

**PROCEEDINGS
OF THE
MACON COUNTY BOARD**

DECEMBER 12, 2013

**Jay A. Dunn
Chairman**

**Stephen M. Bean
Clerk**

The Chairman called the meeting to order at 6:00 p.m. with the Sheriff and State's Attorney present.

The Roll Call showed all members present with the exception of Mrs. Taylor.

Mr. Dunn led the members in prayer.

All led in the Pledge of Allegiance.

A. APPROVAL OF THE MINUTES OF THE NOVEMBER 14, 2013 & NOVEMBER 19, 2013 MEETINGS

MOTION

Mr. Smith moved, seconded by Mrs. Cox to approve the minutes of the November 14, 2013 & November 19, 2013 meetings.

There were no questions or comments from the board floor.

ROLL CALL.

Ayes: Ashby, Baxter, Bird, Cox, Dawson, Drobisch, Dudley, Dunn, Greenfield, Hogan, Jacobs, Little, Mattingley, Meachum, Minich, Oliver, Potts, Smith, Williams, Zimmerman

Nays: (None)

AYES = 20

NAYS = 0

MOTION CARRIED.

ZONING/SUBDIVISIONS

1. Mr. Dudley presented Resolution Z-1128-12-13 which is regarding Case S-02-11-13, a petition submitted by Andrew Chiligris, Trustee for a Special Use Permit to operate a daycare in R-1 Single Family Residential District on property commonly known as 3363 Nancy Road in South Wheatland Township. Staff recommended at hearing that the petition be approved with 6 stipulations. After hearing the evidence, the Zoning Board of Appeals voted 6-0 in favor of recommending to the County Board that the petition be approved with 6 stipulations. The EEHW Committee met and reviewed the petition and recommended by 5-0 vote that the County Board approve the subject petition with the 6 stipulations recommended by the Zoning Board of Appeals.

MOTION

Mr. Dudley moved, seconded by Mr. Hogan to approve Resolution Z-1128-12-13 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

2. Mr. Dudley presented Resolution Z-1129-12-13 which is regarding case S-03-12-13, a petition submitted by Twin Forks Wind Farm for a Special Use Permit to construct an electrical substation for electrical lines for an approximately 200 MW wind farm in A-1 Agricultural zoning on property commonly known as 12622 Glasgow Road in Austin Township. Staff recommended at hearing that the petition be approved 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 6-0 vote that the County Board approve the subject petition with the 5 stipulations recommended by the Zoning Board of Appeals.

MOTION

Mr. Dudley moved, seconded by Mrs. Cox to approve Resolution Z-1129-12-13 by prior roll call vote.

QUESTIONS:

Mr. Ashby: Mr. Ashby asked if we got any other bids or quotes on this project, or other people interested in this project.

Kathy Hans: Mrs. Hans said she lives at 5602 W. Duroc Road in Maroa. She is just here for questions. This is her first time at a zoning committee so she doesn't know the protocol. She is concerned about the noise, and knows there are lawsuits in Champaign and Vermilion County. She just wants to know if the committee is doing their own research on that.

Mr. Drobisch: Mr. Drobisch said it has already passed the Zoning Board of Appeals. This is for the full board to vote on, so it has already passed the Zoning Board of Appeals.

Mrs. Hans: Mrs. Hans said she understands that, but wanted to know if they had done a study on the noise.

Mr. Drobisch: Mr. Drobisch said he had no idea whether they had or not.

Mr. Greenfield: Mr. Greenfield said this is not on the wind farm itself; it is for the electrical substation.

Mrs. Hans: Mrs. Hans said the substation, based on where it could be placed, could be ¼ mile or 1/8 of a mile; it would be within a mile of her house. She asked about the substation noise. There was no response. Mrs. Hans said, so there hasn't been a study.

Mr. Williams: Mr. Williams said he didn't think we routinely do studies for substations. We have approved several substations for Ameren. He doesn't think a substation, as far as noise or any type of environmental impact, has ever been studied.

Mr. Dunn: Mr. Dunn said he did not think so.

Brad King: Mr. King is from E.ON Climate & Renewables Twin Forks Wind Farm, 353 N. Clark Street in Chicago. Essentially, kind of the long and short of it is that the substation itself will have to adhere to all Illinois Pollution Control Board standards for noise. So, it would not have an adverse impact from a noise standpoint on her residence.

Mrs. Hans: Mrs. Hans said she understands from their road commissioner that there will be a contract to fix the roads with the heavy equipment so it won't go back to the taxpayers.

