

**PROCEEDINGS  
OF THE  
MACON COUNTY BOARD**

**APRIL 14, 2011**

**Jay A. Dunn**  
Chairman

**Stephen M. Bean**  
Clerk

The Chairman called the meeting to order at 7:15 p.m. with the Sheriff and State's Attorney present.

The Roll Call showed all members present at the meeting with the exception of Mr. Smith and Mr. Williams.

Mrs. Taylor led the members in Prayer.

All led in the Pledge of Allegiance.

**A. PROCLAMATION**

Mrs. Wilkins presented a proclamation recognizing April 17, 2011 as "Alpha Kappa Alpha Sorority, Inc. Day" in Decatur, Illinois including the campus of Millikin University.

**B. APPROVAL OF THE MINUTES OF THE MARCH 10, 2011 MEETING**

**MOTION**

Mr. Potts moved, seconded by Mr. Oliver to approve the minutes of the March 10, 2011 meeting.

There were no questions or comments from the board floor.

**ROLL CALL.**

Ayes: Ashby, Baxter, Cox, Drobisch, Dudley, Dunn, Greenfield, Hogan, Jacobs, Little, McGlaughlin, Meachum, Oliver, Potts, Taylor, Westerman, Wicklund, Wilkins, Zimmerman

Nays: (None)

**AYES = 19**

**NAYS = 0**

**MOTION CARRIED.**

**ZONING / SUBDIVISIONS**

**COMMENT:**

Mr. Dudley: Mr. Dudley said he was going to switch the two zonings.

1. Mr. Dudley presented Resolution Z-1107-4-11 which is regarding Case #S-01-03-11, a petition submitted by Robert Cooley for a Special Use Permit to allow the operation of

the sale and transfer of firearms in A-1 Agricultural District on property commonly known as 5911 Hogan Road in Mt. Zion Township. Staff recommended at hearing that the petition be granted with 5 stipulations. After hearing the evidence, the Zoning Board of Appeals voted 5-0 in favor of recommending to the County Board that the petition be approved with 5 stipulations. The EEHW Committee met and reviewed the petition and recommended by a 7-0 vote that the County Board approve the subject petition with the stipulations recommended by the Zoning Board of Appeals.

**MOTION**

Mr. Dudley moved, seconded by Mr. Hogan to approve Resolution Z-1107-4-11 by prior roll call vote.

**QUESTION:**

Mr. McGlaughlin: Mr. McGlaughlin asked how big this building is going to be.

Mr. Dudley: Mr. Dudley asked if he was referring to #2. It should read, “The business can only have one sign and the sign cannot exceed an area of 6 square feet.” There may be some question of whether the business could only be 6 square feet (if it is left the way it is written), or the signs.

Mr. Dunn: Mr. Dunn said they will treat that as a scrivener’s error, and it will be taken care of in a couple of the whereas paragraphs.

**MOTION CARRIED.**

2. Mr. Dudley presented Resolution Z-1106-4-11 which is regarding Case #S-02-03-11 a petition submitted by Eric & Holly Mowry for a Special Use Permit to allow the operation of a cake bakery in an RE-5 Single Family Estate district on property commonly known as 4216 Bowman Road in South Wheatland Township. Staff recommended at hearing that the petition be granted with 5 stipulations. After hearing the evidence, the Zoning Board of Appeals voted 5-0 in favor of recommending to the County Board that the petition be approved with 5 stipulations. The EEHW Committee met and reviewed the petition and recommended by 7-0 vote that the County Board approve the subject petition with the stipulations recommended by the Zoning Board of Appeals.

**MOTION**

Mr. Dudley moved, seconded by Mr. Greenfield to approve Resolution Z-1106-4-11 by prior roll call vote.

**COMMENT:**

Mr. Dunn: Mr. Dunn said this one has the same scrivener's error on #2 that will be corrected.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**C. CORRESPONDENCE**

A letter from AT&T U-verse regarding programming changes effective May 6, 2011.

An e-mail regarding the AT&T Illinois Annual Consumer Video Services Report.

A letter from Comcast regarding up-to-date information on their local personnel.

A letter from Comcast regarding Public Act 96-1422 regarding government entities providing them with a complete list of addresses in their corporate limit.

A letter from Comcast regarding their Annual Report and types of complaints they handled.

A letter from Suddenlink regarding Cable and Video Service Complaint annual Reporting.

