

CLINTON COUNTY BOARD
February 20, 2007

The February meeting of the Clinton County Board was called to order by Sheriff Mike Kreke on Tuesday, February 20, 2007.

ROLL CALL: Present - Beckmann, Fix, Heiligenstein, Hitpas, Holtgrave, Huelsmann, Kloeckner, Murray, Raymond, Roper, Schroeder, Sullivan, Craig Taylor and Jack Taylor. Absent - Pingsterhaus.

MOTION by Raymond second by Schroeder to approve minutes of previous meeting. **MOTION CARRIED.**

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

APPOINTMENTS:

MOTION by Jack Taylor second by Heiligenstein to approve the appointment of Ronald Rolfingsmeyer as Trustee of the Carlyle Fire Protection District for a three year term. **MOTION CARRIED.** Absent - Pingsterhaus

MOTION by Jack Taylor second by Murray to approve the appointment of Roger Zimmermann as Trustee of the Clinton County East Public Water District for a 5 year term. **MOTION CARRIED.** Absent - Pingsterhaus.

MOTION by Beckmann second by Craig Taylor to approve the appointment of Dan Gilbreth as Trustee of the Santa Fe Fire Protection District for a three year term. **MOTION CARRIED.** Absent - Pingsterhaus.

MOTION by Sullivan second by Beckmann to approve the appointment of Steve Tonnie as Trustee of the Clin-Clair Fire Protection District for a three year term. **MOTION CARRIED.** Absent - Pingsterhaus.

FIRST READINGS OF APPOINTMENTS: Gary Prosis - Hoffman FPD; Maurice Spihlmann - Germantown Rural FPD; Neil Nothaus - Huey Ferrin Boulder FPD; Ray Westphal - Sugar Creek FPD; Clarence Kohlbrecher - St. Rose FPD; Collette Kehrer -New Memphis Lighting District; Norma Rueter - Shattuc Lighting District; Curt Strieker - St. Rose Lighting District; John Schemel - Santa Fe Drainage & Levee District; Elmer Loepker and Glennon Hemker - Germantown Drainage & Levee District; John Detmer - St. Rose Sanitary District; Robert Rolves - Albers Sanitary District; James Kampwerth and Joseph Voss - Carlyle S/W Public Water District.

MOTION by Raymond second by Heiligenstein to approve Coroner's annual report. **MOTION CARRIED.** Absent - Pingsterhaus.

COUNTY FARM COMMITTEE - Craig Taylor reported his committee reviewed the bids received for the county farm and sent the bids to the States Attorney's Office to have an ordinance prepared for awarding the lease. William Jansen was the high bidder at \$176.00 an acre. **MOTION** by Holtgrave second by Fix to approve Ordinance #02-07-01 Approval of Cash Farm Rent Lease for a three year period by roll call vote. Yes - Hitpas, Murray, Roper, Heiligenstein, Jack Taylor, Raymond, Fix, Holtgrave, Huelsmann, Sullivan, Craig Taylor, Beckmann and Schroeder. Absent - Pingsterhaus. **MOTION CARRIED.**

Craig Taylor also gave a report on the activities of the Animal Control Department.

INSURANCE TRUST - Raymond reported the ending balance in the Insurance Trust is \$10,595,621.31 not withstanding pending claims, at present close to \$400,000.00 has been budgeted for those claims, three of those claims will be open for 5 years. The original amount of bonds was \$20M and the trust was to last 17 years. With the information provided they are nowhere close to the in depth financial information or should be checked into for a comprehensive analysis of the trust. Raymond said he has requested the help of a person with a financial degree from college and experience in the industry of finance. This person confirmed his assumptions and even suggested the county should consider hiring a firm to make a full comprehensive review and report.

INSURANCE COMMITTEE - Raymond reported the committee had met February 12th and reviewed a copy of Employee/Employer Rights & Responsibilities provided by United Counties Council of Illinois (UCCI). It concerned employer rights in regards to Family & Medical Leave Act (FMLA) and rights pertaining to Americans with Disabilities Act (ADA) and Sexual Harassment (Title VII of the Civil Rights Act). His committee also held their quarterly meeting with union stewards and Einstein Consulting. Bill Schmaltz of Einstein reviewed Insurance Cost Status Report as of February 15, 2007 which showed a surplus of \$69,641.97 as of that date. This surplus/profit is in comparison to the cost of the previous carrier for the coverage. He also reviewed a report provided by LDI Pharmacy Benefit Management showing that we are in line with the national average on co-payments on Prescriptions, generic utilization of prescriptions dispensed and a list of the top five most costly drugs being utilized the most.