Mr. King: Mr. King said the work on the substation actually does not require any heavy load equipment. We would be utilizing rated vehicles on rated roads, and it would be a minimal increase to traffic. The construction we are proposing here is a relatively small scope and short period of time. For a wind farm we would enter into a full road use agreement which would require potential upgrades where necessary and full restoration following construction. But, again this is just for the collector substation.

Mrs. Hans: Mrs. Hans asked what kind of compensation there will be for people who live there but do not own land. If a windmill is not on your land but you are looking at it and you are hearing it, is there any compensation?

Mr. Dunn: Mr. Dunn said we are talking about a collector substation, not the wind turbines themselves. Those will be addressed, maybe, at a later date.

Mrs. Hans: Mrs. Hans said if the substation is going up, would they take it down if the farm doesn't go?

Mr. Williams: Mr. Williams said all they are actually going to do is some grating work and put foundation in and some fence up. That is what this zoning hearing is for. He also wanted to pointed out that is says in the resolution, "said property and all operations upon said property shall remain subject to all other applicable local, County, State and Federal regulations." Mr. Williams said that is where we have hopefully built in some protection for the residents out there.

Allan Hans: Mr. Hans lives at the same address 5602 W. Duroc. He understands you have to comply with the Illinois Pollution Control Board standards. As he understands it there haven't been any changes to that standard since maybe 1979. So, he is wondering if

the rules, the codes, the protection for citizens have caught up with the technology. The people who have to live next to these windmills and the substation, we need to make sure that we all can be good neighbors and live together in this environment.

Mr. King: Mr. King said the sound emitted from the substation is extremely low. Typically it is audible when you are at the substation itself or perhaps parked along the side of the road, not at residences at a distance. The closest residence to the substation that is proposed is roughly 1300 feet. So, you would not be able to hear it at that distance.

Mr. Hans: Mr. Hans said he understands this is to do with the substation, but we have to understand that the substation is prior to the construction of these windmills. Again, he asked if the Illinois Pollution Control Board standards have kept up with the technology. Do they have noise restrictions that are consistent with the construction of windmills that have occurred in the last 3, 4, 5 years? He just wants to get that on the record.

Paul Heft: Mr. Heft said he is the Highway Commissioner in Austin Township. Most of you know who he is. This project will be a wonderful godsend for Austin Township and our road problems and bridge problems with the many closings and money we owe for bridges. As he stated at the zoning meeting, he has been to 5 different farms. He goes by himself and has studied them. He has been beside them. There is no noise from these transmission stations. He has been to one near Paxton that is the same company as Mr. King's. It is no different than the transmission stations downtown or wherever here in town that Illinois Power has got. There is no noise. That is his study as road commissioner for Austin Township. He hopes they will all support it because it is the project they need out there for the most bridges in Macon County and the most bridges in the State of Illinois by one township, which is Austin Township.

Mr. Ashby: Mr. Ashby asked if this Special Use Permit granted to these people eliminates us from other special permits for other wind farm do overs.

Mr. Dunn: Mr. Dunn said no.

ROLL CALL.

Ayes: Ashby, Baxter, Cox, Dawson, Dudley, Dunn, Greenfield, Hogan, Jacobs, Little, Mattingley, Meachum, Minich, Oliver, Potts, Smith, Williams, Zimmerman

Nays: (None)

Present: Bird, Drobisch

AYES = 18

NAYS = 0

PRESENT = 2

MOTION CARRIED.

B. CORRESPONDENCE

Three Notice of Application for Permit to Manage Waste from the Illinois Environmental Protection Agency for Advanced Disposal Services Valley View Landfill addressing condition VIII.15, VIII.26, and proposing AGQS and MAPC values for dissolved magnesium.

A Notice of Application for Permit to Manage Waste from the Illinois Environmental Protection Agency for Valley View Landfill, Inc for a proposal to modify the permit conditions restricting the use of waste materials as Alternative Daily Cover (ADC) only in areas equipped with a composite liner.

A letter from the Decatur Public Building Commission regarding surplus funds for Fiscal Year 2013 in the Multiple Facilities Operational Funds

A letter from Ameren Illinois regarding tree trimming they will be doing in and around the Decatur and Mt. Zion areas in the near future.