A letter from Ameren Illinois regarding tree trimming in and around the Blue Mound area in the near future.

A letter from Ameren regarding upcoming vegetation management in the near future.

**REPORTS**

Sheriff's Report – March 2011

Treasurer's Fund & Investment Report – March 2011

Tax Collector's Bank Report – March 2011

Coroner's Report – February 2011

Auditor's Report – February & March 2011

**MOTION**

Mrs. Cox moved, seconded by Mr. Wicklund to approve the Correspondence and Reports and that they be placed on file by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

### 3. CLAIMS

#### MOTION

Mrs. Cox moved, seconded by Mr. Wicklund to approve the claims that have already been paid by prior roll call vote.

There were no questions or comments from the board floor.

#### MOTION CARRIED.

### D. APPOINTMENTS

#### 4. Resolution G-3564-4-11 – Appointment to the Argenta Sanitary District

Jeffrey S. Grider, 191 E. Prairie St., Argenta, IL 62501  
Term Expires: 1<sup>st</sup> Monday of May 2014

#### MOTION

Mr. Dunn moved, seconded by Mr. Meachum to approve Resolution G-3564-4-11 by prior roll call vote.

There were no questions or comments from the board floor.

#### MOTION CARRIED.

#### 5. Resolution G-3565-4-11 – Appointments to Fire Protection Districts

<b><u>FIRE PROTECTION DIST.</u></b>	<b><u>NAME &amp; ADDRESS</u></b>	<b><u>TERM EXPIRES</u></b>
Blue Mound Countryside Fire Protec. Dist.	Peter Pistorius 9044 Damery Rd. Blue Mound, IL 62513	1 <sup>st</sup> Monday May, 2014
Cisco Fire Protec. Dist.	Stan SeEVERS 10669 E. Washington St Argenta, IL 62501	1 <sup>st</sup> Monday May, 2014
Hickory Point Fire Protec. Dist.	Donald Tankersley 410 Washington Forsyth, IL 62535	1 <sup>st</sup> Monday May, 2014
Niantic Fire Protec. Dist.	Gerald E. Conner 364 Lockhart Niantic, IL 62551	1 <sup>st</sup> Monday May, 2014

South Macon Fire Protec. Dist.	Kerby Damery 9766 Jacobs Rd. Macon, IL 62544	1 <sup>st</sup> Monday May, 2014
South Wheatland Fire Protec. Dist.	David Sadowski 2191 Cross Roads Rd. Decatur, IL 62521	1 <sup>st</sup> Monday May, 2014
Warrensburg Fire Protec. Dist.	Daniel G. Wydick 695 E. Main St. Warrensburg, IL 62573	1 <sup>st</sup> Monday

**MOTION**

Mr. Dunn moved, seconded by Mr. Greenfield to approve Resolution G-3565-4-11 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

- 6. Resolution G-3566-4-11 – Appointment to the Macon County Merit Commission  
Mark Cheviron, 4010 South Lake Ct., Decatur, IL 62521  
Term Expires: May 31, 2014

**MOTION**

Mr. Dunn moved, seconded by Mrs. Cox to approve Resolution G-3566-4-11 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

- 7. Resolution G-3567-4-11 – Appointments to Sanitary District of Decatur  
  
Rob Jacobsen, 770 Apache Dr., Forsyth, IL 62535  
Daniel Smallwood, 231 Isabella Dr., Decatur, IL 62521  
Terms Expire: 1<sup>st</sup> Monday of May, 2014

**MOTION**

Mr. Dunn moved, seconded by Mr. McGlaughlin to approve Resolution G-3567-4-11 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**E. CONSENT CALENDAR**

8. Resolution G-3568-4-11 – Executing deeds to convey property on which taxes were delinquent.

**MOTION**

Mr. Dunn moved, seconded by Mr. McGlaughlin to approve the Consent Calendar by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**JUSTICE COMMITTEE**

9. Mr. Baxter presented Resolution G-3569-4-11 which is approving a contract between Macon County Sheriff's Department and the Decatur Public Building Commission regarding the security personnel in the Macon County Office Building.

**MOTION**

Mr. Baxter moved, seconded by Mr. Wicklund to approve Resolution G-3569-4-11 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**EEHW COMMITTEE**

10. Mr. Dudley presented Ordinance O-90-4-11 which is adopting an ordinance regulating development in floodplain areas.

**COMMENT:**

Mr. Dudley: Mr. Dudley said they were advised to update the Floodplain Ordinance before June 16, 2011 and they do have that.