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - Roper reported the monthly meeting of the New Memphis Sanitary Sewer District with his committee was held on February 6th. The sanitary sewer project is moving forward. Chairman Krausz said all residents in district will have to sign up for the sewer service. They talked about increasing size of their board at the January meeting. The next meeting will be March 6, 2007, at 6:30 p.m. in New Memphis.

The following committees had no reports - Safety, RC&D Council, and Environmental Concerns.

EDUCATION COMMITTEE - Heiligenstein reported the next meeting will be March 8, 2007 at

4:45 p.m. at Regional Office of Education.

708 MENTAL HEALTH BOARD - Huelsmann said the Committee discussed appointing Ron Foppe as a member of the 708 Mental Health Board Committee. The first reading of the appointment is this month. The appointment will be next month if there are no objections.

GIS COMMITTEE - Beckmann reported the bills were in order. Jay Donnelly, GIS Coordinator, gave a presentation of the Geographic Information Systems. He reported the Assessment Office and Zoning Office are currently using the system. The system has just been installed in the Sheriff's Office and the Highway Department. Future projects include tower locations, elevation data and utilities.

SOLID WASTE COMMITTEE - Huelsmann reported the County Health Department has a five-year plan for recycling. He talked of the possibility of recycling ink cartridges, etc., through UPS. He will be looking into this project and report at next month's meeting.

TOURISM COMMITTEE - Holtgrave reported S/W IL Tourism Council is redoing the 2007 pamphlets for Clinton County. Letters will be sent to municipalities to see what changes need to be made to the brochures. The Committee has a meeting scheduled for tomorrow at 6:00 p.m.

911 COMMITTEE - Fix reported his committee met with some municipalities concerning conflicts with street names and numbering. They are working on getting this resolved.

PERSONNEL/LABOR COMMITTEE - Hitpas reported they are working on revising the Personnel Policy. The Committee wants employees who are submitting out-of-town expenses to attach receipts supporting their claim.

VETERAN'S MEMORIAL COMMITTEE - Murray reported the War Memorial is in good condition. The Committee requests changing its name to Veteran's Memorial/Veteran's Affairs. The Committee would like to hold informational meetings every quarter with various veterans organizations.. **MOTION** by Murray second by Holtgrave to change the name of the committee to Veterans Memorial/Veterans Affairs. **MOTION CARRIED.** Absent - Pingsterhaus.

ZONING COMMITTEE - **MOTION** by Craig Taylor second by Beckmann to waive first reading of Deer View Acres Subdivision. **MOTION CARRIED.** Absent - Pingsterhaus.

MOTION Craig Taylor second by Beckmann to approve second and final reading of Deer View Acres Subdivision located in Section 15 of Lookingglass Township. **MOTION CARRIED.** Absent - Pingsterhaus.

MOTION by Hitpas second by Jack Taylor to have roll call vote to approve Ordinance #02-

07-02 Resolution Ratifying and Confirming a February 19, 2002 Motion Approving Ordinance on Amendments to the Clinton County Zoning Code as per recommendation of States Attorney. Approving this will make sure that our code has the references it needs to be effective. Roll call - Yes Hitpas, Murray, Roper, Heiligenstein, Jack Taylor, Raymond, Fix, Holtgrave, Huelsmann, Sullivan, Craig Taylor, Beckmann and Schroeder. Absent - Pingsterhaus. **MOTION CARRIED.**

Craig Taylor asked the Board to go into Executive Session regarding the law case with Dr. Stern over a zoning issue.

LAW ENFORCEMENT/ESDA COMMITTEE - MOTION by Sullivan second by Hitpas to approve Resolution #02-07-03 Authorizing the Execution of the Illinois Telecommunicator Emergency Response Task Force Intergovernmental Agreement. **MOTION CARRIED.** Absent - Pingsterhaus.

