

CLINTON COUNTY BOARD
November 18, 2002

The November meeting of the Clinton County Board was called to order Monday, November 18, 2002, at 7:00 p.m. in the county board meeting room on the second floor of the Jail.

Roll call: Present - Droege, Holtgrave, Kehrer, Kloeckner, Lampe, Mensing, Murray, Pingsterhaus, Robbins, Sullivan, Craig Taylor, Jack Taylor and Winkler.

The Pledge of Allegiance was recited. All visitors and guests introduced themselves.

MOTION by Lampe second by Kloeckner to approve the minutes of the previous meeting.
MOTION CARRIED.

First reading of appointment: Leon Albers - Zoning Board of Appeals for a five year term.

Kevin Baity, Community Development Director of the City of Centralia presented an ordinance amending the Greater Centralia Area Enterprise Zone. The area is being extended to the east of Centralia along McCord Street. **MOTION** by Robbins second by Lampe to approve the ordinance. **MOTION CARRIED.**

David Kreke, representing a group of people from the Bartelso area, addressed the board with their concerns regarding the construction of a swine facility in Santa Fe Township. He had previously given a copy of a resolution the Village of Bartelso had passed at their meeting expressing concerns about the future health and welfare of its residents because of the proximity of the proposed site. **MOTION** by Sullivan second by Holtgrave to take action on the matter at the reorganization meeting December 2, 2002. **MOTION CARRIED.**

MOTION by Jack Taylor second by Mensing to approve the Soil and Water Conservation District contract in the amount of \$4,400.00. **MOTION CARRIED.**

MOTION by Holtgrave second by Sullivan to approve a resolution regarding employee use of county owned vehicles. Employees provided with vehicles will be subject to applicable income and employment taxes. **MOTION CARRIED.**

INSURANCE TRUST - A meeting is scheduled for Wednesday, November 20, at the IL County Insurance Trust Office in O'Fallon.

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - There is a meeting tomorrow evening at the Royal Lakes Community Center.

There were no reports from the following committees: Lake Task Force, Safety, Education, Mental Health, RC&D, Welfare, Tourism, Agriculture, General Services/Judiciary.

SOLID WASTE COMMITTEE - The Committee is wanting to set up a meeting with the area mayors and Village Presidents.

ENVIRONMENTAL CONCERNS COMMITTEE - States Attorney Brandmeyer, Pingsterhaus, Kloeckner and Lampe met about getting an engineering company to do some testing. The water line process of engineering and easements for Albers and Damiansville is 90% completed. Germantown will start this week with the design, easements and railway permits. Clinton County has five years to use funds. After five years any unused funds will revert back to Monterey Coal.

ZONING/SUBDIVISION COMMITTEE - Three subdivisions were presented for the first time: 1) Four J Subdivision, Sugar Creek Township; 2) Rose Hill Terrace #3 and #4 Subdivision; 3) Sugar Creek Estates in Sugar Creek Township.

LAW ENFORCEMENT COMMITTEE - A check was received from out insurance company for the wrecked patrol car. The insurance company also paid for invoices when the air conditioner was damaged from low voltage.

ECONOMIC DEVELOPMENT COMMITTEE - The Committee had met with the City of Centralia. There is a business that is wanting to expand, possibly employing 85-90 people.

PERSONNEL COMMITTEE - The Committee along with the Agriculture Committee reported that Joe Kehrer property at New Memphis has not been cleaned up even after he was notified he needed to get it cleaned up. **MOTION** by Mensing second by Sullivan to give Joe Kehrer 10 days to get his property cleaned up. **MOTION CARRIED.** Kehrer abstained.

ROAD & BRIDGE COMMITTEE - MOTION by Mensing second by Kloeckner to adopt a resolution approving agreements with the IL Department of Transportation for new flashing lights and the addition of gates at CH#6 (Bartelso) and CH#10 (New Baden). **MOTION CARRIED.**

MOTION by Lampe second by Kloeckner to approve a resolution to allow New Memphis Water District to add a water main crossing to CH#8 (Damiansville Road) just west of Billhartz Road. **MOTION CARRIED.**

MOTION by Mensing second by Sullivan to approve a resolution for Motor Fuel Tax Maintenance for 2003 in the amount of \$600,000.00. **MOTION CARRIED.**

FINANCE/HEALTH SERVICES COMMITTEE - Fred Becker of Glass & Shuffett presented the Budget and Levy for 2003/03. **MOTION** by Holtgrave second by Mensing to approve an ordinance adopting all budget and appropriations for Clinton County. Roll call: Yes - Droege, Holtgrave, Kehrer, Kloeckner, Lampe, Mensing, Murray, Robbins, Sullivan, Craig Taylor, Jack Taylor and Winkler. Absent - Hitpas and Raymond. **MOTION CARRIED.**

