

**Montgomery County Board  
Minutes**

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**For Tuesday, DECEMBER 9<sup>th</sup>, 2008 – 8:30 AM**

The following are minutes of a regular meeting of the Montgomery County Board held at 8:30 AM on Tuesday, December 9<sup>th</sup>, 2008 in the County Board Chambers of the Historic Courthouse, Hillsboro, Illinois.

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

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

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

**Members Absent:** George Blankenship and Joyce Matthews.

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

**Mileage and Per Diem Approval:**

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

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

**Motion by Branum, second by Helgen to approve the Minutes of the Previously Adjourned County Board Meeting held on Wednesday, November 12<sup>th</sup>, 2008. All in favor, motion carried.**

**Re-Organizational Board Meeting Minutes:** The minutes of the Re-Organizational Board Meeting will be approved at the January 13<sup>th</sup>, 2009 Full Board Meeting.

**CONSENT AGENDA:**

1. **Circuit Clerk's Report** – submitted.
2. **County Treasurer's Report** – submitted.
3. **County Clerk and Recorder's Report** – Sandy Leitheiser was present for questions and stated that the City of Witt and the City of Litchfield could possibly hold Primary Elections for 2009, and the filing period for candidates will be open until December 15<sup>th</sup>, 2008. February 24<sup>th</sup>, 2009 would be the Primary Election date if needed, and April 7<sup>th</sup>, 2009 is the date for the Consolidated Election.
4. **Sheriff's Report** – submitted.
5. **Health Department's Report** – Hugh Satterlee was present for questions.
6. **T.B. Department's Report** – Sally Adams was present for questions.
7. **Public Defender's Report** – submitted.
8. **Probation Officer's Report** – submitted.
9. **911 Coordinator's Report** – submitted.
10. **Chief Assessment Officer's Report.** – submitted.
11. **G.I.S. Coordinator's Report** – submitted.

**APPROVAL OF 11 ITEMS ON THE CONSENT AGENDA:**

**Motion by Durbin, second by Miles to approve the 11 office reports on the Consent Agenda. All in favor, motion carried.**

**COMMITTEE REPORTS:**

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

1. **Update- FAYCO Executive Director Bob Linberg:** FAYCO Executive Director Bob Linberg thanked Montgomery County Board for their help, and stated that FAYCO serves over 259 people in three county areas. FAYCO gets financial support from Bond County for \$27,000, Fayette County at \$44,000 and Montgomery County at \$20,000. At the request of Chairman Plunkett, Linberg reviewed the work activities of Fayco clients, and the various projects they have under contract.
2. **Update- Rules Committee:** The County Board Rules Committee met last Thursday, December 4<sup>th</sup>, 2008 to suggest changes to the Rules of Order of the Montgomery County Board. Plunkett stated that the recommended changes are in board members' packets for review, and stated that the Board will asked to approve the changes at the January 13<sup>th</sup>, 2009 Full Board meeting.