ECONOMIC DEVELOPMENT/SWIDA/SCIGA COMMITTEE - Sullivan reported SCIGA has a meeting on February 28th at Kaskaskia College at 5:30 p.m. Sullivan has been in touch with Con-Way Freight who have over 100 trucks coming through Clinton County from Salem to Springfield, Missouri. They are in favor of a by-pass around Lebanon and have requested maps of the area. The next meeting is scheduled for March 12th at 7:00 p.m.

ROAD & BRIDGE COMMITTEE - Jack Taylor thanked Engineer Dan Behrens for his department's good work during the snow storms in the County.

MOTION by Jack Taylor second by Murray to approve a Resolution #02-07-04 awarding the County Motor Fuel Tax bid for chips and rock to Beelman Truck Company. **MOTION CARRIED.** Absent - Pingsterhaus.

MOTION by Hitpas second by Raymond to approve Resolution #02-07-05 awarding the Township Motor Fuel Tax bid for chips, slag and rock to Beelman Truck Co., Brink Brothers, and Dwain Forby Trucking. **MOTION CARRIED.** Absent - Pingsterhaus.

The County had approved the State using the St. Rose Road and Stollertown Road for re-routing traffic during the bridge repairs on Old Route 50 east of Breese over Shoal Creek for a 14 day period. Since the City of Breese has agreed to closing the road for the four month period the State is wanting the county to extend this time for the duration of the contract. Sullivan would like the State to make good on the damages that might be incurred by the traffic. **MOTION** by Hitpas second by Sullivan to table this until we hear from IL Department of Transportation if they will make good on any damages. **MOTION CARRIED.** Absent - Pingsterhaus.

FINANCE/HEALTH SERVICES/REVOLVING LOAN FUND - Jack Taylor reported the bills were in order. **MOTION** by Hitpas second by Holtgrave to approve the Monthly Budget &

Financial Report of the Treasurer's Office. **MOTION CARRIED.** Absent - Pingsterhaus.

Treasurer Mueller reported the oil check received this month was for \$22,262.79. The distribution of Mobile Home taxes was made on February 7th. The county's share was \$14,734.81.

MOTION by Holtgrave second by Jack Taylor to pre-approve Southern Bus Mobility subordinating the county from 2nd to 3rd on their Revolving Loan Fund mortgage. This is on the recommendation of Kevin Treveer of S/W IL Planning Commission. RLF attorney Kuiken will prepare the paperwork for the Chairman and County Clerk to sign. **MOTION CARRIED.** Absent - Pingsterhaus.

MOTION by Jack Taylor second by Raymond to approve Health Department monthly report. **MOTION CARRIED.** Absent - Pingsterhaus.

FACILITIES COMMITTEE - Fix reported he received a quote of \$403.50 for painting the hallways at the Annex. **MOTION** by Fix second by Heiligenstein to allocate \$403.50 for the hallway painting. **MOTION CARRIED.** Absent - Pingsterhaus.

Fix is scheduling a meeting for February 26th at 4:00 p.m. They are looking at purchasing furniture, copier, etc. for the new offices. Sheriff Kreke reported the boilers are being worked on at the Court House.

GENERAL SERVICES/JUDICIARY COMMITTEE - Craig Taylor said the committee is concerned about bills turned in for unauthorized activities.

LIQUOR COMMITTEE - Holtgrave mentioned the Clinton County Tavern Association is working on co-oping their buying power with two other counties. His committee is looking into a new liquor license code for 15 day periods. This will be discussed at next month's meeting.

MOTION by Craig Taylor second by Schroeder to approve payment of the Accounts Payable Claims. **MOTION CARRIED.** Absent - Pingsterhaus.

MOTION by Hitpas second by Jack Taylor to have a roll call vote to go into Executive Session concerning a law suit the county is involved in. Roll call - Yes - Beckmann, Fix, Heiligenstein, Hitpas, Holtgrave, Huelsmann, Murray, Raymond, Roper, Schroeder, Sullivan, Craig Taylor and Jack Taylor. Absent - Pingsterhaus. **MOTION CARRIED.**

The Board came back into regular session.

