \$600,000 and not \$360,000 as was previously projected for the entire project, and said that IDOT initially had the Farmersville overpass upgrade in their budget, but when they discovered that the county owned the approaches, they scrapped the project. McNeal went to DCEO to see about getting more grant funds and was told that they cannot give out any more money for the project and that the county does not need to abide by the IDOT mandate since the county does not have the funds for that kind of an upgrade. McNeal stated that the Road and Bridge Committee thought it would be a good idea to invite Hannig, Demuzio, DCEO, IDOT and Chairman Havera to the next committee meeting on June 8<sup>th</sup>, 2005 at 8:30 AM to hopefully resolve the issue. Plunkett asked about the shoddy aggregate material that was initially put into the overpass, and if the material was bad in the first place then shouldn't the State replace it and also, does the State have the legal right to tell the county how to fix its roads. McNeal stated that most of the overpasses were installed with this aggregate at that time and the State interprets the county agreement to mean that they have jurisdiction on how the approaches must be repaired or upgraded.

**HWE COMMITTEE REPORT:** Given by Chairman Bob Durbin as follows:

1. **Polling Place ADA Requirements Update:** Durbin, Clerk Leitheiser and Springfield Center for Independent Living Accessibility Advocate Starla Norris went to each polling location last week to evaluate the buildings for ADA accessibility. Leitheiser will be checking into grants and other sources to generate revenue to help bring polling locations up to ADA code.
2. **Voting System Proposal Approval:** Durbin reported that Clerk Leitheiser presented a proposal for twenty-eight new voting machines and related equipment and software for the county's new election system. The cost for the tabulation equipment, software, printer and election services is \$187,456. Sielschott asked Leitheiser if there is enough money in this year's budget for the machines. Leitheiser stated that with the money the county will receive in Title I HAVA funding from the Illinois State Board

of Elections and an additional grant of \$7,000, the county will receive approximately \$151,000 to help with the cost of the machines. The rest of the money would come out of the County Clerk's Election fund. **Motion by Durbin, second by Petty to approve the purchase of 28, M-100 voting system units from Election Systems & Software for \$187,456. All in favor, motion carried.**

3. **Township Supervisor Compensation for Polling Place Setup Approval:** Durbin reported on a State Statute which affirms that a County Board shall compensate a township supervisor who oversees the setup of election equipment in a township with two or more polling places. The compensation is \$115.00, the same rate as an election judge. Mel Grimm and Lenny Kurfiss from Hillsboro Township had attended the HWE Committee meeting and stated that Hillsboro Township's insurance will not cover the liability on the new voting ballot boxes that would be stored at their facility. County Insurance representative Hamrock will check on the county's insurance off-site coverage of this equipment. The committee feels that the county should work with the townships to store election ballot boxes if the county insurance will cover equipment at a different location and to compensate the townships that have two or more polling places. The committee feels that compensating the six townships is the law and Leitheiser should offer the compensation for townships that oversee two or more polling locations. **Motion by Durbin, second by Helgen to approve the compensation for Townships that oversee two or more polling locations. All in favor, motion carried.**
4. **Zanesville Polling Place Elimination Update:** Durbin reported that the State ADA Representative recommended moving the Zanesville Polling place due to problems complying with ADA requirements. Leitheiser will check on the Pleasant Hill Church in Zanesville Township to see if they will allow the Polling Place in their facility and report back to the committee next month.
5. **Animal Control Ordinance Update:** Durbin reported that the committee is very close to passing the Animal Control Ordinance, however due to new State Legislative bills being presented including HB 315, the committee will wait to see if these bills pass to incorporate them in the County Ordinance. Chairman Havera stated that the ordinance needs to be presented next month and the committee can make amendments to the ordinance as needed later and directed Durbin to bring an ordinance proposal next month.
6. **Animal Control Warden Backup Update:** The committee gave approval for a current recycling center employee to provide animal control warden services when the animal control warden is ill, on vacation, etc...
7. **Recycling Update:** Coordinator Daniels reported at the committee meeting that a couple of new vendors have offered higher prices due to the increase of commingled recycled plastic. The committee authorized Daniels to negotiate and approve the best price for a load of recycled plastic when a full load is ready to be shipped.

