

Montgomery County Board

Minutes

County Board Room, 2nd Floor, Historic Courthouse
#1 Courthouse Square Hillsboro, IL 62049

For Tuesday, May 9th, 2023 – 5:30 PM

The following are minutes of a regular meeting of the Montgomery County Board held at 5:30 PM on Tuesday, May 9th, 2023.

The meeting was called to order by County Board Chairman Doug Donaldson at 5:30 PM.

Roll call was taken – 13 members present, 0 members absent.

Members Present: Russell Beason, Connie Beck, Bill Bergen, Doug Donaldson, Ken Folkerts, Mark Hughes, Jeremy Jones, David Loucks, Ethan Murzynski, Andy Ritchie, Bob Sneed, Patty Whitworth and Evan Young

Members Absent: None

Pledge of Allegiance to the flag was led by County Board member Bill Bergen.

Chairman Donaldson requested a moment of silence for Gene Miles, who unexpectedly passed away April 19th, 2023. Donaldson stated Miles served on the County Board representing District #2 since 2006.

Chairman Donaldson stated Chad Ruppert has been recommended by the Montgomery County Republican Central Committee to replace Gene Miles on the County Board until the next election. **Motion by Young and second by Hughes to approve the Appointment of Chad Ruppert to the Montgomery County Board filling the vacant seat in District #2. All in favor, motion carried.** Circuit Judge Kit Hantla administered the oath of Office for Chad Ruppert. Chairman Donaldson then stated there were 14 members present and 0 members absent with Ruppert filling the vacant seat on the County Board.

Mileage and Per Diem Approval: Motion by Jones and second by Beason to approve the Mileage and Per Diem. **ROLL CALL VOTE:** Voting YES: Beason, Beck, Bergen, Donaldson, Folkerts, Hughes, Jones, Loucks, Murzynski, Ritchie, Ruppert, Sneed, Whitworth and Young. Voting NO: None. All in favor, motion carried.

Approval of Minutes of Previous County Board Meeting: Motion by Sneed and second by Young to approve the Minutes of the Previous Regular County Board Meeting held on Tuesday, April 11th, 2023. All in favor, motion carried.

CONSENT AGENDA:

- 1. Animal Control Report** – Emily Gerl – Report was submitted.
- 2. Circuit Clerk’s Report** – Daniel Robbins – Report was submitted.
- 3. Coroner’s Report** – Randy Leetham – Report was submitted. Leetham was present for questions.
- 4. County Clerk and Recorder’s Report** – Report was submitted. Leitheiser was present for questions.
- 5. Enterprise Zone Report** – Christine Daniels – Report was submitted. Daniels was present for questions.
- 6. Environmental Protection Agency Report** – Christine Daniels – Report was submitted. Daniels was present for questions.
- 7. Health & TB Department Report** – Hugh Satterlee – Report was submitted. Satterlee was present for questions.

8. **Highway Department Report** – Cody Greenwood – Report was submitted. Greenwood was present for questions.
9. **Information Services Report** – Curt Watkins – Report was submitted.
10. **Maintenance Superintendent Report** – Phil Ernst – Report was submitted.
11. **Probation Office Report** – Banee Ulrici – Report was submitted.
12. **Public Defender’s Report** – Erin Mattson — No report was submitted.
13. **ROE – Monthly, Quarterly & Annual Reports** -- Julie Wollerman – Report was submitted.
14. **Sheriff’s Report** – Rick Robbins – Report was submitted. Undersheriff Tyson Holshouser was present for questions.
15. **SOA Report** – Kendra Niehaus – Report was submitted. Niehaus was present for questions.
16. **State’s Attorney Report** – Andrew Affrunti – Report was submitted. Affrunti was present for questions.
17. **Treasurer’s Report** – Nikki Lohman – Report was submitted. Lohman was present for questions.
18. **V.A.C. Report** – Cassandra Hampton – No report was submitted.

APPROVAL OF ITEMS ON THE CONSENT AGENDA: Motion by Whitworth and second by Folkerts to approve the 16 reports on the Consent Agenda. All in favor, motion carried.

