

**PROCEEDINGS
OF THE
MACON COUNTY BOARD**

NOVEMBER 8, 2012

**Jay A. Dunn
Chairman**

**Stephen M. Bean
Clerk**

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

The Roll Call showed all members present at the meeting with the exception of Mr. Jacobs.

Mrs. Taylor led the members in prayer.

All led in the Pledge of Allegiance.

A. APPROVAL OF THE MINUTES OF THE OCTOBER 11, 2012 MEETING

MOTION

Mr. Oliver moved, seconded by Mr. Smith to approve the minutes of the October 11, 2012 meeting.

There were no questions or comments from the board floor.

ROLL CALL.

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

Nays: (None)

AYES = 20

NAYS = 0

MOTION CARRIED.

ZONING / SUBDIVISIONS

1. Mr. Dudley presented Resolution Z-1123-11-12 which is regarding Case R-02-10-12, a petition submitted by Roberta Sheets for rezoning of approximately 2.0 acres from RE-Single Family Estate to RMH-5 Single Family Estate in order to comply with the ordinance (Article IX Section 9.9) on property commonly known as 11388 Donovan Road in Oakley Township. Staff recommended at hearing that the petition be approved. 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. The EEHW Committee met and reviewed the petition and recommended by a 9-0 vote that the County Board approve the subject petition.

MOTION

Mr. Dudley moved, seconded by Mr. Smith to approve Resolution Z-1123-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

B. CORRESPONDENCE

Notice of Request for a Special Macon County Board meeting on Monday, December 3, 2012 at 7:00 p.m. for the purpose of an organizational session to elect a Chairman and Vice Chairman for the ensuing 2 years and for any other business that may properly come before the board, which includes a lottery for terms of office

A letter from the Decatur Public Building Commission regarding Multiple Facilities Lease and Lease Payment – 2005 Bonds

A notice from Hostess Brands regarding extension of Conditional Notice Pursuant to the Worker Adjustment and Retraining Notification Act

A letter from Comcast regarding changes to the Comcast channel line-up in the community

Notice of Request for a Special Macon County Board meeting on Tuesday November 20, 2012 for the purpose of approving the 2012-2013 budget and related matters and for any other business that may properly come before the board

Information from Samuels, Miller, Schroeder, Jackson & Sly, LLP regarding Millikin University Request for 2012 Conduit Financing to Refund Series 1998A Bonds

REPORTS

Sheriff's Report – October 2012

Coroner's Report – September 2012

Tax Collector's Bank Report – October 2012

Treasurer Fund & Investment Report – September & October 2012

MOTION

Mr. Smith moved, seconded by Mrs. Cox 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.

2. CLAIMS

MOTION

Mrs. Cox moved, seconded by Mr. Minich 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.

There were no appointments presented at the meeting.

C. CONSENT CALENDAR

3. Resolution G-3770-11-12 – Executing Deeds to convey property on which taxes were delinquent

MOTION

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

There were no questions or comments from the board floor.

MOTION CARRIED.

JUSTICE COMMITTEE

4. Mr. Wicklund presented Resolution G-3771-11-12 which is approving increase in appropriations in the Circuit Court's budget for expenses and fees in certain appeals.

MOTION

Mr. Wicklund moved, seconded by Mrs. Cox to approve Resolution G-3771-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

5. Mr. Wicklund presented Resolution G-3772-11-12 which is approving an increase in appropriations in the FY 2012 Sheriff's budget for a vehicle purchase.

MOTION

Mr. Wicklund moved, seconded by Mr. Williams to approve Resolution G-3772-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

6. Mr. Wicklund presented Resolution G-3773-11-12 which is approving an amendment in the Child Advocacy Center budget of the State's Attorney's Office for FY 2012.

MOTION

Mr. Wicklund moved, seconded by Mrs. Little to approve Resolution G-3773-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

7. Mr. Wicklund presented Resolution G-3774-11-12 which is approving an amendment in the Child Advocacy Center's Safe from the Start budget of the State's Attorney's office for FY 2012.

MOTION

Mr. Wicklund moved, seconded by Mrs. Little to approve Resolution G-3774-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

EEHW COMMITTEE

8. Mr. Dudley presented Resolution G-3775-11-12 which is approving an increase in appropriations in the FY12 Health Fund budget for Diabetes Self Management Program (DSMP).

MOTION

Mr. Dudley moved, seconded by Mr. Williams to approve Resolution G-3775-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

9. Mr. Dudley presented Resolution G-3776-11-12 which is approving increase in appropriations in the FY 12 Health Fund budget for Coordinated Point of Entry (CPOE).