MOTION by Jack Taylor second by Holtgrave to go along with the Rule 308 program. Let it be known that the States Attorney has advised differently. Jack Taylor wants to go along with Rule 308

and this is not the States Attorney’s recommendation. **MOTION** by Sullivan second by Holtgrave to have a roll call vote: Roll call: Yes - Beckmann, Holtgrave, Huelsmann, Murray, Sullivan, Craig Taylor and Jack Taylor. No - Fix, Heiligenstein, Hitpas, Roper and Schroeder. Abstain - Raymond Absent - Pingsterhaus. **MOTION CARRIED.**

MOTION by Craig Taylor second by Beckmann to adjourn the meeting. **MOTION CARRIED.**

Ray Kloeckner
Board Chairman

ATTEST:

County Clerk

ORDINANCE #02-07-01

APPROVAL OF CASH FARM RENT LEASE

WHEREAS, the County is need of a tenant for the tillable portion of the County Farm;

WHEREAS, the County has completed a competitive bidding process with respect to the selection of a tenant;

WHEREAS, William Jansen was the high bidder in said bidding process;

WHEREFORE, be it resolved that Clinton County does hereby authorize the leasing of a portion of the County Farm under the terms and conditions outlined in Exhibit A hereto for a term of three years to William Jansen;

WHEREFORE, be it further resolved that the County Board Chairperson is authorized to execute and deliver such additional documents as are necessary to effectuate the terms of said Cash Farm Rent Lease.

ROLL CALL: Yes - Hitpas, Murray, Roper, Heiligenstein, Jack Taylor, Raymond, Fix, Holtgrave, Huelsmann, Sullivan, Craig Taylor, Beckmann, Schroeder. Absent - Pingsterhaus.

ADOPTED, ORDAINED and APPROVED February 20, 2007, by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois

S/ Ray Kloeckner, Board Chairman

Attest:

S/ Thomas LaCaze, County Clerk

ORDINANCE #02-07-02

RESOLUTION RATIFYING AND CONFIRMING A FEBRUARY 19, 2002, MOTION APPROVING A PROPOSED ORDINANCE ON AMENDMENTS TO THE CLINTON COUNTY ZONING CODE.

WHEREAS, the Clinton County Zoning Board of Appeals (hereinafter, CCZBA) unanimously approved recommended changes to the Clinton County Zoning Code (hereinafter, Code) after a public hearing of February 13, 2002;

WHEREAS, a written copy of the proposed changes approved by the CCZBA was provided to the members of the Clinton County Board prior to their regular board meeting on February 19, 2002;

WHEREAS, an oral motion was made and passed to “approve Phase 1 of the Final Draft of the proposed Zoning Ordinance changes” on February 19, 2002.

WHEREAS, a review of the minutes and ordinances of the meeting on February 19, 2002, on file with Clinton

County Clerk does not reveal the text of any written proposed ordinance or resolution adopting the aforementioned changes at that meeting or any meeting thereafter;

WHEREAS, one of the changes proposed was to delegate to the CCZBA the authority to grant all types of special use permits pursuant to the provisions of 55 ILCS 5/5-12009.5(e);

WHEREAS, the provisions of the 55 ILCS 5/5-12009.5(e) provide that the delegation of the authority to the CCZBA to grant special use permits may be completed only by ordinance;

WHEREAS, the language of the oral motion before the Clinton County Board to adopt the Code changes approved by the CCZBA lacked absolute clarity as to the intention of the Clinton County Board to adopt said changes without further action;

WHEREFORE be it hereby resolved that the Clinton County Board does hereby ratify and confirm the adoption of the "Proposed Changes to the Clinton County Zoning Ordinance" set forth in Exhibit A hereto as of February 19, 2002;

WHEREFORE be it further resolved that the Clinton County Board directs the County Clerk to supplement the minutes of the Clinton County Board meeting of February 19, 2002, with a copy of the "Proposed Changes to the Clinton County Zoning Ordinance" and a copy of this Ordinance;

WHEREFORE be it further resolved that the County Clerk shall distribute appropriate update to the listing of ordinances contained at the front of the Clinton County Code to reflect the adoption of this ordinance.