LIAISON REPORTS:

- **708 Board** – Murzynski reported they will hold a meeting next month.
- **CEFS Board** – Beason stated there was nothing new to report.
- **911 Board** – Bergen stated they approved the dispatch agreement, which the Finance and Budget Committee will present later in the meeting. He also reported they approved to spend 50 percent of the money for the 911 system upgrade.
- **Health Department** – Whitworth reported their next regular meeting is scheduled for July.
- **IL Association of County Officials** – Bergen stated there was nothing new to report.
- **MCEDC** – Hughes reported they held their annual meeting on April 27th, 2023. He said the biggest news is they are looking for a new executive director. He reported they have changed their meeting places and will now begin meeting at the Farm Bureau Building in Hillsboro and not at the University of Illinois Extension office, with the next meeting scheduled for May 25th, 2023.
- **Planning Commission** – Ritchie stated there was nothing new to report.
- **Senior Citizens Board** – Folkerts stated there was nothing new to report.
- **UCCI** – Donaldson stated there was nothing new to report.
- **U of I** – Beck reported their next meeting is scheduled for June 15th, 2023.
- **WCDC** – Jones stated there was nothing new to report.

PUBLIC COMMENTS: County citizen Sarah Castellanos addressed the board describing an experience she and her family recently encountered with the Navigator pipeline. She stated representatives from the pipeline company were on her property without her consent, and her family and neighbors were completely without water for a period while Navigator was working.

Citizen Bill Schroeder stated he would like the board to review the new rules of order for public comment, specifically the rule stating comments shall be limited only to items listed on

the posted agenda. He stated there are times items not on the posted agenda may need addressed by the public.

Citizen Karyl Dressen asked if there was anything the county is doing about zoning. She stated she is urging everyone to support Illinois House Bill 3119, which she said is a bill helping protect Illinois communities against carbon sequestration. She said the bill prohibits the use of eminent domain for CO2 pipeline construction.

COMMITTEE REPORTS:

COORDINATING COMMITTEE: Given by Chairman Doug Donaldson:

- 1. Information Systems Report Update:** Donaldson reported Information Services has been working on court server replacement, swapping out PCs and putting new machines in the Adult Redeploy program office, which used to be the ambulance billing office. He also reported they are proceeding with the fiber ring redundancy project.
- 2. EMA Report and Hazard Mitigation Plan Update:** Donaldson recognized the County EMA staff and all the first responders in the County for their dedication and work on the Interstate 55 accident on May 1st. EMA Director Kevin Schott reported the next Hazard Mitigation planning meeting is scheduled for May 24th at 6:30 p.m. Schott stated EMA played a support role at the May 1st accident, and he could not be more proud of the work done by all involved in the incident. He reported EMA coordinator Dan Hough responded from Raymond, while Schott and Gasparich traveled to the scene together. He said the conditions surrounding the incident were unimaginable.
- 3. West Central Development Council/Job Center Board/CEO Board Update:** Donaldson reported the CEO Board is looking for a chair and vice chair, and he will step up to fill one of those roles.
- 4. Proclamation Recognizing May as Mental Health Awareness Month Approval:** Donaldson read the proclamation. **Motion by Young and second by Whitworth to approve the proclamation recognizing May as Mental Health Awareness Month. All in favor, motion carried. (For a copy, see Resolution Book 20, page 1).**

BUILDINGS & GROUNDS COMMITTEE REPORT: Given by Committee Chairman Bob Sneed:

- 1. Maintenance and Cleaning Issues and Report Update:** Sneed reported the maintenance staff continues to work throughout the courthouse complex, including putting refrigerant into several air conditioning units. He stated the units will have to eventually be replaced.
- 2. Jail Generator Maintenance Approval: Motion by Sneed and second by Beason to approve the estimate from Hillsboro Electric for generator electrical work at the jail in the amount of \$29,999.14.** Young asked what kind of amp service would be provided. Sneed said it would not take the full load but would be approximately 225 amp service. **All in favor, motion carried.**
- 3. Sidewalks at Historic Courthouse Update:** Sneed reported Hurst-Rosche Engineers representative Jeremy Connor has been working with the City of Hillsboro and the County regarding the sidewalks needing replaced around the Historic Courthouse.
- 4. Approve Intergovernmental Agreement with City of Hillsboro for Sidewalks at Historic Courthouse Approval:** **Motion by Sneed and second by Whitworth to approve the Intergovernmental Agreement with the City of Hillsboro for sidewalk repair and replacement around the Historic Courthouse.** State's Attorney Affrunti said he reviewed the agreement with Connor and made some grammatical and statute

citing changes, so he endorses the agreement now. **ROLL CALL VOTE: Voting YES: Beason, Beck, Bergen, Donaldson, Folkerts, Hughes, Jones, Loucks, Murzynski, Ritchie, Ruppert, Sneed, Whitworth and Young. Voting NO: None. All in favor, motion carried. (For a copy, see Resolution Book 20, pages 2-4).**