A letter from Ameren regarding notification of upcoming vegetation management that will be done in the community in the near future

A letter from Comcast regarding changes to the Comcast channel lineup

A letter from Comcast regarding price changes effective January 1, 2014

A letter from Xfinity regarding price adjustments effective January 1, 2014

A letter from NewWave Communications regarding new rates

REPORTS

Sheriff's Report – November 2013

Treasurer Fund & Investment Report – November 2013

Tax Collector Bank Report – November 2013

Auditor's Report – October 2013

Public Defender Monthly Report – October 2013

MOTION

Mrs. Little moved, seconded by Mr. Smith 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. (BIRD & DROBISCH SHOWED THEIR VOTE AS YES)

3. CLAIMS

MOTION

Mrs. Cox moved, seconded by Mr. Smith 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.

C. APPOINTMENTS

4. Resolution G-4001-12-13 – Re-appointment to Macon County Historical Society
Board of Directors

Ritchie Barnett, 207 Delmar Ave., Decatur, IL 62522
Term Expires: December 31, 2015

- Resolution G-4002-12-13 – Re-appointment to Macon County Historical Society
Board of Directors

Nancy Torgerson, 17 Surrey Lane, Forsyth, IL 62535
Term Expires: December 31, 2015

- Resolution G-4003-12-13 – Re-appointment to Macon County Historical Society
Board of Directors

Garry Davis, 14 Oak Ridge Dr., Decatur, IL 62521
Term Expires: December 31, 2015

- Resolution G-4004-12-13 – Re-appointment to Macon County Regional Planning
Commission

Kathy Merner, 130 N. Oakcrest Ave., Decatur, IL 62522
Term Expires: December 31, 2016.

- Resolution G-4005-12-13 – Re-appointment to Macon County Regional Planning
Commission

Charles Hunsinger, 5880 Lakelynn Dr., Macon, IL 62544
Term Expires: December 31, 2016

Resolution G-4006-12-13 – Re-appointment to Macon County Regional Planning Commission

Larry Altenbaumer, 4651 Cresthaven Lane, Decatur, IL 62526
Term Expires: November 30, 2015

Resolution G-4007-12-13 – Re-appointment to Macon County Regional Planning Commission

Kathy Wade, 25 1800th Ave., Mt. Pulaski, IL 62548
Term Expires: December 31, 2016

Resolution G-4008-12-13 – Re-appointment to Macon County Regional Planning Commission

Monte Cherry, 405 CR 2500 N, Mahomet IL 61853
Term Expires: December 31, 2016

Resolution G-4009-12-13 – Re-appointment to Macon Mosquito Abatement District

Kathy Merner, 130 N. Oakcrest, Decatur, IL 62522
Term Expires: December 31, 2017

Resolution G-4010-12-13 – Re-appointment to Macon Mosquito Abatement District Board of Trustees

Lisle Ellis, 847 W. Cushing, Decatur, IL 62526
Term Expires: December 31, 2017

Resolution G-4011-12-13 – Re-appointment to Macon Mosquito Abatement District Board of Trustees

Carol Carlton, 1141 Meadowview Dr., Decatur, IL 62526
Term Expires: December 31, 2017

MOTION

Mr. Meachum moved, seconded by Mr. Williams to approve Resolution G-4001-12-13 through Resolution G-4011-12-13 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

D. CONSENT CALENDAR

5. Resolution G-4012-12-13 – Executing Deeds to convey property on which taxes were delinquent

MOTION

Mr. Oliver moved, seconded by Mrs. Cox to approve the Consent Calendar by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

JUSTICE COMMITTEE

6. Mr. Mattingley presented Resolution G-4013-12-13 which is entering into an agreement with Peoria County for the sale of juvenile detention bed space.

MOTION

Mr. Mattingley moved, seconded by Mrs. Little to approve Resolution G-4013-12-13 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

7. Mr. Mattingley presented Resolution G-4014-12-13 which is approving increase in appropriations in the FY 2014 Probation Grant Fund for Juvenile Redeploy Illinois Grant.

MOTION

Mr. Mattingley moved, seconded by Mrs. Little to approve Resolution G-4014-12-13 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

8. Mr. Mattingley presented Resolution G-4015-12-13 which is approving the “Me Too Clause” for Command Officers increase in appropriations in the Sheriff’s FY 2013 budget.

MOTION

Mr. Mattingley moved, seconded by Mr. Minich to approve Resolution G-4015-12-13 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

The EEHW Committee had nothing to submit at the meeting.

OPERATIONS AND PERSONNEL COMMITTEE

9. Mrs. Cox presented Resolution G-4016-12-13 which is accepting a one year proposal from Safety National for Worker's Compensation excess liability insurance coverage.