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

1. **Update- MFT Rock Letting:** Branum reported that there will be a Rock Letting on Tuesday, December 23<sup>rd</sup>, 2008 at 8:30 AM at the Highway Department.
2. **Approval-1064 B-CA, Nokomis and Witt Road Districts Bridge Piling Repair- Resolution #17-08:** The Nokomis and Witt Road District Bridge has bad pilings and they are in need of repairs. **Motion by Branum, second by Durbin to approve Resolution #17-08 to appropriate an amount of \$21,000 for 1064 B-CA, SN 068-3120 on Hillside Avenue, Nokomis/Witt Road District, 50% County Project; Montgomery County's Share = 0.5 (\$10,500). All in favor, motion carried. (See Resolution Book 8, pages 263-264).**
3. **Update- Walton Park Bridge:** Paperwork has been submitted to the Federal Highway Administration (FHWA) for repairs to Walton Park bridge, road and dam. The estimated cost of engineering and construction is approximately \$830,000, and FHWA may contribute from 80% to 100% of eligible cost depending on timing of work. The County will manage the project if funding is received from FHWA. Montgomery County was declared a disaster area by the Illinois Governor in September, which allows eligibility for the funding. FEMA funding may be eligible for up to 75% of the cost not covered by FHWA, and City of Litchfield Administrator Andy Ritchie is applying for FEMA funding. The County could be hearing from FHWA in two to three weeks regarding funding, and an Intergovernmental Agreement may need to be adopted. Currently discussions are taking place that would allow the City of Litchfield taking over jurisdiction of the road once the repairs are complete.
4. **Update- Rocky Hollow Bridge Repairs:** Rocky Hollow Bridge located just west of Butler is in need of its pilings being replaced. The material is ready and the pilings will be replaced as weather permits.
5. **Update- Red Ball Trail Upgrade:** Due to a very high volume of truck traffic to the Coffeen Power Plant, repairs are needed to be done to Red Ball Trail. Boehler has applied for Economic Development funds from IDOT for a 50% share funding to upgrade the Red Ball Trail from Coffeen to the curve. Boehler has had discussions with Ameren to help with the remaining 50% due to the large amount of truck traffic to the Power Plant. The upgrade would not start until 2010 to coincide with completion of the work being done at the plant; meanwhile the Highway Department will have to maintain what is currently there until the final concrete upgrade can be constructed.
6. **Update- Mine Avenue Resurfacing:** An area of Mine Avenue located west of Farmersville is deteriorating due to high traffic volumes. A consultant has sent the final design plans for resurfacing the road to the State of Illinois, and the 2.5 mile section is tentatively scheduled to be completed in the next one to two years.
7. **Update- Sign Upgrade Program:** Boehler stated that they are waiting for the final authorization from IDOT to award the contract of the Sign Upgrade Program to the low bidder.
8. **Update/Approval Audit #26 and #27 for Township Bridge & Audit #55 and #56 for Road District Motor Fuel Tax:** Boehler reported IDOT audits have been completed, received and filed, with all records showing true and correct. **Motion by Branum, second by Beck to approve Audit #26 and #27 for Township Bridge & Audit #55 and #56 for Road District Motor Fuel Tax. All in favor, motion carried.**

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

1. **Update- Coal Company Coal Rights Payment:** Sielschott deferred to Chairman Plunkett, who reported that the annual payment from the coal rights sales was received on December 5<sup>th</sup>, 2008 and was \$1,192,000.00. There are still two annual \$1 million plus interest payments that remain to be paid, plus a final payment of \$200,000.00.
2. **Approval- ROE Quarterly Report:** The Regional Office of Education Quarterly Report was approved. **Motion by Sielschott, second by Hitchings to approve the Regional Office of Education Quarterly Report. All in favor, motion carried.**
3. **Approval- Voiding of 2007 Tax Bills:** The board approved voiding the 2007 County Trustees' Tax Bills on 76 parcels. **Motion by Sielschott, second by Kuchar to approve voiding the 2007 County**

**Trustee Tax Bills for 76 parcels. All in favor, motion carried. (See Resolution Book 8, pages 265-267).**

4. **Approval- Pre-paid Vendors List Addition:** The board approved adding the GIS Lease to the Pre-paid Vendors List. **Motion by Sielschott, second by Beck to approve adding the GIS Office Lease at the Farm Bureau to the Pre-paid Vendors List. All in favor, motion carried. (See Resolution Book 8, page 268-269).**
5. **Update- Tax Cycle:** Sielschott stated that Chief Assessment Officer Ray Durston reported to the committee that the assessors have turned in all of their 2008 Real Estate Tax books, the information is being entered into the system, and work is being performed in his office to get tax bills out in June or July, 2009.
6. **Approval- GIS Equipment:** Sielschott stated that the committee approved purchasing a GPS unit for the County's 911, EMA, GIS and Highway Offices to layer data on county GIS maps. Mary Purcell has a used GPS unit that she purchased at \$6,200 and would be willing to sell it to the county for \$5,000 since she is no longer doing private sector business with it. **Motion by Sielschott, second by Aumann to purchase the used GPS unit and Analyst for \$5,000 and divide the cost between 911, EMA, GIS and Highway Departments. All in favor, motion carried.**
7. **FY 2009 Budget Books:** Sielschott stated that all members should have FY 2009 Budget Books within their materials for this meeting.