5. **Interior Door Project for County Clerk's Office Update:** Sneed reported County Clerk Leitheiser has a plan for security and ADA compliant upgrades to her office.
6. **Soil Testing at County Farm Update:** Sneed reported soil testing has been completed, but paperwork has not been submitted yet.
7. **Bidding Elevator Preventative Maintenance Service Agreement Update:** Sneed reported this item will be addressed in October.
8. **Other Business:** Whitworth asked if the old Highway Department building on Seymour Avenue in Hillsboro is on hold for the moment. Sneed replied affirmatively. Chairman Donaldson stated it will be put back on the agenda for next month.

DEVELOPMENT & PERSONNEL COMMITTEE REPORT: Given by Committee Chairman Mark Hughes:

1. **MCEDC Update:** Hughes stated he had nothing additional to report.
2. **Planning Commission Update:** Hughes reported there are two active Planning Commission members whose terms expire at the end of June. He stated Chairman Donaldson recently spoke with Brian Niemann, who indicated he would be interested in remaining on the Planning Commission. Hughes said they still need to speak with C.J. Liddell about remaining on the Planning Commission. In addition to those two current members, the Planning Commission is without three other voting members.
3. **Employee Health Insurance and Monthly HRA Report Update:** Hughes reported 22 total inquiries have been handled through Assured Partners Member Advocacy Program so far, for a total savings of \$48,725.25.
4. **County Salaries Update:** Hughes reported County Board Administrator Chris Daniels will be updating the salary spreadsheets using counties similar in size, with a range in population from 25,000 to 35,000. Young suggested using Equalized Assessed Value as well.
5. **Animal Control Facility Update:** Hughes reported Animal Control adopted six dogs in two days. He said this may be due to the recent adoption event they hosted in Nokomis. He also said over \$500 was raised at the adoption event in Nokomis.
6. **Animal Control Municipal Contracts Update:** Hughes reported they are planning to host some Mayors' meetings. He stated newly elected Litchfield alderman Jacob Fleming attended the committee meeting regarding the animal control municipal contract situation. Schott asked if EMA can be included on the Mayors' meeting agenda, and Chairman Donaldson replied affirmatively.
7. **Illinois Department of Agriculture Annual License for Animal Control Update:** Hughes reported the voucher is signed so payment will be made.
8. **EPA Report Update:** EPA Administrator Daniels reported they submitted their written EPA report for County Board review.
9. **Approve Contract for Supervisor of Assessments Approval:** Motion by Hughes and second by Jones to approve the contract for the Supervisor of Assessments. All in favor, motion carried. (For a copy, see Resolution Book 20, pages 5-7).
10. **Approve Signing the FY 2023 Agreement between Montgomery County and the Raymond-Harvel Area Ambulance Service Approval:** Hughes reported the agreements for all the ambulance services will be approved as they are received, and

Raymond-Harvel Area Ambulance Service was the first to return their signed agreement. **Motion by Hughes and second by Beck to approve signing the FY 2023 Agreement between Montgomery County and the Raymond-Harvel Area Ambulance Service. All in favor, motion carried. (For a copy, see Resolution Book 20, pages 8-10).**