MOTION

Mr. Cox moved, seconded by Mr. Oliver to approve Resolution G-4016-12-13 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

The Legislative Committee had nothing to submit at the meeting.

FINANCE COMMITTEE

10. Mr. Ashby presented Resolution G-4017-12-13 which is approving appropriations for Capital Vehicles Revolving Fund.

MOTION

Mr. Ashby moved, seconded by Mrs. Little to approve Resolution G-4017-12-13 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

11. Mr. Ashby presented Resolution G-4018-12-13 which is approving an increase in appropriations in the Probation Grant Fund for Juvenile Redeploy Illinois Grant, Drug Court Implementation Grant and Illinois Department of Transportation DUI Grant.

MOTION

Mr. Ashby moved, seconded by Mrs. Cox to approve Resolution G-4018-12-13 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

12. Mr. Ashby presented Resolution G-4019-12-13 which is approving increase in FY 2013 appropriations in the General Fund for reclassification of LEST expenses.

MOTION

Mr. Ashby moved, seconded by Mrs. Little to approve Resolution G-4019-12-13 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

The Negotiations Committee had nothing to submit at the meeting.

TRANSPORTATION COMMITTEE

13. Mr. Williams presented Resolution G-4020-12-13 which is increasing appropriations in the State Township Bridge Fund FY 13 budget for a bridge on Ocean Trail Road.

MOTION

Mr. Williams moved, seconded by Mrs. Zimmerman to approve Resolution G-4020-12-13 by prior roll call vote.

COMMENT:

Mr. Williams: Mr. Williams said this is adjusting the Township Bridge Fund budget to match what we actually spent on the Ocean Trail Road bridge.

MOTION CARRIED.

14. Mr. Williams presented Resolution H-1869-12-13 which is appropriating funds for construction expenses for CH 41 Wyckles Road North Reconstruction Project.

MOTION

Mr. Williams moved, seconded by Mrs. Little to approve Resolution H-1869-12-13 by prior roll call vote.

COMMENT:

Mr. Williams: Mr. Williams said this is funds for the construction of the north section of the Wyckles Road Reconstruction Project. It is approximately \$134,000 under estimate.

MOTION CARRIED.

15. Mr. Williams presented Resolution H-1870-12-13 which is appropriating funds for Section 14-00000-00-GM the 2014 MFT General Maintenance project.

MOTION

Mr. Williams moved, seconded by Mrs. Cox to approve Resolution H-1870-12-13 by prior roll call vote.

COMMENT:

Mr. Williams: Mr. Williams said this is funds for the annual maintenance work paid for by motor fuel tax.

MOTION CARRIED.

16. Mr. Williams presented Resolution H-1871-12-13 which is approving a road use agreement with Enbridge Pipelines (Illinois) L.L.C. on the Flanagan Pipeline South Project.

MOTION

Mr. Williams moved, seconded by Mr. Meachum to approve Resolution H-1871-12-13 by prior roll call vote.

COMMENT:

Mr. Williams: Mr. Williams said it has a state's road use agreement for Enbridge pipe work. They gave us \$10,000 up front for permitting and will evaluate and pay for any road damage caused during construction.

MOTION CARRIED.

17. Mr. Williams presented Resolution H-1872-12-13 which is approving an agreement for County Engineer's Salary.

MOTION

Mr. Williams moved, seconded by Mr. Meachum to approve Resolution H-1872-12-13 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

The Executive Committee had nothing to submit at the meeting.

SITING, RULES & ORDINANCE SUB-COMMITTEE

Mr. Potts: Mr. Potts said we are still on hold with the codification. It is not progressing all that fast right now. We have some issues regarding changes in the wind turbine ordinance that will be addressed.

The Building sub-committee had nothing to submit at the meeting.

There were no citizens' remarks presented at the meeting.

There were no officeholders' remarks presented at the meeting.

There was no old business presented at the meeting.

There was no new business presented at the meeting.

MOTION TO CLOSE SESSION

Mr. Meachum moved, seconded by Mr. Dudley to go into closed session to discuss the potential purchase of real property by prior roll call vote. (5ILCS 120/2 (C) (5))

MOTION CARRIED.

MOTION TO OPEN SESSION

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

MOTION CARRIED.

MOTION TO ADJOURN

Mr. Smith moved, seconded by Mr. Oliver to adjourn until Thursday, January 9, 2013 at 6:00 p.m.

MOTION CARRIED.

Meeting adjourned at 6:50 p.m.