**MOTION**

Mr. Dudley moved, seconded by Mr. Meachum to approve Ordinance O-90-4-11 by prior roll call vote.

**QUESTION:**

Mrs. Little: Mrs. Little asked if this has gone through the Ordinance Committee.

Mr. Dunn: Mr. Dunn said he did not think it had.

Mrs. Little: Mrs. Little asked if it should.

Mr. Meachum: Mr. Meachum said it went through the Regional Planning Commission.

Mrs. Little: Mrs. Little asked if it is a county ordinance.

Mr. Dunn: Mr. Dunn said yes. He asked Tony Van Natta if there is a time issue on this.

Mr. Van Natta: Mr. Van Natta said this has been going on since last summer, probably around June or July. All of a sudden everything came to a head about 2 months ago. Chairman Dunn got a letter, he got one, and we were instructed that this has to be completed by June 16th or we will be exempt from the program. We are using a Model D State Ordinance. He talked to the DNR office in Springfield and if this ordinance passes tonight he has to get it over there next week so they can approve what we've done. This is something that is very important in our Mitigation Plan, and if we don't have all of these in line we will be exempt from insurance.

Mrs. Little: Mrs. Little said she did not discount the fact that it needs to be done, but she would appreciate that in the future, since we have an Ordinance Review Committee, that anything that changes or modifies an ordinance would be taken through that committee.

Mr. Van Natta: Mr. Van Natta said what happened was that they reviewed ours last year and didn't come up with any changes at that time. The ordinance that we had prior actually came from the State of Illinois from what he read. The new ordinance that they came up with on the Model D was very similar to it with very few changes in it and that was why he was presenting it this way.

Mrs. Little: Mrs. Little asked if when he reviewed this with the chairman of the ordinance committee, was he ok with taking it straight to the board.

Mr. Van Natta: Mr. Van Natta said yes. Mr. Van Natta said he saw no problem with it. If we don't get this expedited we are going to be in a real problem.

Mrs. Little: Mrs. Little said she was not arguing that point.

**MOTION CARRIED.**

11. Mr. Dudley presented Ordinance O-91-4-11 which is amending the Macon County Electrical Code and Electrical Commission Ordinance.

**COMMENT:**

Mr. Dudley: Mr. Dudley said he was going to have Tony speak on this as well so it would be understood.

Mr. Van Natta: Mr. Van Natta said this is something that he thinks is very vital to the community. It is regarding swimming pools that aren't bonded and grounded. There is a discrepancy in our definition. The definition needs to be changed to match the 2008 Electrical Code which defines what a storable pool is. A storable pool is a pool made out of nonmetallic material such as plastic or vinyl and it can't hold more than 42 inches of water. The problem we've got in this definition, it wasn't taken out of the 2008 Electrical Code as such; there was some of it that was deleted. To make it so these pumps are grounded properly, we need this back in place as to what the definition states. They have what they call a double insulated pump, which we don't have a problem with. We have occasions where dealers are selling pumps that need to be grounded and they haven't been, and this is a safety issue.

Mrs. Little: Mrs. Little asked if the ordinance committee has reviewed this.

Mr. Van Natta: Mr. Van Natta said no.

Mrs. Little: Mrs. Little asked if when he spoke with the chairman of the Ordinance Committee, he was ok with bringing it straight to the board without going to his committee.

Mr. Van Natta: Mr. Van Natta said he talked to Chairman Dunn and we decided it had to be done, but if you want to take it back to them he can.

Mrs. Little: Mrs. Little asked what the frequency of electrocution is in these types of pools.

Mr. Van Natta: Mr. Van Natta said so far in Macon County there were two people electrocuted about 6 years ago in the City of Decatur, not in the county.

Mrs. Little: Mrs. Little said that was an in ground pool.

Mr. Van Natta: Mr. Van Natta said it was an in ground pool but it is the same difference when it comes to grounding and bonding. If these pools aren't bonded and grounded and you have any kind of electrical short then you have an electrical problem.

Mrs. Little: Mrs. Little said she thought the changes we were making tonight in this ordinance affects above ground pools, not in ground.

Mr. Van Natta: Mr. Van Natta said it is above ground pools.

