

COUNTY OF MENARD)
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STATE OF ILLINOIS)

The Menard County Board of Commissioners met on Tuesday, November 24, 2009, at 10:00 a.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 all present at the meeting. County Clerk Gene Treseler, State's Attorney Ken Baumgarten and County Coordinator Steve Duncan were also in attendance.

Commissioner Kirby called the meeting to order at 10:00 a.m.

Commissioner Whitcomb moved to approve the consent agenda which included the minutes from the November 10, 2009 regularly scheduled Board meeting and the monthly department expense report for October 2009, as presented. Commissioner Kyes seconded the motion. The motion carried unanimously.

Unscheduled Public Comments

There were no unscheduled public comments.

Ordinance - Special use permit 09-04SUP, for Menard County Road District #9, for the purpose of establishing road district facilities in the Rural Residential zoning district and located at 12079 Price Street.

Chris Flatt, Menard County Road District #9 Commissioner, was in attendance regarding an ordinance to approve or deny special use permit 09-04SUP, for Menard County Road District #9, for the purpose of establishing road district facilities in the Rural Residential zoning district at 12079 Price Street.

Commissioner Fore moved to approve the special use permit 09-04SUP, with no conditions. There was a discussion about whether the Zoning Board of Appeal's recommended condition of approval (establish a landscape barrier on the west property line within one year of approval of the special use permit) should be required. Mr. Flatt indicated that he would like more than a year. Commissioner Fore stated that he believed the road district would comply with the request, when funds become available, and did not think this condition of approval was necessary. Commissioner Lott seconded the motion. The motion carried unanimously. The ordinance shall be known as **Ordinance 43-09**.

Ordinance - Special use permit 09-05SUP, for Dr. Terrence E. O'Brien, for the purpose of establishing a veterinary hospital/clinic in the Rural Residential zoning district and located off Curtis Blacktop Rd., Centre Dr., Bere Haven Ln., with buildings located at 19000 National Drive, and located to the north of what is commonly referred to as the "East Bluff" subdivisions in Petersburg, IL. The properties are currently owned by East Petersburg Development Company & Security Bank.

An ordinance to approve or deny special use permit 09-05SUP, for Dr. Terrence E. O'Brien, for the purpose of establishing a veterinary hospital/clinic in the Rural Residential zoning district and located off Curtis Blacktop Rd., Centre Dr., Bere Haven Ln., with buildings located at 19000 National Drive, and located to the north of what is commonly referred to as the "East Bluff" subdivisions in Petersburg, IL, was presented.

Menard County resident Dwayne Lee expressed concern that the Zoning Board of Appeals focused too much on issues that lay outside the County's jurisdiction (e.g., City of Petersburg-controlled streets).

Jim Schoenherr, Zoning Administrator for the City of Petersburg, informed the Board that the City of Petersburg did not have any special restrictions for accessing a public road. He stated that the City did not have any issues with the development, as proposed.

Dr. Terry O'Brien gave a brief overview of his proposal. He stated that concerns, expressed by area residents at the Zoning Board of Appeals meeting, over semi-truck traffic were unfounded as it had been 20 plus years since a semi-truck had delivered any animals to the veterinary clinic. He stated that the current veterinary clinic facility was too small and they wanted to expand the size of their facilities. He stated that it was cost prohibitive to develop a driveway/road from Curtis Blacktop Road. He stated that the veterinary clinic drew clients from outside Menard County and that these individuals did business in Petersburg while their animals were examined/treated. He stated that the current business had approximately 5,900 clients and that 400 of those were horse clients and 240 were cattle clients. He stated that approximately 90% of their clients were small animal clients that arrived in smaller vehicles.

Commissioner Kyes moved to approve the special use permit 09-05SUP, with conditions that the special use permit is contingent upon the successful conveyance of the property to the applicant and that upon the successful conveyance of the property, all other, previously granted County land-use authority shall be replaced by this land-use authority. Commissioner Whitcomb seconded the motion. The motion carried unanimously. The ordinance shall be known as **Ordinance 44-09**.

Ordinance adopting Article III, Section 3.01, Definitions, Proposed Text Amendment to add "Recycling Facilities" & "Recyclable Material(s)" definitions & Proposed Text Amendment for Article IV, Section 4.01(B)(4), regarding Permitted Obstructions in Rear Yards

An ordinance to adopt or deny Article III, Section 3.01, Definitions, proposed text amendment to add "Recycling Facilities" & "Recyclable Material(s)" definitions & proposed text amendment for Article IV, Section 4.01(B)(4), regarding Permitted Obstructions in Rear Yards was presented.

Menard County resident Terry Bacon spoke in support of the proposed text amendments concerning recycling facilities as he was looking to establish such a business in the Village of Tallula.