11. **Nextlink Broadband Internet Update:** Hughes reported Donaldson received information about bringing possible broadband internet to rural areas of the county from Nextlink. Donaldson stated he spoke to CTI to see if they had any plans to expand to rural parts of the county, and they do not at this time. He said he and Hughes have a phone conference call scheduled for this Thursday at 4:15 p.m. with Nextlink. Donaldson also reported Nextlink has received a grant to help pay for this project.
12. **Statewide Siting of Wind & Solar Facilities – Public Act 102-1123 Update:** Hughes reported State’s Attorney Affrunti reviewed the county wind and solar ordinances and compared them to the new state law. Affrunti stated he revised the ordinances to be in compliance with the state’s legal changes. He said the board may review the ordinance for 30 days with the intent to vote on them next month. Affrunti stated the state now gives the county the ability to regulate solar farms, but changed the setback requirements and changed decommission requirements.
13. **Solar Provider Group - Permit Application and Setback Waiver Approval:** Affrunti reported the state changed the setback requirements from 500 feet to 150 feet. Hughes stated Solar Provider Group has submitted their permit application and the board needs to vote on it. **Motion by Hughes and second by Ritchie to approve the Solar Permit submitted by Solar Provider Group for Parcel ID # 20-23-300-007 on Donnellson Avenue pending approval from the State’s Attorney.** Young asked what happens to this permit if the board votes no, because the county typically is allowed to be stricter than state requirements. Affrunti said this vote is for the permit and not for the ordinance. Supervisor of Assessments Niehaus asked if copies of these permit applications can be sent to her office so they can know what’s coming. **ROLL CALL VOTE: Voting YES: None. Voting NO: Beason, Beck, Bergen, Donaldson, Folkerts, Hughes, Jones, Loucks, Murzynski, Ritchie, Ruppert, Sneed, Whitworth and Young. Motion failed.**

FINANCE & BUDGET COMMITTEE REPORT: Given by Committee Chairman Andy Ritchie:

1. **SOA Report Update:** Ritchie reported Supervisor of Assessments Kendra Niehaus presented her monthly report to the committee. He stated the office has been conducting interviews to hire a field assessor.
2. **Capital Improvement Fund Reports Update:** Ritchie reported the April coal royalty check was only for \$35,000. He said this check will be reflected in the June reports, and he stated the reason for the larger checks recently was because of stockpiled amounts of coal sold. He said the mine will be in full working mode in June and the amounts will likely increase, but the county will see smaller checks for a few months until then.
3. **IMRF Update:** Ritchie reported the County received the tentative preliminary rates for 2024. The regular employees’ rate increased from 6.69 percent to 7.87, which will make the county’s cost higher. The SLEP rates will decrease from 7.65 to 6.87, and the ECO will decrease from 0.91 to 0.90 percent.
4. **Approve Signing Amended Intergovernmental Agreement with ETSB for Centralized Emergency Dispatch Center Approval:** **Motion by Ritchie and second by Sneed to approve the amended Intergovernmental Agreement with ETSB for**

Centralized Emergency Dispatch Center. All in favor, motion carried. (For a copy, see Resolution Book 20, pages 11-14).

5. **County Website – Approve Annual Fee for Website Update:** Ritchie reported Circuit Clerk Robbins received a court grant to pay for the cost of redoing the entire county website, as well as the first year of maintenance. He said the website would then become ADA compliant. He stated the annual maintenance cost is around \$560, and will be paid from the Information Services budget starting in FY 2024.
6. **Resolution/Ordinance 2023-20 to Transfer Revolving Loan Funds Approval:** Ritchie reported the board previously agreed to dissolve the Revolving Loan Fund and now needs to approve a resolution dissolving this fund and returning the money to the Capital Improvement Fund. **Motion by Ritchie and second by Beck to approve Resolution 2023-20 Approving the Elimination of the Montgomery County Revolving Loan Fund. All in favor, motion carried. (For a copy, see Resolution Book 20, page 15).**
7. **Assistant State’s Attorney Position and Salary Update:** Ritchie reported the State’s Attorney’s office had an Assistant State’s Attorney leave and needs to fill the position in order to catch up on work that has fallen behind. He stated the board will have to approve a resolution and ordinance at next month’s meeting to amend the budget as an emergency in order for the county to provide the appropriate resources for the office to perform its duties. Affrunti reported he will have a proposal and more information for the County Board at the June meeting. He said all counties are dealing with Assistant State’s Attorney shortages, and stated Christian County is offering \$135,000 salary and Marion County is offering \$100,000 and neither has been able to fill their vacancies. Donaldson stated Affrunti’s budget for two Assistant State’s Attorney’s is \$135,000 total at this time.
8. **Approve Allocation of Funds for Phase II Application/Projects for DCEO Transition Community Grant Approval:** Ritchie reported the Energy Grant Ad Hoc Committee made a recommendation to the Finance and Budget Committee to approve the allocation of energy grant funds as follows: \$102,000 for Hillsboro Area Public Library; \$625,000 for Lincoln Land Community College; \$125,000 for Montgomery County Community Mental Health; \$50,000 for East Fork Road District; \$50,000 for East Fork Township; and \$50,000 for MTA Grisham-Walshville-East Fork. An estimated \$2,000 would be used to pay for the grant writing fees for Phase II of the application, as \$455 has already been paid for Phase I. The remaining balance of \$1,162,879 was allocated for County use and the Finance and Budget Committee is recommending allocating those funds as follows: \$408,000 for natural gas and electrical distribution to the City of Litchfield’s Interstate 55 commerce center; \$250,000 for the City of Hillsboro’s multi-use trails; \$161,584 for the Montgomery County Clerk and Recorder’s Office’s Security and ADA upgrades; \$60,360 for Crossover Ministries for salaries and recovery programs and \$282,935 for broadband to rural areas of the county. **Motion by Ritchie and second by Murzynski to approve the allocation of energy grant funds as presented.** Ritchie stated the Senior Citizens allocation will be voted on in a separate motion because County Board member Mark Hughes will have to abstain from voting on their request. Young asked if each project should be voted on individually instead of all at once as a shotgun approach. Donaldson stated it is not a shotgun approach. He said the Energy Grant Ad Hoc Committee members held six meetings and went over these projects thoroughly and are now making their recommendations. Whitworth asked if the motion should be amended since they will be considering the small business start-up incentives