Mrs. Little: Mrs. Little said the 2 young men that were electrocuted in the in ground commercial pool, really this ordinance wouldn't have protected them. This change would not have protected them.

Mr. Van Natta: Mr. Van Natta said he could not speak with any authority on that accident. He is not knowledgeable of what exactly was wrong with that accident. We had nothing to do with it.

Mrs. Little: Mrs. Little said that was right but the only changes we are making affect above ground pools.

Mr. Van Natta: Mr. Van Natta said yes. It is the definition.

Mr. Greenfield: Mr. Greenfield asked if we are going to be issuing permits for these pools.

Mr. Van Natta: Mr. Van Natta said they are supposed to be permitted. Any pool over 2 feet is supposed to be permitted and probably 75% of them haven't been permitted. You can drive around and see them and for the most part they are not permitted, but that is something where we can't catch all of them. But, when there is electricity involved in them then you have a real problem.

Mr. Greenfield: Mr. Greenfield asked if this is something where every time they see a swimming pool in an area they are going to stop and take a look at it.

Mr. Van Natta: Mr. Van Natta said no. We are not casting fingers at anyone particularly; it is just from this time forward that we are having definition problems. The definition is very plain but it needs to be back in our ordinance.

Mr. Dunn: Mr. Dunn asked what the board's pleasure is on this. He asked if the board wanted to pull this and send it to the Ordinance Committee, or whether they wanted to vote on it. Linda brought up a good point and he would get a letter out to all the departments stating that we really do need to use the Ordinance Committee. It just slipped his mind.

Mr. Drobisch: Mr. Drobisch said if we have an Ordinance Committee then we need to utilize it. He felt they should send it back to them.

Mr. Dunn: Mr. Dunn didn't know if there was necessarily a time constraint on this one in getting it passed, other than the safety of somebody.

Mr. Van Natta: Mr. Van Natta said there is the safety issue that he has been concerned with for the last 3 weeks. He has talked to a couple of contractors that really don't think they should have to ground them according to the rules of the National Electrical Code, and it is all over the definition. So, if we get the definition straightened out there is no problem.

Mr. Dunn: Mr. Dunn asked if there are some that this would affect right now that they are working on.

Mr. Van Natta: Mr. Van Natta said we have one that is supposed to start this coming week. That could create a problem if we don't follow through with it.

Mr. Oliver: Mr. Oliver thinks there is a time constraint on this particular item, and it is a thing called summer. He thinks they should get on this as quick as possible.

Mr. Dunn: Mr. Dunn asked Jerry Potts who is the Chairman of the Ordinance Committee what he wanted to do.

Mr. Potts: Mr. Potts said if they wanted they could have a special meeting and set it up pretty fast.

Mr. Dunn: Mr. Dunn said that the issue would then get pushed back to the May board meeting.

Mrs. Little: Mrs. Little said that while she doesn't think May is too late in the season to be adopting this as a full board, as an offer of compromise, would it be possible to adopt this resolution with the understanding that it will go into full effect once the Ordinance Committee has approved it. If the committee does not approve the change to the ordinance then it would not go into effect. She doesn't think a May board meeting is going to put a lot of people in danger; not a lot of people swim in April.

Mr. Van Natta: Mr. Van Natta said it only takes one.

Mrs. Little: Mrs. Little said he was right, and it has only taken one for the last however many years this has not been on the books.

Mr. Van Natta: Mr. Van Natta said the definition of this was in our Electrical Commission which we have only had for about 3 years. He couldn't take any credit for writing any of that because he wasn't involved in it. He said when he discovered that it was very urgent because we were getting some response back from contractors that didn't want to comply with it.

Mrs. Little: Mrs. Little said she understands that bit of urgency, but she stands on her belief that a May board meeting is not putting society as a whole at risk.

Mr. Van Natta: Mr. Van Natta said the only problem he has got with that, and he certainly was not arguing the issue, is that they have already issued a permit for this pool and the people have already been instructed on how to ground it and bond it; so he hopes he can enforce what they have already talked about. It wasn't a definition issue with the owner but it was with the contractor. The owner wants it done.

Mrs. Little: Mrs. Little said then the owner needs to get what they pay for. If the owner wants it done then the owner needs to work with their contractor to make sure it is done the way they want it.

Mr. Van Natta: Mr. Van Natta said he would not argue that point but they only enforce the code not what the customer wants.