Commissioner Lott moved to approve the proposed text amendments, as presented. Commissioner Fore seconded the motion. The motion carried unanimously. The ordinance shall be known as **Ordinance 45-09**.

Ordinance adopting Proposed Text Amendments to Article VI, Section 6.04, Rural Residential Zoning District Regulations that would provide for Private Wind Energy Conversion Systems by Special Use Permit & Setback Requirements for such Structures

An ordinance to adopt or deny proposed text amendments to Article VI, Section 6.04, Rural Residential Zoning District Regulations that would provide for Private Wind Energy Conversion Systems by Special Use Permit & setback requirements for such structures was presented.

There was discussion about whether or not these text amendments should be passed at this time. The Board discussed getting someone to come and give an overview of such structures. Mary Jane Fagan expressed support for the County studying the issue before proceeding with allowing such structures to be built.

After discussion, Commissioner Whitcomb moved to table consideration of this ordinance, pending further study of wind turbines and their appropriateness in the Rural Residential zoning district. Commissioner Kyes seconded the motion. The motion carried unanimously.

Ordinance adopting Proposed Text Amendments to Article VI, Section 6.07, B-1 Downtown Business Zoning District that would provide for Recycling Facilities as a Principal Use of Property, by Special Use Permit & Allow for Accessory Uses for Recycling Facilities & Waters Towers as listed by Section 6.07(C)

An ordinance to adopt or deny proposed text amendments to Article VI, Section 6.07, B-1 Downtown Business Zoning District that would provide for Recycling Facilities as a Principal Use of Property, by Special Use Permit & Allow for Accessory Uses for Recycling Facilities & Waters Towers as listed by Section 6.07(C), was presented. Commissioner Kyes moved to approve the proposed text amendments, as presented. Commissioner Fore seconded the motion. The motion carried unanimously. The ordinance shall be known as **Ordinance 46-09**.

Ordinance adopting new Article XIV, Section 14.01, Schedule of Fees

An ordinance adopting new Article XIV, Section 14.01, Schedule of Fees (zoning fees) was presented.

Menard County resident Jeanne Weaver stated that she objected to the fees as they were too high.

Commissioner Lott moved to approve the proposed text amendment, as presented. Commissioner Fore seconded the motion. The motion carried unanimously. The ordinance shall be known as **Ordinance 47-09**.

Ordinance to adopt Fiscal Year 2010 Budget

County Treasurer Jackie Horn joined the meeting during consideration of an ordinance to adopt the Fiscal Year 2010 budget. Chairperson Kirby asked if anyone from the public wished to speak regarding the budget. There were no public comments. Chairperson Kirby expressed sentiments that he believed most County department heads had done a good job in keeping their total budgets under budget. There was discussion about the need for department heads to take seriously, budget line-item transfers, so as to provide the Board an accurate picture of how funds actually are being spent by County department heads. There was a discussion about the Sunny Acres Nursing Home budget. As the Board was waiting for staff to arrive at the meeting to discuss the Sunny Acres Nursing Home budget, they proceeded with other agenda business

Resolution – Menard County Emergency Telephone Systems Board, Appointment of George Castles, Jeff Heubner, Larry Graf, David King, Bob Lott, Charles D. Jones & Mike Burg

A resolution concerning Menard County Emergency Telephone Systems Board appointments of George Castles, Jeff Heubner, Larry Graf, David King, Bob Lott, Charles D. Jones & Mike Burg was presented. Commissioner Kyes moved to approve the resolution, as presented. Commissioner Fore seconded the motion. The motion carried unanimously. The resolution shall be known as **Resolution 48-09**.

Resolution – Menard County Holiday Schedule

A resolution establishing the Fiscal Year 2010 holiday schedule was presented. There was discussion about the different holiday schedules that had been agreed to with the various unions and the number of holidays that should be given to employees. Commissioner Fore expressed sentiments that the Board needed to establish the same number of holidays for all employees. Commissioner Lott expressed sentiments that he would agree to set the holiday schedule at fourteen days for non-union/non-Sunny Acres personnel, as this was what was being provided to Fraternal Order of Police members under their current contract. Commissioner Lott expressed sentiments that he would like the County to look at reducing this number to be more in line with the EMT union's current, twelve holidays' schedule.

Commissioner Lott moved to approve the resolution, as presented. Commissioner Whitcomb seconded the motion. The motion carried unanimously. The resolution shall be known as **Resolution 49-09**.

FY 09 Line-Item Budget Transfers

County Treasurer Horn presented several, proposed line-item budget transfers for the Fiscal Year 2009 budget (copies on file). Commissioner Whitcomb moved to approve the line-item budget transfers, as presented. Commissioner Fore seconded the motion. The motion carried unanimously.