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

1. **Update- Animal Control Program:** Durbin stated that the new animal control facility now has a 911 address of 11252 North 9<sup>th</sup> Avenue, Hillsboro, and the telephone number will be 532-9532 when the facility is finished. The water and sewer lines to the facility have also been installed. The committee opened five bids for the building of the facility and will meet in a special meeting on December 16<sup>th</sup>, 2008 at 9:30 AM to review them and recommend a contractor. The parcel that the facility will be located on has been split in the real estate tax system and the annexation of that parcel was approved at the last Hillsboro City Council Meeting.
2. **Update- Recycling Program:** The grand opening for the Litchfield Recycling Center went well. There has been a request made to have the parking lot area asphalted and the committee will work with the City of Litchfield to accomplish this goal. Durbin stated that the City would do the work and the County would supply the material. Barriers will need to be installed so that people will not pull their vehicles into the recycling building. Discussion took place on repair costs to the yellow box truck at the Recycling Center, and the committee decided to get more estimates on the truck.
3. **Update- Leadership Academy Presentation:** Bob Durbin presented Mary Bathurst with a certificate for completing the Leadership Academy offered by UCCI. Bathurst stated that the Leadership Academy is valuable and helps in networking with other counties.

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

1. **Update-Meeting with Labors Union for Grievance:** Downs reported that there has been correspondence from the Sheriff's Department and the Laborer's Union on a grievance and a special meeting with the union will be held regarding the grievance on Thurs., December 11<sup>th</sup>, 2008 at 5:45 PM.
2. **Update- Jailers/Dispatchers Union Negotiations:** A Union Representative for the Jailers/Dispatchers will be sending out a packet of information soon to start union negotiations, and the contract expired on November 30<sup>th</sup>, 2008.
3. **Update- Circuit Clerk's Union Negotiations:** Downs reported that the committee discussed the items requested in the union negotiations with the Circuit Clerk's Union contract. The next meeting will be Thursday, December 11<sup>th</sup>, 2008 at 7:00 PM in the PBC room.
4. **Update- Employee Christmas Luncheon:** Downs stated that the Employee Christmas Luncheon will be held on Tuesday, December 16<sup>th</sup>, 2008 from 11:00 to 1:30 PM in the County Board Room.

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

1. **Update- Building Needs Assessment:** Chairman Bone reported that Brent Lance and Tom Baker from Hurst/Rosche gave a presentation regarding their proposal to do design work to renovate/restore the Historic Courthouse. This scope of work would be a detailed plan to see how much the renovation

would cost. The cost of the proposal is \$28,500 for services that will include determination of specific space for building use, floor plans, mechanical systems and specific structural requirements. Lance reported to the committee that permission would need to be given by the Illinois Historic Preservation Agency on several aspects of renovation, since the Historic Courthouse is on the National Historic Register. Engineers will also need to see how renovations to the board room would affect the historical value of the building. The committee discussed the challenges of renovating a building with offices occupying the current space and trying to move offices around. Bone stated that Engineer Boehler advises that all renovations meet proper codes and that the scope of work that Hurst-Rosche would perform would include a structural evaluation of the Historic Courthouse to meet current standards. Aumann stated that he is not in favor of the agreement and stated that the building is functionally obsolete and the County should not spend \$28,500 for this proposal. Plunkett stated that the County has the funding to address immediate need for the Historic Courthouse, and would like to see those funds devoted to it. Downs stated that, like Aumann, he is also concerned about spending more money on the Historic Courthouse, and would like to see more research on other options. Brent Lance explained that the scope of the proposal includes checking to see if the Historic Courthouse could support a 3<sup>rd</sup> floor over the County Board room. The only way to find this out would be through the engineering work to see if building can structurally support an office above the room. Helgen stated that his concerns were about the numerous engineering studies done over the past 20 years, but nothing has been done. Chairman Plunkett stated that this proposal will tell us the final word about the future use of the Historic Courthouse, which is necessary information. **Motion by Bone, second by Wendel to approve \$28,500 for Preliminary Design Engineering Agreement with Hurst-Rosche Engineering for the Historic Courthouse renovations. Roll Call Vote: Aye – 11, Nay – 8, Absent – 2. Motion carried. Voting Aye: Bone, Deabenderfer, Durbin, Hertel, Komor, Miles, Moore, Ogden, Plunkett, Sielschott, Wendel. Voting Nay: Aumann, Bathurst, Beck, Branum, Downs, Helgen, Hitchings, Kuchar. Absent: Blankenship, Matthews.**

2. **Update- Lightning Protection for County Buildings:** Bone reported that Lightning Masters will be at the Historic Courthouse next Thursday, December 18<sup>th</sup>, 2008 to perform the evaluation for lightning protection for the county buildings.