Mrs. Little: Mrs. Little said she understands that.

Mr. Van Natta: Mr. Van Natta said he would do whatever they want to do.

## **MOTION**

Mr. Drobisch moved, seconded by Mr. Hogan to send Ordinance O-91-4-11 back through the Ordinance Committee.

## **QUESTION:**

Mrs. Wilkins: Mrs. Wilkins asked if that is part of the process, that we go with this type of issue to the Ordinance Committee every time.

Mr. Dunn: Mr. Dunn said we have not done it every time, but it should be because we have an Ordinance Committee.

Mrs. Wilkins: Mrs. Wilkins said if that is the process then.

Mr. Van Natta: Mr. Van Natta said he was sorry he did not comply with it and he would in the future.

Mr. Ashby: Mr. Ashby said he thinks further ordinance amendments should go through the proper committee. However, he asked how each individual member would feel if something happened tomorrow because we sent it back to committee. He will vote against sending it back to committee and he will vote for the ordinance.

Mr. Van Natta: Mr. Van Natta said he will be on vacation next week and would like to rest assured there would not be a problem while he is gone. He is going to be out of the country and won't be able to be notified about it. He would appreciate if they could exempt this issue this one time and he promised to take them the right way the next time.

Mr. Dunn: Mr. Dunn said he thinks everyone understands the situation and it is his fault as much as anybody's for not catching this and sending it to the Ordinance Committee. He will take care of that in the future. Right now we have a motion and a second to send this back to the Ordinance Committee so they would take a roll call vote.

## **ROLL CALL.**

Ayes: Cox, Drobisch, Hogan, Little, Potts, Westerman

Nays: Ashby, Baxter, Dudley, Dunn, Greenfield, Jacobs, McGlaughlin, Meachum, Oliver, Taylor, Wicklund, Wilkins, Zimmerman

**AYES = 6**

**NAYS = 13**

**MOTION FAILED. (TO SEND O-91-4-11 BACK TO COMMITTEE)**

**MOTION**

Mr. Dudley moved, seconded by Mrs. Wicklund to approve Ordinance O-91-4-11.

There were no questions or comments from the board floor.

**ROLL CALL.**

Ayes: Ashby, Baxter, Cox, Drobisch, Dudley, Dunn, Greenfield, Hogan, Jacobs, McGlaughlin, Meachum, Oliver, Potts, Taylor, Westerman, Wicklund, Wilkins, Zimmerman

Nays: Little

**AYES = 18**

**NAYS = 1**

**MOTION CARRIED.**

12. Mr. Dudley presented Resolution G-3570-4-11 which is approving changes in the FY11 Budget for the Health Fund.

**MOTION**

Mr. Dudley moved, seconded by Mr. Wicklund to approve Resolution G-3570-4-11 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED. (LITTLE SHOWED HER VOTE AS YES)**

**OPERATIONS AND PERSONNEL**

13. Mr. Meachum presented Resolution G-3571-4-11 which approving FY11 budget amendment for Workforce Investment Solutions.

**MOTION**

Mr. Meachum moved, seconded by Mrs. Cox to approve Resolution G-3571-4-11 by prior roll call vote.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**LEGISLATIVE COMMITTEE**

14. Mrs. Little presented Resolution G-3572-4-11 which is supporting the continuation of state funding for the Regional Offices of Education.

**MOTION**

Mrs. Little moved, seconded by Mr. Meachum to approve Resolution G-3572-4-11.

There were no questions or comments from the board floor.

**MOTION CARRIED.**

**COMMENT:**

Mrs. Little: Mrs. Little asked as Chairman of the Legislative Committee that the Chairman of the Board send a letter to our representatives for Macon and Piatt County addressing this issue as a being very important to our district.

**FINANCE COMMITTEE**

15. Mr. Ashby presented Resolution G-3573-4-11 which is approving an increase in appropriations in the Treasurer Automation Fund for staff and audit charges.

**MOTION**

Mr. Ashby moved, seconded by Mrs. Cox to approve Resolution G-3573-4-11 by prior roll call vote.

**COMMENT:**

Mrs. Little: Mrs. Little said she does support the funding of the special audits that were done. She is a little discouraged that we are changing the salary, not because she thinks it is unrealistic, she thinks it is very realistic. Last year during the finance budget hearings everyone was so terribly confident that this would be a new person in this Chief Deputy position, that the salary was cut. She is a little frustrated by it, but will be voting for it because it is absolutely necessary to maintain the proper salary in that line.