ROLL CALL: Yes - Hitpas, Murray, Roper, Heiligenstein, Jack Taylor, Raymond Fix, Holtgrave, Huelsmann, Sullivan, Craig Taylor, Beckmann, and Schoreder. Absent - Pingsterhaus.

APPROVED., ORDAINED AND APPROVED February 20, 2007, by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois.

S/ Ray Kloeckner, Board Chairman

ATTEST:

S/ Thomas LaCaze, County Clerk

RESOLUTION # 02-07-03

A RESOLUTION OF CLINTON COUNTY AUTHORIZING THE EXECUTION OF THE ILLINOIS TELECOMMUNICATOR EMERGENCY RESPONSE TASK FORCE INTERGOVERNMENTAL AGREEMENT

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

WHEREAS, the Intergovernmental Cooperation Act (5ILCS 220/1 et seq.) provides that any power or powers, privileges, or authority exercised or which may be exercised by a unit of local government may be exercised jointly with any other unit of local government whether within or outside the State of Illinois; and

WHEREAS, units of local government in Illinois, together with the Illinois Emergency Management Agency (IEMA), have determined that it is in the best interests of the residents of the State of Illinois to establish the IL Telecommunicator Emergency Response Task Force (IL-TERT); and

WHEREAS, the purpose of IL-TERT is to provide emergency telecommunications personnel and resources to a stricken unit of local government when natural or man-made occurrences create emergencies that exceed the resources, equipment and/or telecommunications personnel of that unit of local government; and

WHEREAS, the governing body of the County of Clinton has determined that it is in the best interests of its residents and emergency service personnel to participate in IL-TERT.

NOW, THEREFORE, BE IT RESOLVED by the Clinton County Governing Board:

Section 1. That the Sheriff of the County of Clinton is authorized to execute the IL Telecommunicator Emergency Response Task Force Agreement. (A Copy of said Agreement is attached hereto and made a part hereof.)

Section 2. That the Clinton County Sheriff shall take any and all other actions necessary to effectuate membership in the Illinois Telecommunicator Emergency Response Task Force.

THIS RESOLUTION IS ADOPTED this 20th day of February, 2007, by the vote of the Clinton County Board.

Ayes: 13

Nays: 0

Absent: 1

Attest:
S/ Thomas LaCaze
County Clerk

S/ Ray Kloeckner
Board Chairman

#02-07-04
COUNTY MOTOR FUEL TAX LETTING
SECTION 07-00000-00-GM

February 20, 2007

WHEREAS, bids were received at a letting February 7, 2007 at 10:00 a.m. for the purchase of material required in the maintenance of Section 07-00000-00-GM

NOW, THEREFORE, BE IT RESOLVED that the following awards are made by the County Board subject to the approval of the IL Department of Transportation.

- TO: Beelman Truck Co., #1 Racehorse Drive, East St. Louis, IL 62205
- 1) 1500 ton Seal Coat Aggregate (CA-13, CM-13, or CM13L2-22) Slag only
Furnished and delivered to Clinton Co. Stockpile in Carlyle, IL @ \$14.00 per ton. Terms - none.
 - 2) 1000 ton Seal Coat Aggregate (CA-16, CM-16 or CM16L2-23) Limestone Only.
Furnished and delivered to Clinton Co. Stockpile in Carlyle, IL @ \$9.45 per ton. Terms - none.
 - 3) 2000 ton Aggregate Surface Course (CA-10, CM-10) Limestone only.
Furnished and delivered to Clinton Co Stockpile in Carlyle, IL @ \$7.90 per ton. Terms - none.

STATE OF ILLINOIS)
COUNTY OF CLINTON)

I, Thomas LaCaze, County Clerk of Clinton Co., do hereby certify that this is a true and correct copy of a resolution approved and adopted at the regular meeting of the Clinton County Board held on February 20, 2007, at Carlyle, Illinois.

Given under my hand and seal this 20th day of February, 2007.