in addition to the broadband proposal. Hughes reported they would be splitting the remaining \$282,935 balance as follows: \$100,000 for broadband and \$182,935 for small business start-up grants. He stated the grants would be available to communities with fewer than 4,000 in population for the first two years, and then would be made available for all county municipalities in the third. **Ritchie amended his motion, with the approval of Murzynski who amended his second, to reflect the amount of \$100,000 to be used for broadband and \$182,935 be used for small-business start-up incentives. ROLL CALL VOTE: Voting YES: Beason, Beck, Bergen, Donaldson, Folkerts, Hughes, Jones, Loucks, Murzynski, Ritchie, Ruppert, Sneed, Whitworth and Young. Voting NO: None. All in favor, motion carried.**

9. **Motion by Ritchie and second by Whitworth to approve the allocation of energy grant funds of \$100,000 be used for Montgomery County Senior Services. ROLL CALL VOTE: Voting YES: Beason, Beck, Bergen, Donaldson, Folkerts, Jones, Loucks, Murzynski, Ritchie, Ruppert, Sneed, Whitworth and Young. Voting NO: None. ABSTAINING: Hughes. Motion carried with a 13-0-1 vote.**
10. **Intergovernmental Agreements with City of Nokomis for ARPA Distribution Approval:** Ritchie reported the City of Nokomis sent a check for their warning siren, but they have not returned the signed IGA yet; therefore Treasurer Lohman was instructed to send the check back to the city with a note requesting the signed agreement be sent back first.
11. **Intergovernmental Agreement with Fillmore Police Department for ARPA Distribution Approval:** Ritchie reported the Village of Fillmore returned their signed IGA. **Motion by Ritchie and second by Young to approve signing the Intergovernmental Agreement with the Village of Fillmore for ARPA Distribution. All in favor, motion carried. (For a copy, see Resolution Book 20, page 16).**
12. **Ordinances Authorizing the Use of ARPA Funds for Non-County Distributions for City of Nokomis Approval:** Ritchie reported the board will not be acting on the Nokomis warning siren ordinance yet.
13. **Ordinance 2023-21 Authorizing the Use of ARPA Funds to Purchase a Police Squad Car for the Village of Fillmore Police Department Approval:** **Motion by Ritchie and second by Jones to approve adopting the Ordinance authorizing the use of ARPA funds to purchase a police squad car for the Village of Fillmore in the amount not to exceed \$27,600. All in favor, motion carried. (For a copy, see Resolution Book 20, pages 17-18).**
14. **Approve Updated Preapproved Vendor List Approval:** **Motion by Ritchie and second by Loucks to approve the Preapproved Vendor List as presented. All in favor, motion carried. (For a copy, see Resolution Book 20, pages 19-20).**

