

**PROCEEDINGS
OF THE
MACON COUNTY BOARD**

JANUARY 10, 2019

**Kevin Greenfield
Chairman**

**Josh Tanner
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 Mr. Mattingley.

**A. APPROVAL OF MINUTES OF THE DECEMBER 3, 2018 MEETING AND
THE DECEMBER 13, 2018 MEETING**

MOTION

Mr. Smith moved, seconded by Mr. Jackson to approve the minutes of the December 3, 2018 and December 13, 2018 meetings.

There were no questions or comments from the board floor.

ROLL CALL.

Ayes: Bird, Brown, Buckner, Cox, Dawson, Drobisch, Dudley, Dunn, Greenfield, Gresham, Hogan, Jackson, Joy, Kraft, Little, Noland, Oliver, Smith, Taylor, Zimmerman

Nays: (None)

AYES = 20

NAYS = 0

MOTION CARRIED.

RECOGNITIONS:

Sheriff Brown: Sheriff Brown said that on December 14, 2018 around 7:39 p.m. deputies were detailed to the area of W. Washington and Lake Fork Road to a traffic accident involving one vehicle. While in route, deputies were advised that a vehicle was overturned with occupants trapped inside the vehicle which is now on fire. Upon deputies' arrival, they discovered a young man who was later identified as Peyton Ruwe, who was the first individual on the scene. Peyton was working outside when he thought he heard something that sounded like a gun shot. He said he was able to hear someone yelling for help so he got into his vehicle and headed in the direction of his neighbor's residence thinking there may be a problem. Peyton observed that there were power lines down and was able to stop his vehicle prior to hitting them. He then observed a black sedan that was overturned and ran over to it and called 9-1-1. Peyton observed two subjects that were trapped inside the vehicle and tried several times to get the front passenger door open but was unable to because of the damage to the vehicle. He was able to break the front passenger window and pull the female passenger out of the vehicle to safety. Unfortunately, the driver of the vehicle died in this tragic accident. Along with many members of the Macon County Sheriff's Office, Sheriff Brown wanted to present Peyton Ruwe with a Lifesaver's Certificate due to his bravery, selflessness and quick

action that saved this passengers life. Sheriff Brown said it was Ed Aukamp who actually approached him, along with Deputies Lewallen and Lambdin. They felt, as well as many members of the Sheriff's Office and the community, that Peyton Ruwe was very deserving of this award. Sheriff Brown thanked him again.

ZONING/SUBDIVISIONS

1. Mr. Dudley presented Resolution Z-1207-01-19 which is regarding Case R-02-11-18, a petition submitted by Douglas Henderson requesting rezoning of approximately 5.11 acres from (R-4) Single Family Residential Zoning to (RE-5) Single Family Estate Zoning on property commonly known as 4129 N. Prairie View Road Oakley, IL 62501 in Oakley Township. After hearing the evidence, the Zoning Board of Appeals voted to recommend approval of the subject petition to the County Board. The EEHW Committee met and reviewed the petition and recommended approval to the County Board.

MOTION

Mr. Dudley moved, seconded by Ms. Kraft to approve Resolution Z-1207-01-19.

COMMENT:

Mr. Dudley: Mr. Dudley said he wanted to remind the board this was an issue where it was denied by the Oakley Planning Commission. He said even though it was approved by the Zoning Board and the EEHW Committee they would have to have a super majority vote tonight which is 16 yes votes to pass.

Mr. Greenfield: Mr. Greenfield asked if there was anyone at the meeting from Oakley that wanted to comment on this. Mr. Greenfield said they could take comments on it but they just can't give back any feedback on it. He said if anyone wanted to comment on it at this time they could do so. If they waited until the public comments part of the meeting it would be too late.

Richard Scales: Mr. Scales lives at 4079 N. Prairie View Rd., in Oakley, IL. He said what they were talking about is that this parcel of land is in his backyard, Terry's backyard and several other people's backyard. It is landlocked. That property is landlocked. He said they are against the rezoning of this because they do not want anything and everything in their backyard that has to do with large animals. He would appreciate if they would deny this because of the fact that it has always been a nice neighborhood with no large animals. They have raised a lot of good families out there. It is just the fact that they don't care for the noise or the smell that goes along with the proceeds of these larger animals.

Douglas Henderson: Mr. Henderson lives at 4129 N. Prairie View Rd., in Oakley, IL. He said they are wanting to have this rezoned so they can have animals. They had some chickens. They figured with 5.1 acres they would be able to have chickens. Someone complained to them letting them know they were on residential land, not knowing when

they bought the property that it would be an issue. They are wanting to have, at this point, small animals, no seeing future of large animals. He knew that the Oakley Township denied them saying they should get a variance for animals. They found out through the Macon County Board that a variance for animals is not allowed. So, that is the reason they denied them to get a variance instead of getting rezoned. They are looking to just have a few animals on their property so they can have eggs and have 4-H animals for their children.