SEAL

S/ Thomas LaCaze, County Clerk

#02-07-05
VARIOUS ROAD DISTRICT LETTING

February 20, 2007

WHEREAS, bids were received at a letting held February 7, 2007, at 10:00 a.m. for the purchase of materials required in the maintenance of Breese Section 07-01000-00-GM, Brookside Section 07-02000-00-GM, Carlyle Section 07-03000-00-GM, Clement Section 07-04000-00-GM, East Fork Section 07-00-05000-00-GM, Germantown Section 07-06000-00-GM, Irishtown Section 07-07000-00-GM, Lake Section 07-08000-00-GM, Lookingglass Section 07-09000-00-GM, Meridian Section 07-10000-00-GM, Santa Fe Section 07-11000-00-GM, St. Rose Section 07-12000-00-GM, Sugar Creek Section 07-13000-00-GM, Wade Section 07-14000-00-GM, and Wheatfield Section 07-15000-00-GM.

NOW, THEREFORE, BE IT RESOLVED, that the County Board, at their regular meeting held on February 20, 2007, make the following awards subject to the approval of the IL Dept of Transportation:

- TO: BEELMAN TRUCK CO. #1** Racehorse Drive, East St. Louis, IL 62205
- Breese** 1000 ton Seal Coat Aggregate @ \$14.00 per ton. 400 ton Aggregate Surface Course @ \$7.80 per ton. 1700 ton Seal Coat Aggregate @ \$9.35 per ton.
- Brookside** 500 ton Aggregate Surface Course @ \$8.99 per ton. 1350 ton Seal Coat Aggregate @ \$10.54 a ton.
- Carlyle** 460 ton Seal Coat Aggregate @ \$14.00 per ton. 400 ton Aggregate Surface Course @ \$7.99 per ton.
- Clement** 600 ton Seal Coat Aggregate @ \$14.00 per ton.
- Germantown** 800 ton Seal Coat Aggregate @ \$14.00 per ton. 100 ton Aggregate Surface Course @ \$7.65 per ton. 800 ton Seal Coat Aggregate @ \$9.20 per ton.
- Irishtown** 400 ton Aggregate Surface course @ \$8.10 per ton.
- Lake** 1060 ton Seal Coat Aggregate @ \$14.00 per ton. 200 ton Aggregate Surface Course @ \$8.45 per ton.

Lookingglass 1400 ton Seal Coat Aggregate @ \$14.00 per ton. 600 ton Aggregate Surface Course @ \$7.45 per ton.

Meridian 2050 ton Seal Coat Aggregate @ \$14.00 per ton. 500 ton Aggregate Surface Course @ \$8.85 per ton.

Santa Fe 200 ton Aggregate Surface Course @ \$8.10 per ton. 200 ton Aggregate Surface Course @ \$11.50 per ton. 500 ton Seal Coat Aggregate @ \$9.65 per ton. 1000 ton Seal Coat Aggregate @ \$14.00 per ton.

St. Rose 2000 ton Aggregate Surface Course @ \$14.00 per ton. 100 ton Aggregate Surface Course @ \$11.50 per ton.

Sugar Creek 200 ton Aggregate Surface Course @ \$7.45 per ton. 1400 Seal Coat Aggregate @ \$14.00 per ton. 1200 ton Seal Coat Aggregate @ \$9.15 per ton.

Wade 1000 ton Seal Coat Aggregate @ \$9.65 per ton. 500 ton Aggregate Surface Course @ \$7.90 per ton.

Wheatfield 800 ton Aggregate Surface Course @ \$8.18 per ton.

TO: BRINK BROS. TRUCKING, 29433 US 50, Sandoval, IL 62882

Clement 200 ton Aggregate Surface Course @ \$9.00 per ton.

East Fork 500 ton Aggregate Surface Course @ \$9.00 only. 1900 ton Seal Coat Aggregate @ \$10.55 per ton.

Meridian 2500 ton Seal Coat Aggregate @ \$10.55 per ton. 200 ton Aggregate Surface Course @ \$9.00 per ton.

TO: DWAIN FORBY TRUCKING, 72 Whippoorwill Lane, Makanda, IL 62958

East Fork 500 ton Aggregate Surface Course @ \$11.89 per ton.

STATE OF ILLINOIS)

COUNTY OF CLINTON)

I, Thomas W. LaCaze, County Clerk of Clinton County, do hereby certify that this is a true and correct copy of a resolution approved and adopted at the regular meeting of the Clinton County Board held on February 20, 2007.

SEAL

S/ Thomas LaCaze, County Clerk