**EMA/AMBULANCE COMMITTEE REPORT: Given by Vice Chairman Jim Moore as follows:**

1. **Ambulance Call Reports:** A summary of monthly operations for **November 2008** is as follows: **Total calls: 298, Total amounts billed: \$156,418.00, Total amounts collected: \$105,791.95.**
2. **Update/Approval of Director Holmes Report:**
  - **Fast EMC Update:** Director Holmes, Bill Purcell and the billing office staff will be looking into upgrades for the Fast EMC program.
  - **Ambulance Contracts:** Ambulance contracts will need to go out by December 15<sup>th</sup>. The State's Attorney's Office will draw up the contracts.
  - **Special Needs Meeting:** There was a Special Needs meeting on November 18<sup>th</sup> at Fairview Heights, and the committee discussed the different requirements of shelter needs for *special needs* people during an evacuation, which is required by law.
  - **MABAS:** On November 13<sup>th</sup>, MABAS Southern Branch Chief Larry Janroezk was present for an update of Montgomery County MABAS. Some of the new guidelines for Montgomery County's HazMat Team and county fire service will be to have a trained medical person do their physicals. Mr. Janrozek will be in Raymond on December 6<sup>th</sup> to inspect the HazMat trailer and the IMT trailer.
  - **Pipeline Meeting:** Director Holmes attended the pipeline meeting on November 13<sup>th</sup> and was given new updates and phone numbers. The EMA Office has been invited to the preview of Evergreen Place - Supportive Living in Litchfield, which was held on December 3, 2008.
  - **TableTop Exercise:** A table top exercise is being planned for spring/summer with Noah's Wish representative Roger Smith, who will help with planning an evacuation of companion animals in case of an emergency event. Noah's Wish is an organization that will come in free of charge with their staff and equipment to take companion pets to a safe place during an evacuation. This

information will be placed in a new section/annex in the County Emergency Operating Procedures manual. The groups that will be asked to participate will be county veterinarians, animal control (county and city), and law enforcement.

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

1. **Approval- Hog Confinement Recommendation:** Discussion took place concerning whether Ryer Pork Production in Walshville Township has met IL Dept of Agriculture's siting requirements for hog confinement facilities. Deabenderfer asked representatives of both sides, Larry Marburger of rural Walshville and Mindy Adams of Ryer Pork Production, to make brief comments to board members prior to their vote. Mr. Marburger stated that the main issue the board needs to consider is the location of the facility, which is only 300' off of the County Highway and 1.2 miles from Walshville Elevator. Marburger stated that the building may be legal, but why do 100 people have to put up with the odor and have their rights infringed upon when the two owners will not live at the site. Ryer Pork Production representative Mindy Adams stated that they feel they have met the State of Illinois Department Of Agriculture's eight siting criteria, which the county board needs to vote on. Helgen commented that he feels there are a lot of restrictions put on farmers and agriculture facilities, stated that the County needs to think about the economy and that he feels Ryer has met the state criteria. Aumann stated that this decision should be up to the State of Illinois and not the County Board, since the County Board's decision is not binding. Aumann, who stated he has been an appraiser for 47 years, stated that in his experience, appraisers haven't seen a decline in property values where hog confinement facilities are located nearby. Bathurst stated that because the State's Attorney has given his opinion, she didn't see why the board needs to recommend, and said that she is a firm believer that if you own the property you should be able to do what you want with it, that Ryer Pork is following the state law, and that the county should stand behind them. Hertel stated that a quarter of a mile is not far enough, but there are no County ordinances to enforce setbacks, and if the owners meet the State requirements they should be okay. Hertel also stated that this should not be a vote for the County Board, since this decision has no affect on the State's final decision. State's Attorney Chris Matoush stated his findings are not to be considered an official opinion, and said his office pointed out debatable issues at the request of the Economic Development Committee. Matoush reminded members that the Illinois Department of Agriculture will make the final decision, but the Department asked the County Board to make an Advisory Non-Binding Recommendation, which is what is being voted on today. Deabenderfer stated that the Economic Development Committee voted on each of the eight criteria at their meeting this past month and is not recommending the hog confinement facility. **Motion by Deabenderfer, second by Hitchings to NOT recommend the hog confinement facility to the Illinois Department of Agriculture based on the eight siting criteria. Roll Call Vote: Aye – 14, Nay – 4, Present – 1. Motion Carried. Voting Aye: Bathurst, Beck, Bone, Branum, Downs, Durbin, Hitchings, Komor, Kuchar, Miles, Moore, Plunkett, Sielschott, Wendel. Voting Nay: Aumann, Deabenderfer, Helgen, Ogden. Voting Present: Hertel.**
2. **Update- Comprehensive Plan:** Deabenderfer reported that the committee discussed the need to pass an ordinance or resolution to establish a Planning Commission. The commission will need to consist of 7 to 10 members, which would include, but not be limited to; a banker, planner, county engineer, etc... A contract will need to be signed with U of I Extension Services.
3. **Update- Rail Line Trail:** The County will need to make sure that there is minimal damage to the trail during construction. Mr. Kee has requested to leave his camper trailer parked on the trail. Deabenderfer stated that the committee discussed not leaving the trailer there due to liability issues.
4. **Update- Green Diamond Bike Trail:** Discussion took place on getting the Green Diamond Bike Trail exempt for tax purposes.
5. **Update- Enterprise Zone expansion:** All ordinances and intergovernmental agreements have been approved and signed by the county and municipalities for the expansion of territory to the Montgomery