Terry Cottrell: Mr. Cottrell lives at 4097 N. Prairie View Rd., in Oakley, IL. He agrees with Richard Scales. We don't want the smell and the large animals.

Mr. Greenfield: Mr. Greenfield said this will require 16 votes for approval.

ROLL CALL.

Ayes: Bird, Brown, Buckner, Dawson, Dudley, Dunn, Greenfield, Hogan, Jackson, Joy, Kraft, Noland, Oliver, Taylor, Zimmerman

Nays: Cox, Drobisch, Gresham, Little, Smith

AYES = 15

NAYS = 5

MOTION FAILED.

2. Mr. Dudley presented Resolution Z-1208-01-19 which is regarding Case R-01-12-18, a petition submitted by Michael & Linda Mathis requesting rezoning of approximately 5.01 acres from (A-1) Agricultural Zoning to (RE-5) Single Family Estate Zoning on property in Harristown Township. After hearing the evidence, the Zoning Board of Appeals voted to recommend approval of the subject petition to the County Board. The EEHW Committee met and reviewed the petition and recommended approval to the County Board.

MOTION

Mr. Dudley moved, seconded by Mrs. Kraft to approve Resolution Z-1208-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED. (COX, DROBISCH, GRESHAM, LITTLE & SMITH SHOWED THEIR VOTE AS YES)

B. CORRESPONDENCE

A letter from the Decatur Public Building Commission regarding Certificate of Ending Fund Balance – Fiscal Year 2018 Multiple Facilities Operational Lease Account.

A copy of the Local Government Division Fiscal Responsibility Report Card for 2017 from State of Illinois Comptroller, Susana Mendoza.

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

Two letters from Comcast regarding changes and updates to their channel line-up.

A letter from NewWave Communications regarding their residential and business cable television rate structure.

A pamphlet from KinderMorgan regarding pipeline safety information.

A pamphlet from Paradigm Liaison Services regarding CORE Emergency Response Pipeline Training.

Tree trimming information from Ameren Illinois.

REPORTS

Sheriff Report – December 2018

Treasurer Fund and Investment Report – December 2018

Collector Report – December 2018

Coroner Report – November 2018

Public Defender Report – December 2018

MOTION

Mr. Dunn moved, seconded by Mr. Brown 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 Mrs. Kraft to approve the claims by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

C. APPOINTMENTS

The appointments are being presented under the Consent Calendar.

D. CONSENT CALENDAR

4. Resolution G-4951-01-19 – To execute deeds to convey property on which taxes were delinquent

Resolution G-4952-01-19 – Appointment to Macon County Electrical Commission

Terry Rhodes, 1910 N. Sunnyside Dr., Decatur, IL 62526
Term Expires: November 30, 2020

MOTION

Mr. Dunn 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

5. Mr. Dunn presented Resolution G-4953-01-19 which is entering into an agreement with Peoria County for the sale of Juvenile Detention bed space.

MOTION

Mr. Dunn moved, seconded by Mrs. Kraft to approve Resolution G-4953-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

6. Mr. Dunn presented Resolution G-4954-01-19 which is approving a donation from the Howard G. Buffett Foundation to fund the Macon County Drug Court Probation Officers for FY 2019.

MOTION

Mr. Dunn moved, seconded by Mrs. Cox to approve Resolution G-4954-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

7. Mr. Dunn presented Resolution G-4955-01-19 which is approving expenditures from the Howard G. Buffett Foundation grant for the Special Response Team (SRT).

MOTION

Mr. Dunn moved, seconded by Mr. Oliver to approve Resolution G-4955-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

8. Mr. Dunn presented Resolution G-4956-01-19 which is approving a donation from the Howard G. Buffett Foundation for a Personal Patrol Vehicle (PPV) Program.

MOTION

Mr. Dunn moved, seconded by Mr. Brown to approve Resolution G-4956-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

9. Mr. Dunn presented Resolution G-4957-01-19 which is amending the rules, regulations, and requirements of the Macon County Merit Commission for the Macon County Sheriff's Office.

MOTION

Mr. Dunn moved, seconded by Mr. Smith to approve Resolution G-4957-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

10. Mr. Dunn presented Resolution G-4958-01-19 which is amending the Public Defender's FY2019 budget for the payment of an expert for a forensic computer examination and report.

MOTION

Mr. Dunn moved, seconded by Mrs. Cox to approve Resolution G-4958-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

EEHW COMMITTEE

11. Mr. Dudley presented Resolution G-4959-01-19 which is approving an increase in appropriations in the FY18 and FY19 Health Fund budget for CDC Tips.