Mr. Ashby: Mr. Ashby said he agrees with her, but in effect we are not adding a salary we are maintaining an existing salary that the Deputy Treasurer has received in the past.

Mrs. Little: Mrs. Little said she completely agreed, but it is not the budgeted one that was approved.

Mr. Ashby: Mr. Ashby said being on the budgeting committee he is guilty of that too.

**MOTION CARRIED.**

The Negotiations Committee had nothing to submit at the meeting.

**TRANSPORTATION COMMITTEE**

16. Mr. Wicklund presented Resolution H-1763-4-11 which is approving the Macon County Utility Permit Policy.

**MOTION**

Mr. Wicklund moved, seconded by Mrs. Wilkins to approve Resolution H-1763-4-11 by prior roll call vote.

**QUESTION:**

Mr. Hogan: Mr. Hogan asked what the Transportation Committee's reason is for implementing these permits or fees.

Mr. Bruce Bird: Mr. Bird said the main reason he was looking at it for both of these policies was that they really didn't have any definitions to use from a design standpoint, and also from a standards standpoint in dealing with utilities and also with new entrances and new streets and such that were built on our county highways. The policies were ones that originated from Kane County and he modified them. He actually took out about 1/3 of each of them. There were quite a few items that he didn't think really applied to our county versus Kane County. The fees are intended to cover basically staff time used to review the proposals put forth in this case by the utilities when they make a proposal to either improve or install new facilities on our county highway right-of-way.

Mr. Meachum: Mr. Meachum asked if this is farmer exempt.

**MOTION CARRIED. (HOGAN SHOWED HIS VOTE AS NO)**

17. Mr. Wicklund presented Resolution H-1764-4-11 which is approving the Macon County Access Control Permit Policy.

**MOTION**

Mr. Wicklund moved, seconded by Mrs. Wilkins to approve Resolution H-1764-4-11 by prior roll call vote.

**QUESTION:**

Mrs. Little: Mrs. Little had a question that she heard in the atmosphere earlier and that is whether this is agriculture exempt.

Mr. Bird: Mr. Bird said for entrance permits yes it is agriculture exempt.

Mr. Greenfield: Mr. Greenfield asked why they are exempt and no one else is.

Mr. Bird: Mr. Bird said that was a request by the Transportation Committee when he was putting this together.

**MOTION CARRIED. (GREENFIELD & HOGAN SHOWED THEIR VOTE AS NO)**

**EXECUTIVE COMMITTEE**

Mr. Dunn: Mr. Dunn said we will be having an Executive Committee meeting on May 4<sup>th</sup> at 6:30 p.m. to discuss the ordinance that Mr. Ashby is going to take through the Ordinance Committee prior to that hopefully. It will be May 4<sup>th</sup> at 6:30 and he will send something out tomorrow to remind everybody.

The Siting, Rules & Ordinance Sub-Committee had nothing to submit at the meeting.

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

**CITIZEN REMARKS:**

Don Westerman: Mr. Westerman lives at 782 E. Hickory Point Road in Decatur, IL. He wanted to address the board tonight because of his concerns about the proposed road project on County Highway 20 in Forsyth. His comments are his own, not as a board member, not as an authority or engineer; they are just his own concerns. That is the reason he was making his comments during citizens' remarks and not as an officeholder. Most of his concerns are because he is a local farmer, resident and property owner. The proposal before you, someday, and it may not be for a while but he apologized for being pro-active here but he let the ball drop when they did Oreana 6 or 8 years ago so he wants to be pro-active now before it comes before you. The change will be for County 20, 1 mile east and 1 mile west of Route 51. Those changes are quite extensive and more than he could explain tonight. Many of you have gone to Forsyth for the informational meeting and know as much about it or more than he does. There is also a proposal that there be retention ponds or basins put on the farmland north of County 20. It would be incumbent upon you to go out there and look yourself at the condition of the highway and how the farmland that lies to the north is higher than the subdivisions to the south and the