MOTION

Mr. Dudley moved, seconded by Mr. Wicklund to approve Resolution G-3776-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

10. Mr. Dudley presented Resolution G-3777-11-12 which is approving transfers in funds for the Health Fund FY 2012 budget.

MOTION

Mr. Dudley moved, seconded by Mrs. Cox to approve Resolution G-3777-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

11. Mr. Dudley presented Resolution G-3778-11-12 which is approving increase in appropriations in the FY 12 Health Fund Budget.

MOTION

Mr. Dudley moved, seconded by Mr. Wicklund to approve Resolution G-3778-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

12. Mr. Dudley presented Resolution G-3779-11-12 which is approving amendments to the Animal Control Ordinance.

MOTION

Mr. Dudley moved, seconded by Mr. Wicklund to approve Resolution G-3779-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

The Operations and Personnel Committee had nothing to submit at the meeting.

The Legislative Committee had nothing to submit at the meeting.

FINANCE COMMITTEE

13. Mr. Ashby presented Resolution G-3780-11-12 which is approving transfer of funds for the FY12 County Board budget.

MOTION

Mr. Ashby moved, seconded by Mr. Wicklund to approve Resolution G-3780-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

14. Mr. Ashby presented Ordinance O-100-11-12 which is approving a Cable/Video Service Provider Fee and a PEG Access Support Fee.

MOTION

Mr. Ashby moved, seconded by Mrs. Taylor to approve Ordinance O-100-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

15. Mr. Ashby presented Ordinance O-101-11-12 which is approving a cable television franchise agreement between Macon County Illinois and Comcast of Illinois/Indiana/Ohio, LLC.

MOTION

Mr. Ashby moved, seconded by Mrs. Cox to approve Ordinance O-101-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

NEGOTIATIONS COMMITTEE

16. Mr. Oliver presented Resolution G-3781-11-12 which is ratifying the contract between the Sheriff of Macon County, Illinois and the Macon County Correctional Sergeants.

MOTION

Mr. Oliver moved, seconded by Mr. Wicklund to approve Resolution G-3781-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

17. Mr. Oliver presented Resolution G-3782-11-12 which is approving an agreement between Macon County and the American Federation of State, County, and Municipal Employees Council 31 AFL-CIO Local 612 Circuit Clerk employees.

MOTION

Mr. Oliver moved, seconded by Mr. Meachum to approve Resolution G-3782-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

TRANSPORTATION COMMITTEE

18. Mr. Smith presented Resolution G-3783-11-12 which is amending FY 12 matching budget line item 031-000-7780 for project expense.

MOTION

Mr. Smith moved, seconded by Mrs. Taylor to approve Resolution G-3783-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

19. Mr. Smith presented Resolution H-1822-11-12 which is appropriating funds for additional engineering expenses on the Firehouse Road Bridge, Section 12-00243-00-BR.

MOTION

Mr. Smith moved, seconded by Mr. Minich to approve Resolution H-1822-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

20. Mr. Smith presented Resolution H-1823-11-12 which is approving an agreement for a jurisdictional transfer of South Shores Road (CH 9) to South Wheatland Township.

MOTION

Mr. Smith moved, seconded by Mr. Wicklund to approve Resolution H-1823-11-12 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED. (WESTERMAN SHOWED HIS VOTE AS NO)

EXPLANATION OF VOTE:

Mr. Westerman: Mr. Westerman said he is opposed to Resolution H-1823-11-12 on a matter of principle. He is opposed to transferring anymore highway property to any other agencies now and forever.

The Executive Committee had nothing to submit at the meeting.

SITING, RULES & ORDINANCE SUB-COMMITTEE

Mr. Wicklund: Mr. Wicklund said we have received the initial paperwork from the company and have been subdivided and are being looked over right now. He hopes to have them corrected and back to the board.

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

OFFICEHOLDERS' REMARKS:

Mr. Bean: Mr. Bean said after the election the other night he wanted to thank a few people. He thanked his staff for keeping things going on the County Clerk's side. Four years ago we voted 7,000 before Election Day. He said about half of those were voted in the office and the other half were by mail in ballots. This election we voted nearly 20% of the electorate of Macon County in our office. There were over 8,100 voted in the office itself. If you ever came by, we were busy every day except for the night hours that we stayed open. We seemed to stop by 6:30 or 7:00 p.m. and didn't have too many people come in after that. Some days we were voting 600 to 700 people a day. We voted nearly 200 people out of nursing homes. The reason we started at 3:00 and didn't get