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

1. **Consociate Care Group Approval:** Downs stated that Steve Spinner and Travis Schmid with Consociate Care Group were at the committee meeting and presented data regarding the progress of the County Employee Health Insurance from the last several months. Downs reported that insurance costs are running well and on target. Spinner and Schmid also reported on the county's reinsurance proposal exhibit. Spinner recommends going higher than the current \$35,000 Specific Deductible to possibly \$40,000 or \$45,000. **Motion by Downs, second by Painter to raise the Specific Deductible from \$35,000 to \$45,000 for the 2005 – 2006 Plan year effective June 1, 2005. All in favor, motion carried.**
2. **Mediation Circuit Clerk's Union Contract Update:** Downs reported on the mediation hearing that took place on Tuesday, May 3<sup>rd</sup>, 2005, regarding the Circuit Clerk's union contract. A tentative agreement was reached and the Circuit Clerk's union will make the changes to the contract that were agreed to with the committee reviewing these changes before the union employees vote on the contract.

**BUILDINGS AND GROUNDS COMMITTEE REPORT:** Given by Chairman Glenn Painter as follows:

1. **Historic Courthouse Roof Repair Update:** Chairman Painter reported that Young's Roofing brought in the signed contract on Thursday, May 5<sup>th</sup>, 2005 with a bid bond check. Architect David Lipe will review the contract and then get a projected start date from Young's Roofing.

2. **Parking Lot Entrance Update:** Measurements for the concrete entrance to the new parking lot have been taken and the committee will approve bids for the work this summer after the courthouse roof is completed.
3. **Prisoner Medical Expense Resolution #05-08 Approval:** Clerk Leitheiser read a resolution that would allow the County to reimburse medical costs at the Public Aid rates according to State Statute 730 ILCS 125/17 Section 17. After the resolution has passed, Sheriff Vazzi will work with Public Aid to establish the rates. **Motion by Painter, second by Heaton to approve the resolution for the county to reimburse for prisoner medical expenses at the Public Aid rate. All in favor, motion carried. (See Resolution Book 5, page 257).**
4. **Historic Courthouse ADA Compliance Update:** Painter stated that Clerk Leitheiser reported on legislation dealing with polling locations and ADA codes. An ADA representative from Springfield has worked with Clerk Leitheiser and HWE Chairman Bob Durbin in reviewing all polling places in the county for ADA accessibility. Leitheiser and Durbin will meet with the ADA representative to review conditions in the Historic Courthouse for ADA compliance on Wednesday, May 25<sup>th</sup>, 2005 at 9:30 AM.

**ESDA/AMBULANCE COMMITTEE REPORT:** Given by Chairman Dennis Jagodzinski as follows:

1. **April Ambulance Call Report:** A summary of monthly operations for April 2005 is as follows: Total calls: 331; Total amount billed: \$124,702.50; Total amount collected: \$80,023.17.
2. **Approval of the Emergency Operations Plan and Adoption of the Montgomery County Emergency Operations Procedures Manual:** Clerk Leitheiser read a Promulgation Document for the board to pass the Emergency Operations Plan for Montgomery County and approve the Emergency Operations Procedures manual. **Motion by Jagodzinski, second by Dean to approve the Montgomery County Emergency Operations Plan and Manual. All in favor, motion carried.** Vice Chairman Jagodzinski and County Board Chairman Mike Havera each have an Emergency Operations manual at their homes in case of a disaster. **(For copy of Promulgation Document, see Resolution Book 5, pages 258-261).**
3. **EMA Directors Report:** Jagodzinski reported that the collections from Public Aid this month were \$731.29. Holmes received word that the Illinois Comptroller's Office will not release any more Public Aid funds until July, 2005. The total collections for the month of April were \$80,023.17, which includes \$731.29 received from Public Aid. Jagodzinski reported that a letter was sent out to the five Ambulance agencies regarding getting reports in on time. Jagodzinski reported that they have received Litchfield's Ambulance budget for 2006, and all Budgets need to be received by July 1<sup>st</sup>, 2005. The Amateur Radio Emergency Service (ARES) is having their 25<sup>th</sup> anniversary in September. The committee approved recognizing ARES with a plaque or framed document to commemorate the services rendered to the County over the last 25 years. There has been a request made by a Christian County resident to be a non-county resident volunteer, however the committee felt that to be a volunteer a person must live in Montgomery County. Jagodzinski reported that the Montgomery County HazMat Team has been accepted by the MABAS Organization of the Special Operations Division. The team will be receiving equipment in excess of \$175,000.00 from MABAS. Some of the equipment received includes Level A suits, radios, detection equipment, SCBA's (Self Contained Breathing Apparatus) and absorption packs. Holmes went to Chicago last Thursday to collect the equipment donation and was surprised to learn that the MABAS organization gave HazMat twice as much equipment as they had originally been made aware of, equaling well over a quarter of a million dollars. The HazMat Team will hold a Spaghetti Dinner on Saturday, September 24<sup>th</sup>, 2005 at the Taylor Springs Community Center from 5:00 PM to 8:00 PM. Tickets are \$2.50 for children under 12 years of age and \$5.00 for adults. Tickets can be purchased from any HAZMAT Team member or at the door. The team may be raffling off a 4-wheeler and have a 50/50 drawing. The HazMat Team will rent booth space at various homecomings throughout