MOTION by Jack Taylor second by Mensing to approve the Tax Levy resolution in the

amount of \$3,894,442.00. Roll Call: Yes - Droege, Holtgrave, Kehrer, Kloeckner, Lampe, Mensing, Murray, Robbins, Sullivan, Craig Taylor, Jack Taylor, and Winkler. Absent - Hitpas and Raymond. **MOTION CARRIED.**

MOTION by Craig Taylor second by Jack Taylor to approve the monthly budget and financial report of the County Treasurer's Office. **MOTION CARRIED.**

Treasurer Mueller reported the Delinquent Tax Sale was held this morning. Final distribution will be approximately November 26, 2002.

MOTION by Jack Taylor second by Lampe to approve payment of three invoices - EPS Communications for \$1,056.00. S/W IL Planning Commission - \$5,000.00 and HM&G Engineering - \$350.00. **MOTION CARRIED.**

MOTION by Jack Taylor second by Kloeckner to approve the Special Service Area contracts for next year with the ambulance providers. **MOTION CARRIED.**

The Health Department Committee had met with Exxon, IL EPA, States Attorney Stan Brandmeyer, and people from the Germantown area. They will have a report further down the line on the progress that is being made.

FACILITIES COMMITTEE - The landscaping project in the northwest corner of the court house lawn that was donated by the Dale Quick family has been completed.

The air conditioning/heating system still is not operating correctly. The insurance company replaced the compressor unit and it is out again. Chairman Pingsterhaus will meet with Pat Callahan of the Public Building Commission to try to come up with a solution to the problem.

MOTION by Holtgrave second by Kehrer to give each office head a key to the entrance door of the court house to allow them access to the building outside of business hours. After discussion it was decided Chairman Pingsterhaus will meet with the Sheriff about this. Holtgrave rescinds his motion and Kehrer rescinds his second on the motion.

LIQUOR CONTROL COMMITTEE - There have been problems with BYOB parties on the Shattuc Road. The Sheriff's Office will look into this.

The Reorganization meeting of the Clinton County Board is scheduled for Monday, December 2, 2002 at 7:00 p.m. Old business will be taken care of by the current board after which the newly elected and reelected members will be sworn in and terms of office decided.

MOTION by Winkler second by Jack Taylor to approve payment of the General Claims. **MOTION CARRIED.**

MOTION by Mensing second by Robbins to approve payment of the Regular Finance

Claims. **MOTION CARRIED.**

MOTION by Sullivan second by Kloeckner to approve payment of the Jail Finance Claims. **MOTION CARRIED.**

MOTION by Holtgrave second by Kloeckner to approve payment of the 708 Mental Health Board Claims. **MOTION CARRIED.**

MOTION by Jack Taylor second by Mensing to approve payment of the Health Department Claims. **MOTION CARRIED.**

MOTION by Jack Taylor second by Mensing to approve payment of the Health Department/WIC Claims. **MOTION CARRIED.**

MOTION by Kloeckner second by Droege to approve payment of the Highway Department Claims. **MOTION CARRIED.**

MOTION by Robbins second by Mensing to adjourn the meeting. **MOTION CARRIED.**

Herb Pingsterhaus
Board Chairman

Thomas LaCaze, County Clerk

ORDINANCE # 11-02-01

AN ORDINANCE AMENDING THE GREATER CENTRALIA AREA ENTERPRISE ZONE BY ACTION OF THE CLINTON COUNTY BOARD

WHEREAS, the Clinton County Board proposes to alter the current boundaries and the area encompassing the Greater Centralia Area Enterprise Zone established on July 1, 1987, and

WHEREAS, the Illinois Enterprise Zone Act requires that each participating general purpose local government pass an ordinance “amending” the Enterprise Zone in conjunction with the submission of an “annexation application” to the State of Illinois, Department of Commerce and Community Affairs for certification of an alteration to the present boundaries of the Greater Centralia Area Enterprise Zone.

NOW THEREFORE BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF CLINTON, AND THE STATE OF ILLINOIS, THAT:

Section 1: Subject to approval and certification by the Illinois Department of Commerce and Community Affairs of the State of Illinois and pursuant to the “Illinois Enterprise Zone Act”, 20 ILCS 655/5.4, et. seq., (formerly Chapter 671/2, par.609) the Clinton County Board hereby agrees to alter (i.e. amend) the present boundaries of the Greater Centralia Area Enterprise Zone to include the geographic areas set forth in Exhibit A-1 (which is attached hereto and incorporated by reference within the corporate limits of the City of Centralia, Illinois.