done until 1:30 in the morning was that we had nearly 1500 absentee ballots from servicemen and women overseas and then people who had just turned in normal ballots, and it took a lot longer than he planned to process them. That is why we got done and announced the final totals at 2:00 a.m. We held out the 6 precincts because we didn't want the idea that it showed 73 precincts, which is our 72 precincts and 1 Presidential precinct, we didn't want to show that 100% of the precincts had reported and then dump another 9,700 ballots on. He didn't want to have a Florida type situation in case anything changed majorly. He also wanted to publically thank the Public Building Commission. They lost power at the West Side Church of the Nazarene at 5:00 p.m. He went out there and they voted everyone by flashlight. The Public Building Commission brought out flashlights and 2 generators which unfortunately did not work. He said that is where he missed Phil Anello because he would have taken care of us because we lost power before. Mr. Bean said he plans on running again, but if he is not here or whoever is the County Clerk in 2016 this county board.... He knows they have taken a major step in this next budget with human resources and spending quite a bit of money there. But, you are going to have to look at doing some things for the County Clerk's Office if we are going to vote 20% of the voters in this office. We don't have enough room. We only have 2 full time employees. The chairman said something to him the other night about a satellite operation but the problem is that with the complexity of election laws it is hard to put someone out there. We have election judges that we train but they don't know all of the laws. With Grace Period voting we had.... They are also looking at going to same day registration in Illinois and that will cause a lot of problems. We registered about 300 people during Grace Period four years ago; and we more than doubled that this year during Grace Period registration. Next year will be a lower budget year, but people have gotten used to voting early so he doesn't know what it will be like in 2014 and especially 2016. Even though we had a reduction of 2000 less people who voted in the whole county, to vote over 8,100 people during the 235 hours we were open put a real strain on our staff. He could only afford to bring in 3 part-time people. We are going to have to look at needing more money, or whoever the County Clerk is in the future, more money to handle that kind of operation.

Mr. Williams: Mr. Williams said Mr. Bean stated the final totals have been posted but he thought there are circumstances where there is some mail in ballots that could still be counted.

Mr. Bean: Mr. Bean said he did not say the final totals had been posted. The Election Day totals were all the ballots we had on Election Day. Mr. Bean said he has 167 Provisional Ballots. One of them was cast in Maroa Township by a young lady who had a Maroa address but actually lived in DeWitt County; so hers won't count. He said out of the 167 ballots, 33 of them were provisional ballots from people who had requested an absentee ballot and under the new Illinois State law we have to vote them provisionally. He is going through the rest of them and there are some that are people who should have been given a Federal F13 ballot. There were other people who didn't follow the procedures correctly and went to the wrong polling place and cast their ballot and it should have been an F13 in another precinct. We are still having problems with people who could give him numbers of things they did with the Secretary of State's Office that

we didn't get from the Secretary of State. Additionally, we have about 300 ballots that are out there. We never get back all absentee ballots, for various reasons. They have 14 days which is 2 weeks from Tuesday. After the mail comes we will probably do it the following day. We have gotten 22 ballots where you are supposed to go by the postmark on the outside but the problem was that yesterday we received 7 ballots that did not have any postmarks on them. Military ballots never have postmarks on them because the postal service does not charge them. But, somebody from the Decatur Post Office stamped December 7th on them. Technically, in some counties that would violate those votes, but he has a call into the State Board which has not been returned. He will probably be asking for a State's Attorney opinion that we should use whatever date they placed on the inside of the ballot. Outside of that there is no election that he knows of, except for the congressional contest that there is any talk about recounts. We still have to do that and the election isn't over and then we start on the next one. Remember, the Township Caucuses are on December 4th and Multi-Township are on the 5th. If you are in Warrensburg or Macon the caucuses for the municipalities are on the 3rd. The City of Decatur files the week of Thanksgiving. All the other districts file from December 17th through the 24th. So, we will roll from one election right into another. Also, our office has to stay open until 5:00 on Christmas Eve thanks to the General Assembly, which he will be glad to do.

There were no citizens' remarks presented at the meeting.

COMMENT:

Mr. Dunn: Mr. Dunn asked Don Westerman, Mark Wicklund, Melverta Wilkins, Joe McGlaughlin, and Jack Ahola to stand up. We have one more special meeting in November, but he didn't know what kind of crowd we would get here then to discuss and pass a \$62,000,000 budget, but we have a pretty good crowd here tonight. We are losing these members whether they lost the election or they are retiring or whatever. He asked everyone to give them a hand for the service they have provided. Mr. Dunn said he certainly appreciated all the work they have done for the county.

There was no old business presented at the meeting.

There was no new business presented at the meeting.

MOTION TO ADJOURN

Mr. Oliver moved, seconded by Mr. Wicklund to adjourn until December 13, 2012 at 7:15 p.m.

MOTION CARRIED. (WESTERMAN SHOWED HIS VOTE AS YES)

Meeting adjourned at 7:45 p.m.