the summer and demo/display some of their equipment. There is a correction on Training Sites for the HazMat tech. B class, with the class being held the last two weekends in October in Nokomis and not in Taylor Springs, as was originally announced.

**ECONOMIC DEVELOPMENT COMMITTEE REPORT:** Given by Chairman Mike Plunkett as follows:

1. **Economic Development Corporation Update:** Plunkett stated that the Montgomery County Economic Development Corporation will be hosting a Small Business seminar on Monday, May 16<sup>th</sup>, 2005 at 5:30 PM at LLCC. General Session speakers will include: Chris Daniels – Montgomery County Enterprise Zone, Tome Henderson - State Enterprise Zone and TIF Districts and Sandy Leitheiser - Registering Assumed Business Names. Guest speakers will be presenting information on Human Resource Issues, Writing a Business Plan, Retention and Expansion Grants/Loans and Marketing your business. The MCEDC will also be hosting a seminar with the Illinois EPA on Incentives for municipalities and site owners for redeveloping Brownfields, including underground storage tanks. So far, response has been good with 10 individuals signed up who are interested in starting businesses.
2. **Ameren Railroad Spur Update:** State's Attorney Roberts attended a hearing at the Illinois Commerce Commission which will be followed up with a bus tour of the entire planned railroad spur route, which includes 11 crossings over 10 township roads and 1 county road. The price per crossing construction would start at a minimum of \$1,800 and could be as much as \$60,000 per crossing with flashing lights and cross bars.
3. **Bike Trail Update:** The concrete blocks that will be installed in front of entrances at the Bike Trail have been ordered by the Highway Department.
4. **County Web Site Update:** The committee approved Richard Slepicka to update the Calendar, County events, new board member information and add links to the county web site.

**APPROVAL OF 7 COMMITTEE REPORTS:**

**Motion by Blankenship, second by Durbin** to approve the 7 committee reports. **All in favor, motion carried.**

**CHAIRMAN'S REPORT:** Given by Chairman Mike Havera as follows:

Havera thanked the Hillsboro 2000 and Beyond Committee for their work on the flower bed in front of the Historic Courthouse each year.

**ANNOUNCEMENTS:** Havera stated that he will not be at the June Full Board meeting and that Vice Chairman Jagodzinski will chair the meeting.

**APPOINTMENTS:** **Motion by Aumann, second by Painter to approve the appointment of Dale Ogden to the Board of Review to serve the sessions of 2005 and 2006. All in favor, motion carried.**

**Motion by Blankenship, second by Durbin to approve the re-appointment of William Dooley to the Nokomis Area Fire Protection District for a three-year term. All in favor, motion carried.**

**PAY BILLS:** **Motion by Aumann, second by Petty to pay all approved bills. All in favor, motion carried.** For itemized listing of bills paid, refer to Accounts Payable Book for FY 2005.

**ADJOURN: Until the Regular Monthly Meeting on Tuesday, June 14<sup>th</sup>, 2005 at 8:30 AM.**

**Motion by Painter, second by Myers** to adjourn the Full Board Meeting. **All in favor, motion carried.** Meeting adjourned at 9:50AM.