The altered enterprise zone boundaries shall only become effective upon or after it has been designated and certified by the IL Department of Commerce and Community Affairs pursuant to

Section 5.4 of the Act and shall, unless otherwise altered by further action by the Centralia City Council, terminate at midnight on December 31st of the twentieth (20th) year after the year in which the Greater Centralia Area Enterprise Zone was originally certified by the State of Illinois.

Section 2. The Clinton County Board hereby further finds as follows:

A. That following due and sufficient public notice, the City of Centralia, Illinois, in conjunction with the Greater Centralia Area Enterprise Zone Board, Zone Administrator and other participating local units of government held a public hearing concerning the proposal to amend the Greater Centralia Area Enterprise Zone boundaries as set forth in the attached Exhibit A-1. The hearing was held at 5:00p.m. on October 30, 2002 in the City Council Chambers of the Centralia City Hall in Centralia, Illinois, which is located within the area presently designated as the Greater Centralia Area Enterprise Zone.

B. The altered (i.e. amended) Greater Centralia Area Enterprise Zone would be a contiguous area comprising more than ½ square mile but less than fifteen (15) square miles in total area, (in fact) comprising an area of approximately 8.7 square miles (or 5,568 acres).

Section 3: All parts of an Ordinance #12-86-6, “an Ordinance Establishing the Greater Centralia Area Enterprise Zone within Clinton County” as passed on the 6th day of December, 1986 and having become effective on July 1, 1987 by certification from the IL Department of Commerce and Community Affairs, (along with any subsequent amendments thereto) not in conflict with this ordinance, shall remain in full force and effect.

Section 4: This ordinance and every provision thereof shall be considered separable and the invalidity of any section, clause, paragraph, sentence or provision of the ordinance shall not affect the validity of any other portion of the ordinance.

Section 5: All ordinances resolutions or parts of ordinances or resolutions conflicting with any of the provisions in this ordinance shall be and the same are hereby repealed by action of the Centralia City Council.

Section 6: This ordinance shall be in effect from and after its passage by the Centralia City Council and approval by the State of Illinois, IL department of Commerce and Community Affairs and publication as required by law.

Presented and Passed this the 18th day of November, 2002.

Yeas: 12

Nays: 0

Absent: 2

S/ Herb Pingsterhaus, Board Chairman

Attest:

S/ Thomas LaCaze, County Clerk

EXHIBIT A-1

LEGAL DESCRIPTION OF THE THIRD AMENDMENT TO THE ORIGINAL BOUNDARIES FOR THE GREATER CENTRALIA AREA ENTERPRISE ZONE

(Submitted for State Certification)

TRACT 1: (Proposed Connector Strip)

Part of the North Half of Section 16 and the North Half of Section 17, in the incorporated limits of

the City of Centralia and the unincorporated areas in Centralia Township, Township 1 North, Range 1 East of the Third Principal Meridian, Marion County, Illinois, more particularly described as follows:

Beginning at the intersection of the North-South Quarter Section line of said Section 17 and the south right-of-way line of East Noleman Street:

thence running southerly along the said North-South Quarter Section line of Section 17 to the north right-of-way line of Illinois Route 161, (also known as East McCord Street);

Thence easterly along the said north right-of-way of Illinois Rte 161 passing through the east section line of said Section 17 and continuing easterly to the east line of said Section 16, (also known as Woods Lane);

Thence southerly along said east line of Section 16, a distance of 3.00 feet, said distance being measured as a perpendicular distance from the east line of Section 16.

Thence westerly along a line 3.00 feet perpendicular distance south of and parallel with said north right-of-way line of Illinois Route 61, said line passing through the west section line of said Section 16 and continuing westerly to a point 3.00 feet westerly of the North-South Quarter Section line of Section 17, said distance being measured as a perpendicular distance from the North-South Quarter Section line of Section 17;

Thence northerly along a line 3.00 feet perpendicular distance west of and parallel with said North-South Quarter Section line of Section 17, to a prolongation of the south right-of-way line of East Noleman Street;

Thence easterly along said prolongation of the south right-of-way line of East Noleman Street, a distance of 3.00 feet, said distance being measured as a perpendicular distance from North-South Quarter Section line of Section 17, the Point of Beginning (POB) containing __ acres or 0. __ square miles, more or less.