creek farther south yet and the fallow water drains and what they might be doing out there. One of main reasons he is opposed to this is money. This proposal is \$8,000,000 or \$9,000,000. He contends that before it is over it will be \$10,000,000 plus since most things have cost overruns, design changes, and additional engineering fees. Many times resolutions come before the board for additional funding. He is going to refer to it as a \$10,000,000 project though that is not the actual estimate at this time. The money is going to be a combination of funds, and it won't come out of our pocket out of the general budget, but he contends that it will come out of our pants pockets, one of them. Some of it will be federal funding, state funding, state motor fuel tax, county money, and Forsyth village money. So, while it doesn't come from one specific place it is our money and comes out of our pants pocket. He said \$10,000,000 is quite a bit of money if you go look at the road and tell him how they are going to improve it that much. The secondary concern that he has is the safety issue that might be affected. Mr. Bird and engineers told him they have dropped the high curb requirements for this road, but there will still be some kind of curb on this road to channel water to areas that they think will get it to the creek on the south. When we do that we are going to lose the nice grass shoulders that we have there with ditches on each side that makes it possible for farm machinery to pull off to the side and let traffic go by. He apologized for inconveniencing his neighbors with big, slow farm machinery, but that is the reality of today; grandpa's farm is gone. Farmers are traveling many miles across many counties to get there. This road carries a lot of farm traffic, not only our local farmers that go from one side of Forsyth to the other, but many farmers that go for miles, 40 or 50 miles. The reason they use that road is because if you stop and think about it Decatur is plunked down in the center of the county, and to get around it from Route 51 to Route 51 and Route 48 to Route 48 or whatever it is, you can't go down Route 36 or 51 or Mound Road, Hickory Point Road or whatever it is, and County 20 is the first road that goes through carrying Warrensburg to Oreana traffic. There is a lot of traffic on that road and he really doesn't want to make his neighbors anymore unsafe or unhappy with him than they are now. We are getting plenty of flak right now from the Humane Society of the United States, PETA, Ethanol haters and others. It grieves him to aggravate any more people than he has to. Though, most people are very congenial after we pull over and give them access they will give him a wave, though some are not waving with all fingers. He doesn't blame them because he doesn't like to be held up behind slow traffic either. That person who doesn't have the patience to wait until he gets off to the side of the road is the person who could cause an accident. The next area of concern he has is the loss of farm ground. He knows it is just a few more acres here and a few more acres there that we are taking out, and he is for property rights. A willing seller and willing buyer should have the right to consummate a deal if doesn't bother anybody and meets the ordinances. This does bother him every time we take out precious farm ground. We have increased population in the world. It has taken all eternity to 1800 to get a billion people on this earth and only 130 years to get the second billion. Now we are at about 7 billion and soon in the 20's we'll be 8 and in the 40's we'll be 9 billion people. Not only the numbers, but people are eating better all across the world, especially in Asia where you send your money when you buy all of the products that are made in Asia. You send them your money and they want to spend it now, and they want to buy our food. They are tired of starch and rice and want protein and here is one of the few places they can get it. A recent piece of

farmland sold for \$10,700 lately. As Joe alluded to \$10.00 corn, that might be a little stretch, he has some he will sell if you are interested, but the price of corn and beans are both historically high. The loss of any farm ground especially by a government body does grieve him. The last issue is the fairness issue. We have a typical urban sprawl situation there. He doesn't know how we keep having urban sprawl when we don't have a county with population growth, but we do. On one side of the road people decided to subdivide and build nice homes and other buildings, filling stations or whatever. The other decided they wanted to leave their farm to their grandkids. We are going to go out into the middle of one of these nice farms, 320 acres, a mile long and half a mile wide and the farmer still lives up there in the center of the section, and demand that he give us quite a few prime acres, not in a straight line, not a little sliver here or something, but some globs out in the middle of his field to build retention ponds. He thinks if you just drive out there and look at it then it would be easier than him trying to explain it you. He knows they all love him so dearly they will support him on this basis alone. But, seriously he would like for them to go out before this comes before the board and see how much exaggeration he has made or if they agree with his assessment. The time table for this may be quite awhile in the future. He is speaking now because he wants to give the pros and cons time to air their differences and see if there might be some compromises in this project that would satisfy all peoples. Besides that, by the time they get around to it they might not let him out of the nursing home to come speak to you that night.

Mr. Drobisch: Mr. Drobisch asked if Mr. Westerman was talking about west of Forsyth and on the north side of the road.

Mr. Westerman: Mr. Westerman said yes. That is the one he is concerned about. He has property on the east side but he is not too concerned about that. On the west side of Route 51 is....