MOTION

Mr. Dudley moved, seconded by Ms. Buckner to approve Resolution G-4959-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

12. Mr. Dudley presented Resolution G-4960-01-19 which is approving increase in appropriations in the FY18 and FY19 Health Fund budget for Let's Talk: Teen Health.

MOTION

Mr. Dudley moved, seconded by Mrs. Cox to approve Resolution G-4960-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

13. Mr. Dudley presented Resolution G-4961-01-19 which is approving an increase in appropriations in the FY18 and FY19 Health Fund budget for Car Seat Check Program.

MOTION

Mr. Dudley moved, seconded by Mrs. Cox to approve Resolution G-4961-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

14. Mr. Dudley presented Resolution G-4962-01-19 which is approving increase in appropriations in the FY18 Health Fund budget for Starting Point.

MOTION

Mr. Dudley moved, seconded by Mrs. Little to approve Resolution G-4962-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

15. Mr. Dudley presented Resolution G-4963-01-19 which is approving increase in appropriations in the FY18 Health Fund budget for Year End Additions & Cleanup.

MOTION

Mr. Dudley moved, seconded by Mrs. Little to approve Resolution G-4963-01-19 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

16. Mr. Jackson presented Resolution G-4964-01-19 which is accepting a one year proposal from Midwest Employers Casualty for Workers Compensation Excess Liability insurance coverage.

MOTION

Mr. Jackson moved, seconded by Mr. Smith to approve Resolution G-4964-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

17. Mr. Jackson presented Resolution G-4965-01-19 which is approving appropriation of FY19 funds for Macon County Auditor's office accounting system upgrade.

MOTION

Mr. Jackson moved, seconded by Mrs. Cox to approve Resolution G-4965-01-19 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

18. Mrs. Cox presented Resolution H-2134-01-19 which is approving Amendment No. 1 to the Twin Forks Wind Farm LLC Letter of Credit.

MOTION

Mrs. Cox moved, seconded by Mr. Dunn to approve Resolution H-2134-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

19. Mrs. Cox presented Resolution H-2135-01-19 which is appropriating funds for the Joint City of Decatur-Macon County Microsurfacing Project.

MOTION

Mrs. Cox moved, seconded by Mr. Dunn to approve Resolution H-2135-01-19 by prior roll call vote.

QUESTION:

Mr. Smith: Mr. Smith asked where this is. He asked if it is Progress City.

Mr. Greenfield: Mr. Greenfield said he believes it is different locations throughout the county and the city.

MOTION CARRIED.

20. Mrs. Cox presented Resolution H-2136-01-19 which is approving funds for the purchase of Right of Way Parcel 001 from William Penhallagon, Barbara McKay, and G.

Patton Penhallagon for the Schellabarger Road Bridge Replacement Project, Section 16-07116-00-BR.

MOTION

Mrs. Cox moved, seconded by Ms. Joy to approve Resolution H-2136-01-19 by prior roll call vote.

There were no questions or comments from the board floor.

MOTION CARRIED.

21. Mrs. Cox presented Resolution H-2137-01-19 which is approving funds for the purchase of Right of Way Parcel 003 from the Township of Oakley for the CH 24 Reas Bridge Road Project, Section 14-00268-03-EG.

MOTION

Mrs. Cox moved, seconded by Mr. Bird to approve Resolution H-2137-01-19 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.

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

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

CITIZENS' REMARKS:

Roslyn O'Conner: Ms. O'Conner lives at 147 S. Linden in Decatur, IL. She thanked them for having her. She wanted to briefly speak to the proposed Macon County Recycling and Composting Center. As a citizen of Decatur she said she lives in the west end and has been a citizen and homeowner for over 20 years. She is a gardener and loves her garden. Ms. O'Conner feels like the facility composting would allow her to have some quality compost for her garden. She also said they have a lot of trees in the west end and she gets a lot of branches falling from those trees. She appreciates the leaf service that they already have, but those branches have to be taken away and she has to pay for that. This would allow her to have a more affordable option for those tree limbs to be taken care of. The other side of it, the recycling option, she has used those in the past. She believes having those available daily would be very beneficial to her and very convenient. Ms. O'Conner said again from the cost standpoint getting rid of any broken furniture, appliances, electronics she would have to pay for all of that at a cost that would

be more than what she would have to pay at the facility itself. So, the convenience would be great and then that cost savings for both the composting and those recycling abilities would very beneficial to her family. She thanked them for their time

There were no officeholder 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 ADJOURN

Mr. Brown moved, seconded by Mrs. Cox to adjourn until Thursday, February 14, 2019 at 6:00 p.m.

MOTION CARRIED.

Meeting adjourned at 6:24 p.m.