

Montgomery County Board Minutes

For Tuesday, September 12th, 2023 – 5:30 PM

**County Board Room, Historic Courthouse
#1 Courthouse Square, Hillsboro, IL 62049**

The following are minutes of a regular meeting of the Montgomery County Board held at 5:30 PM on Tuesday, September 12th, 2023.

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

Roll call was taken – 14 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, Chad Ruppert, Bob Sneed, Patty Whitworth and Evan Young

Members Absent: None

Pledge of Allegiance to the flag was led by County Board Member Patty Whitworth.

Mileage and Per Diem Approval: Motion by Beck and second by Folkerts 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 Jones and second by Whitworth to approve the Minutes of the Previous Regular County Board Meeting held on Tuesday, August 8th, 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. Robbins was present for questions.
- 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. She thanked her staff for their work in the completion of digitizing land records from the year 1977, which totaled over 5,000 land record documents. She stated they are now working their way backwards in time and hope to eventually digitize records back to 1920.
- 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. She reported an electronics recycling drive will be held Saturday, September 16th, 2023 from 9 a.m. to Noon at the County Highway Department in Hillsboro.
- 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** – Bane Ulrici – Report was submitted. Ulrici was present for questions.
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. Robbins was present for questions. He reported he met with State’s Attorney Affrunti and other elected officials and informed members the new state “no cash bail” law goes into effect next week. He said the State’s Attorney, Judges, and law enforcement have no control over this new state law, so anyone who has issue with the repercussions is encouraged to contact state legislators.
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. He also reported the “no cash bail” law goes into effect September 18th and the number of people currently incarcerated who will qualify for detention will likely decrease.
17. **Treasurer’s Report** – Nikki Lohman – Report was submitted. Lohman was present for questions. She reported the second property tax due date was September 1st, and her office has collected 97 percent of taxes owed so far. She stated delinquency notices will be mailed out on Friday or Monday.
18. **V.A.C. Report** – Cassandra Hampton – Report was submitted.

APPROVAL OF ITEMS ON THE CONSENT AGENDA: Motion by Hughes and second by Folkerts to approve the 17 items on the Consent Agenda. All in favor, motion carried.

LIAISON REPORTS:

- **708 Board** – Murzynski reported the 708 Board passed funding to go forward for a county-wide survey to be conducted about mental health. He stated they also reviewed applications for future 708 funding.
- **CEFS Board** – Beason stated there is nothing new to report.
- **911 Board** – Bergen reported they are continuing to upgrade their communication system.
- **Health Department** – Whitworth stated there is nothing new to report.
- **IL Association of County Officials** – Bergen reported over 30 unfunded county mandates were passed by the state legislature last year.
- **MCEDC** – Hughes reported Bill Montgomery was hired as the new executive director of MCEDC. Montgomery was present, and he stated he is happy to be on board.
- **Planning Commission** – Ritchie stated there is nothing new to report.
- **Senior Citizens Board** – Folkerts stated they are waiting on funding from the energy grant.
- **UCCI** – Ruppert stated a meeting is scheduled for September 25th, 2023.
- **U of I** – Beck stated there is nothing new to report.
- **WCDC** – Jones stated they will meet next on September 21st, 2023.

PUBLIC COMMENTS: Citizen Bill Schroeder asked if all the questions asked by citizens at the last CO2 Sequestration Ad Hoc Committee meeting were recorded. He reported representatives from Heartland Greenway stated during the meeting they had thousands of acres and multiple people signed up in the county, and Schroeder asked if those statements had been fact-checked. He also stated the Heartland Greenway presentation at the meeting seemed like a sales pitch, and he hopes those statements and others made by the company in the future can be fact-checked moving forward.