Mr. Drobisch: Mr. Drobisch asked if that is the McCool Farm.

Mr. Westerman: Mr. Westerman said that is the McCool Farm. Mr. McCool's grandfather farmed that farm, and his dad lives there now and farms it. There is another generation coming on that he is sure would like to.

Mr. Drobisch: Mr. Drobisch asked how far back off the road these retention ponds will be.

Mr. Westerman: Mr. Westerman said he does not know the size or dimensions, though he has asked, but Mr. Bird has not gotten back to him on that. He doesn't know if it is set in concrete or not. One of the engineers told him one of the ponds would be 17 acres. He doesn't know if that is 17 times 3 and it will be 45 acres. He doesn't have access to that. He has seen the maps as many of you have, but it wasn't clear on how many acres that would be taking.

Mr. Drobisch: Mr. Drobisch said he didn't realize that was that wet.

Mr. Westerman: Mr. Westerman said the farms are not that wet. As he explained, on the north are the farms which lay higher and County 20 is in the middle which the water has to go across, then it goes through a subdivision which they put a couple of 30 inch tubes in there when they built the subdivision to carry it farther south into the creek. He didn't want to bore them all with it and would talk to anyone who wanted on a personal basis. He didn't think it would be appropriate to spend any more time on it.

Mrs. Wilkins: Mrs. Wilkins said many of the members of the Alpha Kappa Alpha Sorority were not present earlier when she read the proclamation. She is also a part of the Alpha Kappa Alpha Sorority, and is very excited that they have 14 young ladies that will charter a chapter at Millikin that will be active in the community, that will be active in legislature and government; and will be giving service to all mankind. They were at the board meeting and she asked them to introduce themselves to the board. Those ladies were: Natasha Alexander, Arielle Austin, Trenae Bates, Tiara Britton, Brittney Brown, Kelsey Carter, Rubye Coleman, Kara Knazze, Autumn Morgan, Jordan Moxey, Joyce Raby, Yasmine Scott, Raven Townsend and Gabrielle Williams.

#### **OFFICEHOLDER REMARKS:**

Mr. Dunn: Mr. Dunn said he did take Don Westerman up on his offer to go out and look at Highway 20 and the neighborhood out there and to discuss it. He suggested everyone take Mr. Westerman up on that because he does have some concerns that hopefully they can get addressed. Mr. Dunn said he does not know both sides of it nor has he looked at it that much. He unfortunately missed the open meeting, but plans to look into himself a little more. They should take him up on the offer to go look because it is a lot of money and a big project.

There was no old business presented at the meeting.

#### **NEW BUSINESS:**

18. Mr. Dunn presented Resolution G-3574-4-11 which is approving termination of the Animal Control Agreement with the City of Decatur.

#### **MOTION**

Mr. Dunn moved, seconded by Mr. Greenfield to approve Resolution G-3574-4-11 by prior roll call vote.

#### **QUESTION:**

Mr. Meachum: Mr. Meachum asked if there is a reason they are terminating or is the contract up for renewal.

Mr. Dunn: Mr. Dunn said we have to get it in this month to meet the deadline for terminating the agreement. He talked to the City Manager a couple of months ago letting him know we would probably be doing that. We have used up most of the reserves in Animal Control. The percentage of use out at Animal Control is about 95% with the city, and the revenues he guessed are around 55% to 60% coming from the city. We have had that for about 3 years and we had reserves built up prior to that. We never have spent money out of the General Fund to fund that, but it is getting down to where we are getting low on reserves. He thinks it is time to open up the agreement and try to negotiate a new one.

**MOTION CARRIED. (GREENFIELD & HOGAN SHOWED THEIR VOTE AS YES)**

**MOTION TO CLOSE SESSION**

Mr. Meachum moved, seconded by Mr. Potts to go into closed session for personnel and pending litigation by prior roll call vote.

**MOTION CARRIED.**

**MOTION TO OPEN SESSION**

Mr. Potts moved, seconded by Mrs. Little to return to open session by prior roll call vote.

**MOTION CARRIED.**

**MOTION TO ADJOURN**

Mr. Drobisch moved, seconded by Mr. Meachum to adjourn until Thursday, May 12, 2011 at 7:15 p.m.

**MOTION CARRIED.**

Meeting adjourned at 8:53 p.m.