ROADS & BRIDGES COMMITTEE REPORT: Given by Committee Vice-Chairman Evan Young:

1. **Sale of used Etnyre Chip spreader Approval:** **Motion by Young and second by Beason to approve the sale of the used chip spreader to Eric Robertson in the amount of \$10,350. All in favor, motion carried.**
2. **Illinois House Bill 2781 Increase of TBP Funds Approval:** Young reported this house bill would increase the amount of Township Bridge funds each county receives. **Motion by Young and second by Loucks to approve the Resolution 2023-22 of support for House Bill 2781 – Increasing Township Bridge Program Funds. All in favor, motion carried. (For a copy, see Resolution Book 20, pages 21-22).**

3. **Illinois House Bill 2505 and Senate Bill 2278 Update:** Young reported the County Engineer's Association is currently watching Senate Bill 2278 and House Bill 2505. The senate bill basically says the county would not have to build a new road to accommodate overweight vehicles. The house bill is similar, but goes into more detail with regards to weight, height and length of trucks. He said the board may also act on resolutions of support for these bills in the future.
4. **Permits issued to Navigator Heartland Greenway Update:** Young reported representatives from Navigator were present during the committee meeting to answer questions about permits from Townships and the County to use roadways for the CO2 Carbon Sequestration project. He stated Greenwood will work on a uniform road use Agreement for projects such as these. Whitworth stated she has an issue with permits being granted while the county has passed a moratorium. Affrunti stated hiring an outside attorney would have to run through his office, and he believes this action goes against the spirit of the moratorium the board passed during the previous month. Highway Engineer Greenwood reported he does not ethically have the authority to stop a permit if all the guidelines are being followed. Jones stated the CO2 company can use the state routes, but the county should not permit them to use the county roads while the moratorium is in place. Greenwood asked if the Sheriff's office is going to enforce the moratorium and keep these roads from being used. He stated there are a lot of variables in question in this matter. Young stated they are not taking action on anything tonight, but we need a more unified road use agreement document because the county suffered after the Dakota Access Pipeline project due to the agreement not covering needs adequately. Hughes stated he was on the Roads and Bridges Committee during the Dakota Access Project, and he also remembered the county was negatively affected and lost a lot of money.
5. **Section 15-00138-00-BR – Whitetown Bridge Update:** Young reported they are waiting for the executed contract to come back from IDOT and June 1st is the anticipated start date for this project.
6. **Section 20-00145-00-PV – Coffeen Rd/7 Sisters Ave Update:** Young reported we are waiting on project compliance.

APPROVAL OF THE COMMITTEE REPORTS & MINUTES:

Motion by Folkerts and second by Hughes to approve the five committee reports and minutes. All in favor, motion carried.

ANNOUNCEMENTS: Kevin Schott announced he is seeking Illinois Senate and House Resolutions recognizing the first responders' bravery in the recent May 1st Interstate 55 incident.

SCHEDULE CHANGES: None

APPOINTMENTS: Motion by Young and second by Whitworth to appoint Roger Clymer to the Nokomis Area Fire Protection District Board for a three-year term. All in favor, motion carried. (For copy, see Resolution Book 20, page 23).

Motion by Young and second by Beck to appoint Breanna Wasson to the Coffeen Fire Protection District Board for a two-year term. All in favor, motion carried.

PAY BILLS AND PAYROLL: Motion by Ritchie and second by Sneed to pay all approved bills and Payroll. ROLL CALL VOTE: Voting YES: Beason, Beck, Bergen, Donaldson, Folkerts, Hughes, Jones, Loucks, Murzynski, Ritchie, Ruppert, Sneed, Whitworth and Young. Voting NO: None. All in favor, motion carried.

ADJOURN: Chairman Donaldson announced the next regular full board meeting will be held on Tuesday, June 13th, 2023 at 5:30 p.m. in the County Board Room, 2nd floor of the Historic Courthouse in Hillsboro, Illinois. Motion by Loucks and second by Ruppert to adjourn the Full Board Meeting. All in favor, motion carried.

Meeting Adjourned at 7:02 p.m. Minutes respectfully recorded and submitted by Montgomery County Clerk and Recorder Sandy Leitheiser.