

COUNTY OF MENARD)
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STATE OF ILLINOIS)

The Menard County Board of Commissioners met on Tuesday, January 28, 2014, at 6:00 p.m. at the Menard County Courthouse, 102 S. Seventh Street, Petersburg, Illinois. Commissioners Bob Lott, Jeff Fore, Ed Whitcomb and Allan Anderson were physically present. There was a vacancy in the 3rd District Board of Commissioner position. A quorum was present. County Clerk Gene Treseler, County Treasurer Jackie Horn, State’s Attorney Kevin Tippey and County Coordinator Steve Duncan were also present.

County Clerk Gene Treseler called the meeting to order at 6:00 p.m. due to the vacancy in the 3rd District Board of Commissioner position which had held the Chairperson position.

A prayer was extended due to the untimely passing of Chairperson Merle Kirby and State’s Attorney Ken Baumgarten.

County Clerk Gene Treseler called for nominations to serve as the Menard County Board of Commissioners’ Chairperson for the remainder of the 2014 fiscal year (ending November 30, 2014). Commissioner Fore nominated Bob Lott to act as the Interim Menard County Board of Commissioners’ Chairperson until such time that the vacancy in the 3rd District Board of Commissioner position is filled and the naming of a permanent chairperson could be taken up by the full Board of Commissioners. Commissioner Whitcomb seconded the motion. The motion carried with four “ayes”, no “nays” and one “vacant”.

Commissioner Lott assumed the position of Interim Chairperson.

Commissioner Anderson moved to approve the consent agenda which included the minutes from the January 14, 2014 regular Board Meeting and January 20, 2014 special Board Meeting (held in conjunction with the Menard County Board of Health’s regular meeting). Commissioner Fore seconded the motion. The motion carried with four “ayes”, no “nays” and one “vacant”.

OLD BUSINESS

Hearing of Citizens (Public Comments/Requests for Board Action)

Diane Kube asked that the Board protect the taxpayers, neighbors and children in considering Paul and Dana Ingle’s application for a special use permit to establish an agri-business/public riding stable.

Robert Sampson spoke in regard to Paul and Dana Ingle’s application for a special use permit to establish an agri-business/public riding stable. He stated his view that manure management was the main concern with this application and urged that manure management practices needed to be implemented. He highlighted a website – agodorcontrol – that could be consulted.

Tricia Nichols, a volunteer business manager with the Bright Star Equestrian Centre (the Ingle’s name for the proposed riding stable), informed that they had partnered with someone who is going to take the manure and compost it. She informed that the manure would be dumped onto a trailer, belonging to this individual, and would be removed from the site. She also informed that a farmer had agreed to allow the manure to be spread on their farm, 365 days a year. She informed that they had a plan to deal with the manure.

Ben Kiningham, spoke in regard to Paul and Dana Ingle's application for a special use permit to establish an agri-business/public riding stable and as a neighboring property owner. He informed that he had a concern with the number of events that might be allowed on the property. He expressed concern with odors related to the manure.

Denise Barr, legal counsel for Ben and Beth Kiningham and David and Pam Williams and neighboring property owners to Paul and Dana Ingle's proposed application for a special use permit to establish an agri-business/public riding stable, urged the Board to include Ms. Nichols' representations about how they intended to manage manure, as a condition of approval. She reiterated her clients concerns with the number of events that might be held by the Ingles.

Beth Kiningham informed that she had tried to reach out to the Ingle's to try to work out the issues of concern but that they had not been willing to discuss the issues.

Diane Kube asked who had signed the petition for the special use permit. County Coordinator Duncan informed Paul and Dana Ingle. Ms. Kube urged attaching conditions of approval to protect the neighbors and the children.

Interim Chairperson Lott brought the neighboring property owners, their legal counsel and Mr. Ingle before the Board. A list of conditions of approval was submitted for their consideration that included the following:

- 1) It is recognized that a variance in the required number of parking spots has been granted, with sixteen (16) parking spaces required to be established. It is recognized that if applicable, additional building construction is permitted beyond that which was represented by the applicant (e.g., future construction of an indoor riding arena and establishment of dwelling space in an existing building has been taken into consideration in the awarding of this special use permit application), then additional parking spaces will be required unless an additional variance is applied for and granted.
- 2) No more than two (2) special events (e.g., fundraising events), which requires additional parking not located on the premises, shall be allowed on the property, per calendar year, with each event to end by 10:00 p.m.
- 3) Federal, State of Illinois and/or any other governmental entity laws, rules and regulations related to livestock waste shall be followed and adhered to with stockpiled livestock waste to be removed off-site at least once every three (3) months, weather permitting.