County Enterprise Zone for the Deer Run Mine. The application to DCEO should be completed and submitted the last week of December.

**APPROVAL OF 8 COMMITTEE REPORTS & MINUTES:**

**Motion by Bathurst, second by Miles to approve the 8 committee reports. All in favor, motion carried.**

**ANNOUNCEMENTS:**

**Plunkett announced that the Montgomery County Senior Citizen Christmas Open House will be held on Monday, December 15<sup>th</sup>, 2008 at 1:30 pm at the T.S. Senior Building on Route 127.**

**Presentation of Certified County Officials:** Amanda Cole & Denise Kistner with U of I Extension presented Certificates of Completion to County Board Members Connie Beck and Sharon Kuchar for finishing CCO Program Courses. Plunkett commended these board members for completing the course.

**SCHEDULE CHANGES:**

**Chairman Plunkett reminded members that there will be two special meetings on Thursday, December 11<sup>th</sup> for the Personnel Committee. One meeting will be held at 5:45 PM for a grievance with the Sheriff's Department and the second meeting will be held at 7:00 PM for the Circuit Clerk's Union Contract. All will be held in the PBC meeting room at the Courthouse Complex.**

**Plunkett reminded members that there will be a special HWE Committee meeting on Tuesday, December 16<sup>th</sup>, 2008 at 9:30 AM in the County Board room to review bids and recommend a contractor for the building of the Animal Control facility.**

**APPOINTMENTS:**

**Motion by Miles, second by Kuchar to approve the reappointment of Joyce Matthews to the Montgomery County Public Building Commission for a four year term, which will begin immediately. All in favor, motion carried.**

**PAY BILLS:**

- 1. Newly elected Member Jim Moore advised that when the board votes on bills at the end of each month, when approving the monthly invoice for Adams and Wilson, PCC, he needs to vote present, since his wife Barbara Adams is one of the vendors. Motion by Downs, second by Sielschott to pay an invoice for Adams & Wilson, PCC. Voice Vote: In favor – 18, Against – 0, Present – 1 (Jim Moore). Motion Carried.**
- 2. Motion by Bone, second by Beck to pay all other bills. All in favor, motion carried.** For itemized listing of bills paid, refer to Accounts Payable Book for FY 2009.

**ADJOURN: Until the Full Board Meeting on Tuesday, January 13<sup>th</sup>, 2009 at 8:30 AM in the County Board Room, Historic Courthouse, Hillsboro, Illinois.**

**Motion by Hitchings, second by Durbin to adjourn the Full Board Meeting. All in favor, motion carried.** Meeting adjourned at 10:05 AM.

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