TRACT 2: (Former Linkon Auto Warehouse Property)

Part of the Southeast Quarter of the Northeast Wuarter of Section 16, in the unincorporated areas of Centralia Township, (T1N, R1E) of the third Principal Meridian, more particularly described as follows:

Beginning at the intersection of the east line of Section 16, and the north right-of-way line of Illinois Route 161, (also known as East McCord Street):

Thence running northerly along said east line of Section 16, to a point being 958.14 feet northerly of the East Quarter Corner of said Section 16, said distance being measured along the east line of Section 16;

Thence westerly along a line parallel to the south line of the said Southeast Quarter of the Northeast Quarter of Section 16, a distance of 591.60 feet;

Thence southerly to the said north right-of-way line of Illinois Route 161, the southerly prolongation of said line being 584.40 feet west of the said East Quarter Corner of Section 16;

Thence easterly along the said north right-of-way line of Illinois Route 161, to the Point of Beginning (POB), containing 9.94 acres or 0.15 square miles, more or less.

EXCEPTING 220.00 feet of even width off the north end of said tract.

#11-02-02

NATURAL RESOURCE INFORMATION REPORT CONTRACT

between the Clinton County Soil & Water Conservation District and the Clinton Co Board
The Clinton County Soil and Water Conservation District hereafter referred to as the SWCD and

Clinton County Government have common goals in any of the natural resource related fields. One of those areas is in proper soil identification in developing areas. This contract outlines the policies and procedures to be followed in providing assistance to the Clinton County Zoning Department, hereafter referred to as the County, in developing and reviewing Natural Resource Information Reports; Hereafter referred to as NRI Reports.

BACKGROUND:

The SWCD has assisted the county and its residents in developing and implementing conservation plans for almost fifty years. State law mandates that the SWCD provide individuals and units of government natural resource information for zoning changes and variances on agricultural, or vacant agricultural land. A strong working relationship already exists between the County and the SWCD. Developing and reviewing NRI Reports as a part of the building permit process is a logical expansion of services being provided.

PROCEDURES:

To help maintain and improve the quality of life of Clinton County residents and better manage county soil and water resources;

Clinton County will:

- 1) Provide SWCD applications to applicants for building permits.
- 2) Prescreen applicant so that only individuals with land disturbing activities, zoning and map changes are referred to the SWCD for assistance.
- 3) Provide a copy of completed NRI Reports to the County Building Inspector to use during construction inspections.
- 4) Provide recommendations to the SWCD on ways to improve the program.
- 5) Review NRI report before issuing building permits.
- 6) Provide yearly allocation to the SWCD of \$4,400.00 for the completion of NRI Reports.
- 7) Provide authoritative decision on result of application.

Clinton County Soil & Water Conservation District will:

- 1) Provide the County with NRI Report applications to be handed out to individuals with land disturbing activities, zoning and map changes.
- 2) Prepare NRI Reports to include:
 - General site information
 - Introduction and Instruction of the Report
 - Soils Information: Based on current Soil Survey for intended use
 - Resource Information including potential impacts on agriculture, flooding & hydric soil
 - Map Information including plat, soil, zone, topographic, wetland and flood plain (if available)
- 3) Each report will be completed within a 30 day time period. Starting dates will be the date application is received in the SWCD Office.

The Clinton County Government agrees to the above contract with the Clinton County Soil & Water Conservation District during the fiscal year of December 1, 2002 to November 30, 2003.

S/Herb Pingsterhaus, County Chairman Date: November 18, 2002

The Clinton County Soil and Water Conservation District agrees to the above contract with the Clinton County Government.

S/ Kenneth Graul, District Chairman Date: October 1, 2002

#11-02-03

WRITTEN POLICY RE: EMPLOYEE USE OF COUNTY OWNED VEHICLES

WHEREAS, Clinton County has purchased, and has provided certain employees with County automobiles.

WHEREAS, these employees are required to commute to and/or from work in said vehicles for bona fide non-compensatory reasons (ex: on call).

WHEREAS, personal use of said vehicles is not allowed, other than de-minimis personal use, including commuting.

WHEREAS, said employees required to use these vehicles for commuting are not control employees as defined by IRS regulations.

BE IT RESOLVED that said vehicles, excluding qualified nonpersonal-use vehicles (ex: marked police cars) will only be used for commuting and de-minimis personal use. Employees provided with said vehicles will allow a value of \$3 per round trip to be added to their compensation on Form W-2, subject to applicable income and employment taxes. Said employees must be property licensed and insured.

This policy will be made part of the County's personnel policy retroactive to January 1, 2002. Employees using said vehicles will be provided with this written policy.

Approved this 18th day of November, 2002.

S/ Thomas LaCaze
Secretary of the Board

S/ Herb Pingsterhaus
Chairman of the Board