The Kininghams expressed concern with the language allowing for any number of on-site special events. Ms. Barr and Ms. Kiningham expressed concern with the "weather permitting" language, as well, as being too vague.

Ordinance – Approve/Deny Special Use Permit Application (13-03SUP). APPLICATION FROM PAUL & DANA INGLE, DBA BRIGHT STAR EQUESTRIAN CENTRE, WHICH SEEKS A SPECIAL USE PERMIT FOR THE PURPOSE OF ESTABLISHING AN AGRI-BUSINESS (PUBLIC RIDING STABLE), AS AN ALLOWABLE ACCESSORY USE TO A FARM, IN THE RURAL RESIDENTIAL ZONING DISTRICT. THE PROPERTY IS LOCATED AT 13922 STATE HWY. 97, PETERSBURG, IL. A BRIEF LEGAL DESCRIPTION FOR THE SUBJECT PARCELS ARE AS FOLLOWS: Section 1, Township 17, Range 7, Northwest Quarter of Section 1. THE TWO, ADJACENT PARCELS PROPERTY IDENTIFICATION NUMBERS ARE 16-01-100-005 & 16-01-100-006.

Commissioner Whitcomb moved to approve the language, pertaining to the conditions of approval, as written and presented to the interested parties. Commissioner Fore seconded the motion. The motion carried with four “ayes”, no “nays” and one “vacant”.

Commissioner Whitcomb moved to approve the ordinance granting the special use permit to establish an agri-business/public riding stable, with conditions, to the applicant (Paul & Dana Ingle). Commissioner Fore seconded the motion. The motion carried with four “ayes”, no “nays” and one “vacant”. The ordinance shall be known as **Ordinance 01-14**.

Health Department Report/Requests for Board Action

Cheryl Lee, Health Department Administrator, and Dave Bagot, Chairperson – Board of Health were in attendance. Ms. Lee submitted the bills and status of the Health Department’s finances, highlighting that the Health Department currently operating at a \$106,804 deficit.

Commissioner Anderson moved to approve the payment of various Health Department bills (and as deemed needed per the County extending the Health Department’s line of credit to pay said bills), as presented. Commissioner Fore seconded the motion. The motion carried with four “ayes”, no “nays” and one “vacant”.

Mr. Bagot informed the Board of Health would be meeting to discuss the status of the Health Department finances and report back to the Board of Commissioners.

Commissioner Whitcomb moved to approve an agreement between the County of Menard, Illinois and the Menard County, Illinois Board of Health for the utilization of a revolving line of credit from the County of Menard to the Menard County Health Department for Fiscal Year 2014. Commissioner Anderson seconded the motion. The motion carried with four “ayes”, no “nays” and one “vacant”.

Highway Department Report/Requests for Board Action

Tom Casson, County Engineer, was in attendance and presented monthly, Highway Department bills for December 2013. He spent time giving an overview of Highway Department activities including the need to approve a Illinois Department of Transportation amendment and affidavit related to extending the obligation on the Athens Blacktop Road safety project (related to curves near Barber’s Glen subdivision) through April 1, 2015 and getting Board approval of a couple of County maintenance resolutions. These items will be placed on an upcoming meeting’s agenda for approval.

Board Minutes 01-28-14

Mr. Casson provided the Village of Oakford's plans to pass a residential parking ordinance for the Board's informational purposes. He informed of a Bridge Inspector's course that he would be attending in March.

Commissioner Fore informed of an Atterberry community meeting he had attended concerning the PrairieLand FS elevator expansion. He informed that there were concerns expressed about how truck traffic may be stacking onto public roads waiting for the elevator to open.

Sunny Acres/Countryside Estates Report/Requests for Board Action

Pat McNeal, Sunny Acres Nursing Home Administrator was in attendance and provided an overview of Sunny Acres and Countryside Estates operations. Ms. McNeal stated that the census for Sunny Acres was 82 total and that Country Side Estates currently has two vacancies. She informed that the pay mix at Sunny Acres was Medicare A – 7 plus two insurance; Private Pay – 41; Public Aid – 32.