COMMITTEE REPORTS:

COORDINATING COMMITTEE: Given by Chairman Doug Donaldson:

1. **Information Systems Report Update:** Donaldson reported Information Services has advertised for bids for a fiber redundancy ring project, which will be paid for using ARPA funds. He stated the deadline to submit bids is September 22nd, and two companies have expressed interest to Information Services Manager Curt Watkins thus far.
2. **EMA Report and Hazard Mitigation Plan Update:** EMA Director Kevin Schott reported additions to the Hazard Mitigation Grant must be submitted by October 1st, 2023, and the final meeting/hearing will be held on January 24th, 2024, from 5:00 pm to 7:00 pm.
3. **West Central Development Council/Job Center Board/CEO Board Update:** Donaldson reported CEO Board meetings will now be held at 5 p.m., and they are currently being held at the Job Center in Carlinville, though they are actively looking for space in Montgomery County. He called on Hillsboro Economic Development and Community Planner Sarah McConnell who was in the audience for more detail, and she stated they will still have their Carlinville office but they are looking for additional space in Montgomery County. They currently have an office in Litchfield and are looking at other places in Litchfield or in Hillsboro.
4. **CO2 Sequestration Ad Hoc Committee Update:** Donaldson reported the committee hosted a meeting August 22nd, with representatives from the Heartland-Greenway project and county citizens in attendance. Donaldson said the ad-hoc committee gave them about 25 questions in advance so they could address them at the meeting, which was the focus of their presentation. He stated project representatives have been hesitant to go into anything with their plume modeling based on opposition coming from Montgomery County. Donaldson reported the ICC will hold hearings in October, and he plans to schedule another Ad Hoc committee meeting after the ICC results are known.

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

1. **Maintenance and Cleaning Issues and Report Update:** Sneed reported two compressors on the chiller at the new courthouse failed. He stated the board will need to replace these compressors, but are waiting on a second bid, since only one bid has been received so far.
2. **Tuck Pointing at VAC Building Update:** Sneed reported this will be addressed at the October committee meeting.
3. **Interior Door Project for County Clerk's Office Update:** Sneed reported we are waiting for the State's Energy Grant for this project.

4. **Old Highway Department Property Update:**

- **Approve Purchase Agreement, Advertise for Bids for Seymour Avenue Surplus Property (Old Highway Department) Update:** Sneed reported we are waiting for a purchase agreement from the State's Attorney's office before moving forward with this project. Affrunti stated he plans to attend the next committee meeting to go over the final details.

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

1. **Employee Health Insurance and Monthly HRA Report Update:** Hughes reported Assured Partners Representative Amanda Mast said she received preliminary premiums from United Health Care, and they are projected to increase by 29 percent. Hughes said representative Mast plans to be at the next county board meeting.
2. **Animal Control Facility and Municipal Contracts Update:** Hughes stated contracts can be taken off the agenda because he does not foresee any changes to those in the near future. He said they can be put it back on if the board needs to address them.
3. **Animal Control Policy Update:** Hughes reported Animal Control Warden Gerl spoke during the committee meeting on July 31st about spending a certain amount of money on a particular animal picked up on I-55 and about two aggressive dogs which have been at the Animal Control facility for a year. Hughes asked if a conversation needed to be started surrounding a policy about how long to keep an animal and how much money to spend on an individual animal. Hughes said a lot of people attended last week's committee meeting, and they will continue to do research and discuss the matter further next month.
4. **Appoint Animal Control Deputy Administrator Approval: Motion by Hughes and second by Ruppert to appoint Dr. Alan Probst as Deputy Administrator of Animal Control.** Young asked if Hughes reached out to any other vets. Hughes said no. Bergen asked if there was a term limit on the Deputy Administrator position. State's Attorney Affrunti said the Deputy Administrator position should be addressed whenever the individual holding the Administrator position changes, since the Administrator can be a licensed veterinarian under Illinois law. Chairman Donaldson said if they are not a licensed veterinarian, then the Deputy Administrator has to be a licensed veterinarian according to State Statute. **Voice vote was held. Voting YES: Beason, Beck, Bergen, Donaldson, Folkerts, Hughes, Jones, Loucks, Murzynski, Ritchie, Ruppert, Sneed and Whitworth. Voting NO: Young. