

COUNTY OF MENARD)
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STATE OF ILLINOIS)

The Menard County Board of Commissioners met on Tuesday, February 10, 2009, at 7:00 p.m. in the Commissioners' Room of the Menard County Courthouse, Petersburg, Illinois. Commissioners Merle Kirby, Ed Whitcomb, Barb Kyes, Jeff Fore and Bob Lott were present. County Treasurer Jackie Horn and County Coordinator Steve Duncan were also in attendance.

Commissioner Kirby called the meeting to order at 7:00 p.m.

Commissioner Lott moved to approve the consent agenda which included the regular minutes from the January 27, 2009 Board meeting and the Menard County Community Services monthly report. Commissioner Kyes seconded the motion. The motion carried unanimously.

Sunny Acres/Countryside Estates Report/Requests for Board Action

Sunny Acres Administrator Lester Robertson was in attendance and gave an overview of Sunny Acres operations, highlighting that the census at Sunny Acres was 89 with three residents currently in the hospital. He stated that there were currently no staff vacancies. He presented an update on the status of the heating, ventilation and air conditioning (HVAC) project at Sunny Acres, informing the Board that there would be monthly meetings with the contractor to give a status report. He stated that the sprinkler system project was complete. He stated that the facility was in compliance with an Illinois Department of Public Health complaint survey and a licensure/certification survey. He provided a brief update on a Life Safety Code survey that had been conducted recently at the facility. He stated there were minor issues that came out of this survey but that they could be addressed. He informed the Board that they were awaiting responses to the request for proposal to perform planning consultation for Sunny Acres & Countryside Estates. He provided an update on the fire alarm system stating that he believed they were now operating, as needed. He provided an overview of efforts to enhance the Sunny Acres website. He provided a brief overview of the status of intergovernmental transfers. Mr. Robertson stated that the census at Countryside Estates was 21, that the kitchen floor installation was complete at that facility and that the front door replacement had been ordered.

Chairman Kirby asked Mr. Robertson what number of residents Sunny Acres needed to meet budgetary requirements or break-even. Mr. Robertson stated that he budgeted for a census of 92 but that this was based on a particular mix of payment types among residents (e.g., private pay, Medicare, Medicaid) and, therefore, really depended more on the payment mix as to what the facility needed for a required census number.

Highway Department Report/Requests for Board Action

Tom Casson, County Highway Engineer, was in attendance and presented County Highway department bills for January 2009.

Mr. Casson presented a local agency agreement for Federal participation, Section 08-00056-04-PV, Athens Blacktop Road (re: curves 4A & 5). Commissioner Lott moved to approve this local agency agreement, as presented. Commissioner Kyes seconded the motion. The motion carried unanimously.

Mr. Casson presented a construction engineering services agreement, for Federal participation, with Allen Henderson & Associates, Section 07-00056-00-PV, Athens Blacktop Road (re: "Sampson" curves). Commissioner Whitcomb moved to approve this construction engineering services agreement, as presented. Commissioner Fore seconded the motion. The motion carried unanimously.

Mr. Casson asked the Board if he could retire a 1967 Ford truck from the County Highway Department fleet. He stated that he had budgeted and the Board had approved for this to be done during this fiscal year. He stated that they were looking to replace it with a Ford F-450 with a nine-foot "dump" bed/body. He stated that the gasoline engine option would cost \$28,667, based on a bid estimate he had received, and the diesel option would cost an additional \$5,432. Mr. Casson stated that he would seek additional estimates before proceeding

with any purchase. The consensus of the Board was for Mr. Casson to proceed with either option based on the expected usage of the truck and per budgeted funds for fiscal year 2009.

Mr. Casson was asked to comment on the Board's reviewing the County's comprehensive land-use plan. Mr. Casson stated that one of the main issues that he would like to see the County retain is limiting points of access off of certain roads to protect traffic safety. He stated that the minimum parcel/lot width of 200 feet with 200 feet of public road frontage, in certain zoning districts, was an attempt to limit access points onto public roads and increase traffic safety.

Commissioner Lott asked Mr. Casson if there were plans to improve Post Street, near Athens. Mr. Casson stated that the short-term plan was to improve a two-mile stretch with a cold-mix overlay. He stated that this would be done if motor tax fuel revenues were sufficient. He stated that since revenues were falling, it may not happen this year. He stated that long-term he would like to see the entire road improved but that would be determined by finding future funding opportunities, if they can be accessed for such a project.

The Board and County staff spent time discussing whether or not to require fees for addressing substandard public roads when a development proposal was made along such a road. County Coordinator/Zoning Administrator Duncan stated that there were such provisions in the County's subdivision ordinance. Mr. Casson pointed out but that there had not been a development proposal, since the effective date of the current subdivision ordinance, which had invoked such regulations. Mr. Casson stated that he felt that these regulations may need to be re-written to be more enforceable too. Commissioner Kyes asked Mr. Casson to research model language that may be better than the current language.

Unscheduled Public Comments/Requests for Board Action

No unscheduled public comments were made at this meeting.

Review of Current Menard County Comprehensive Land-Use Plan

The Board spent meeting time discussing the current goals of the County's comprehensive land-use plan. Mr. Duncan stated that, in his view, many of the adopted goals were never followed through with since no regulatory framework was ever created to address, for example, such issues as storm water management, erosion caused by development or protection of mature trees from development. He stated that, in his view, to follow through with many of the goals outlined in the land-use plan would require a totally different regulatory climate than the County had ever seen before, require different staff expertise than existed today and significantly change what information the public would be required to provide before proceeding with development and the cost to develop property to comply with such regulations. He stated that this may or may not be what the County wants to do, and that he was not offering a judgment one way or the other, but simply expressing his view that a great deal of the current land-use goals could only be accomplished by more regulation. He stated that if that was not a direction the County wanted to go then he did not know what the point of adopting or having such goals would really mean. He urged that, as the County's Zoning Administrator, he just wanted goals and subsequent regulations that the Board felt comfortable with enforcing. The Board discussed the fact that a lot of property development was regulated by State and Federal regulations to the degree that those levels of government enforced their regulations. The Board stated that they would like the Soil & Water Conservation District office to comment on pertinent goals in the land-use plan and if they could be utilized to enforce regulations pertaining to their areas of expertise.

The Board discussed where residential development should be encouraged. After discussion, the Board directed Mr. Duncan to put together a map, showing the current, Rural Residential zoning district being established within a mile and ½ of the County's municipalities and population centers (e.g., Fancy Prairie, Atterberry, etc.) so that they could evaluate the idea of encouraging large-lot residential development, along with agricultural uses, within the area that incorporated municipalities also had a say in how they were zoned. (Note: No re-zoning of properties occurred as a result of this action.)

Mr. Duncan pointed out that much of the unincorporated areas around the City of Petersburg and City of Athens were already zoned Rural Residential or R-1 Single-Family. The Board discussed how some of the other communities in the County did not have such zoning around their city limits and that property owners, in most cases, needed thirty acres to build a house. The Board discussed creating another classification of Rural Residential zoning regulations where farms would not be a permitted use but the keeping of a few animals (e.g., horses) would be allowed as an accessory use to the principal use of a single-family dwelling. Mr. Duncan stated that he thought there were a few areas in the County where development patterns would suggest such a zoning district be created to protect residents from intensive agricultural uses. Commissioner Kyes stated that she would like to review the comprehensive land-use plans for Cass and Logan counties.

After some more discussion the Board directed Mr. Duncan to do the following for their consideration in reviewing the current land-use plan: 1) Put together a map, showing the current, Rural Residential zoning district being established within a mile and ½ of the County's municipalities and population centers (e.g., Fancy Prairie, Atterberry, etc.); 2) Contact the Soil & Water Conservation District office to ask for comments on pertinent goals in the land-use plan and if they could be utilized to enforce regulations pertaining to their areas of expertise; 3) Get copies of Cass and Logan counties comprehensive land-use plans for review; and, 4) Try to identify on a map all the parcels around five (5) acres in size.

Review of Current Menard County Animal Control Ordinance Amendments

The Board spent time commenting on proposed amendments to the County's animal control ordinance, the majority of which were being proposed to reflect that the County Health Department was no longer managing the Animal Control Department. Commissioner Kyes presented a few written questions and comments for inclusion into the amendments. Commissioner Fore asked that the State's Attorney review the legality of Section 15(F) of the ordinance, dealing with dogs engaged in legal hunting activities and not being considered running at large, if monitored by a person and on land which the person has obtained permission to hunt or train the dog. Commissioner Fore said that it was his understanding that this law had been changed.

County Treasurer's Report/Request for Board Action

County Treasurer reported that the IMRF "pension" fund had suffered significant losses due to the economic downturn and that this may require the County to contribute more funds to the program in the future. She also presented the end of month financial reports for January. The Board was interested to know what was accounting for the significant decline in revenue for housing Federal prisoners. The consensus of the Board was that they would like the Sheriff to inform them of what had changed from previous years with this revenue source.

County Clerk's Report/Request for Board Action

No report.

State's Attorney Report/Request for Board Action

No report.

County Coordinator's Report/Request for Board Action

County Coordinator Duncan presented executive session minutes from July 30, 2008 for consideration to be opened to the public. Commissioner Lott moved to open these minutes, as presented. Commissioner Whitcomb seconded the motion. The motion carried unanimously.

Mr. Duncan informed the Board that Area Disposal, Inc. had been given a tour of the sites that the recycling bins had been located at and were evaluating what sites they would service. Mr. Duncan said that they were only agreeing to recycle paper products, free of charge, and that no other items would be collected for recycling as there was no market demand for plastics, glass, aluminum or other metals.

Mr. Duncan informed the Board that Rosalie York of Method Management and various representatives of Northwestern Mutual would both like to come give presentations regarding services they do or can provide to the County regarding insurance issues. The Board directed Mr. Duncan to put them on the agenda for an upcoming meeting.

Mr. Duncan informed the Board that his administrative assistant had asked to go to part-time status beginning June 1, 2009. He informed the Board of various mailings and announcements that had been sent to the Board, via his office. He informed the Board of some issues involving a couple of computer issues that may result in additional cost to the County to replace some computer hardware, if deemed needed.

Individual Board Members - Report/Requests for Board Action

Chairman Kirby informed the Board that Sangamon County was offering early retirement to many of their employees and that some of these individuals may be able to be contracted with to provide services such as helping with drafting a new comprehensive land-use plan.

Executive Session

No executive session was held.

Adjournment

With no other business coming before the Board, Commissioner Fore moved to adjourn the meeting at 9:45 p.m. Commissioner Lott seconded the motion. The motion carried unanimously.