Ms. McNeal provided an overview of status or issues of concern including: Two water heaters being replaced at Countryside Estates; staff and residents at Sunny Acres Nursing Home receiving the flu vaccine as a preventative measure; generators installed and awaiting Illinois Department of Public Health (IDPH) approval of the installation; a public health survey being conducted in December by IDPH; a variety of repair projects at Sunny Acres; staff changes including the hiring of a new Dietary Manager and job openings for weekend hours for certified nursing assistants; public aid payments received through September 2013; and that Sunny Acres had been informed that they are fully credentialed with Health Alliance as related to managed care mandates.

County Treasurer's Report/Requests for Board Action

County Treasurer Horn provided various financial reports to the Board and gave an overview of financial related issues. She highlighted that the City of Petersburg is discussing annexation proposals that would lead to a decline in County revenues (e.g., less income tax reimbursement to the County).

Ms. Horn requested Board authority to establish \$55,000 to ensure cash flow and timely payment of employee health insurance premiums. There were no Board objections to establishing this amount in the appropriate health care plan account.

County Clerk's Report/Requests for Board Action

County Clerk Treseler presented the semi-annual reports of receipts and expenditures made for the County Treasurer's office, Sheriff's department, County Clerk and Circuit Clerk's office. He informed road district levies were available for public review.

County Coordinator's Report/Requests for Board Action

County Coordinator Duncan presented executive session minutes for review. Commissioner Fore moved to, as follows: keep closed for another six months the June 26, 2012 minutes due to on-going litigation (a portion of the minutes had already been approved to be kept closed as a personnel record); keep closed for another six months a portion of the December 11, 2012 minutes due to on-going litigation; keep closed another six months a portion of the January 8, 2013 minutes due to on-going collective bargaining negotiations; keep closed all of the June 11, 2013 minutes as a personnel record; and keep closed another six months all of the June 25, 2013 minutes due to on-going collective bargaining negotiations. Commissioner Whitcomb seconded the motion. The motion carried with four "ayes", no "nays" and one "vacant".

Mr. Duncan informed that Anne Smith had approached the County requesting approval to conduct another electronics recycling event this spring on the courthouse parking lot. The consensus of the Board was to allow such a recycling event.

Mr. Duncan informed the Board of various mailings to the Board and informed of a recent United Counties Council of Illinois meeting he had attended where the main topic was 911 funding.

Individual Board Members - Report/Requests for Board Action

There were no report/requests for Board action.

Resolution – State's Attorneys Appellate Prosecutor Services

Commissioner Whitcomb moved to approve a resolution to engage and expend funds on State's Attorneys Appellate Prosecutor Services. Commissioner Fore seconded the motion. The motion carried with four "ayes", no "nays" and one "vacant". The resolution shall be known as **Resolution 02-14**.

NEW BUSINESS

EMS/Community Services Department Report/Requests for Board Action

EMS Chief Larry Graf and Dara Worthington, Community Services Administrator/EMS Fiscal Officer, were in attendance.

Mr. Graf provided the latest transport logs showing 94 calls for service in December 2013 and 1,304 for calendar year 2013. He highlighted repairs to an ambulance that had been costly.

Ms. Worthington presented the trial balance for the EMS Fund and other financial information including the proposed collections report. There were no objections to her proposed collections plan. She also highlighted the expensive repairs to the ambulance. She provided a brief update on efforts to create the Sangamon/Menard Area Regional Transit system and referenced a recent article in the Springfield Journal Register.

Resolution – Amendment to County of Menard Section 125 Cafeteria Plan to Allow Health FSA Carryover & Other Options

Commissioner Anderson moved to approve a resolution implementing amendments to the County of Menard's Section 125 cafeteria plan to allow Health FSA carryover & other options. Commissioner Fore seconded the motion. The motion carried with four "ayes", no "nays" and one "vacant". The resolution shall be known as **Resolution 03-14**.

Executive Session

Commissioner Whitcomb moved to enter into executive session to discuss collective negotiation matters as allowed by (5 ILCS 120/2(c)(2) and selection of a person to fill a public office as allowed by (5 ILCS 120/2(c)(3) at 8:02 p.m. Commissioner Anderson seconded the motion. The motion carried with four "ayes", no "nays" and one "vacant".

The regular meeting reconvened at 8:44 p.m.

Adjournment

With no other business coming before the Board, Commissioner Whitcomb moved to adjourn the meeting at 8:44 p.m. Commissioner Fore seconded the motion. The motion carried with four "ayes", no "nays" and one "vacant".