County Farm Lease

A new lease agreement to farm County-owned property located off of Sunny Acres Road was presented. John Wood, the winning bidder at \$240 per acre, had provided necessary materials to execute the agreement. Commissioner Whitcomb moved to approve the lease agreement and authorize Chairperson Kirby to sign on behalf of the County. Commissioner Lott seconded the motion. The motion carried unanimously.

Health Department Report/Requests for Board Action

Health Department Administrator Alicia Davis presented a budget revision for Fiscal Year 2009. Commissioner Kyes moved to approve the budget revision, as presented. Commissioner Fore seconded the motion. The motion carried unanimously.

Ms. Davis informed the Board that she should be getting grant funding, in the amount of \$6,000, which could be utilized by the Sheriff's Department to purchase specialized computer software. She informed that she had been in contact with FR & R healthcare consultants, who were being engaged by Sunny Acres Nursing Home, and would be assisting them, as needed. She stated that she would like to see Sunny Acres and the Health Department get the same hospice number which she believed would benefit the entire County. She informed the Board of a recently held H1N1 clinic that had been held by the Health Department and that they had dispensed 303 doses.

EMS/Community Services Department Report/Requests for Board Action

EMS Administrator Larry Graf and Community Services Administrator/EMS Fiscal Officer Dara Worthington were in attendance. Ms. Worthington presented an overview of various EMS Department financial report handouts. Transport logs were presented to the Board.

Commissioner Kyes moved to approve the EMS Department purchase of specialized computer software/hardware ("Imagetrend") in the amount of \$6,165.00 with no extended warranty. Commissioner Fore seconded the motion. The motion carried unanimously.

Mr. Graf informed the Board that he had been told that public aid reimbursements for service were hopefully going to be received more quickly in the future.

Highway Department Report/Requests for Board Action

County Engineer Tom Casson was in attendance and asked the Board to approve a local agency agreement for Federal participation for the Levee Street Bridge over Pike Creek project. Commissioner Whitcomb moved to approve the agreement, as presented. Commissioner Lott seconded the motion. The motion carried unanimously.

Ordinance to adopt Fiscal Year 2010 Budget

Sunny Acres Administrator Pat McNeal was in attendance to answer questions about Sunny Acres Fiscal Year 2010 budget submission at this point in the meeting. Ms. McNeal and the Board spent time discussing, among other budget topics, reimbursement rates that were used to forecast revenues for the facility.

County Treasurer's Report/Request for Board Action

There was no report.

County Clerk's Report/Request for Board Action

County Clerk Gene Treseler informed the Board that they should support efforts to change State of Illinois laws, regarding uncontested elections, as they are extremely expensive to the taxpayers.

State's Attorney Report/Request for Board Action

There were no report/requests.

County Coordinator's Report/Request for Board Action

Mr. Duncan presented executive session minutes from meetings held on May 12, 2009, May 15, 2009 and May 20, 2009. Commissioner Fore moved to approve and open all these executive session minutes, as prepared. Commissioner Lott seconded the motion. The motion carried unanimously.

Proposed Board of Commissioner meeting dates for the 2010 calendar year were presented. After discussion of the proposed dates, Commissioner Kyes moved to set the time, place and dates, as discussed (copy on file) and give public notice. Commissioner Lott seconded the motion. The motion carried unanimously.

Mr. Duncan asked the Board if they wanted to authorize \$300 for the employee Christmas party, as in past years. The consensus of the Board was to provide up to \$300 for this event.

Mr. Duncan presented a letter from Bruce Harris & Associates concerning their offer to charge up to \$10,000 to perform Geographic Information System (GIS) map maintenance during the 2010 calendar year. Mr. Duncan informed the Board that this would be much cheaper than expected for 2010 but that it was his understanding that it was a one time offer before coming back to the County with a significant increase in cost per document in subsequent years.

Individual Board Members - Report/Requests for Board Action

Commissioner Lott reiterated his desire that the Board have the various County Department Heads meet so as to make sure that areas of common interest were addressed and resources/opportunities were not wasted. The consensus of the Board was that this should begin as soon as possible and that roll should be taken so as to record who is attending these meetings.

Commissioner Fore expressed concerns that County staff was being accused of hindering Rescue Squad efforts to organize a taxing district. It was pointed out that some of the other taxing districts had expressed concerns at a hearing that was recently held but that no County staff was known to have spoken at this hearing in either support or opposition.

Ordinance to adopt Fiscal Year 2010 Budget

Commissioner Lott moved to approve the Fiscal Year 2010 budget ordinance, as presented. Commissioner Kyes seconded the motion. The motion carried unanimously. The ordinance shall be known as **Ordinance 50-09**.

Executive Session

There was no executive session held at this meeting.

Adjournment

With no other business coming before the Board, Commissioner Kyes moved to adjourn the meeting at 12:25 p.m. Commissioner Whitcomb seconded the motion. The motion carried unanimously.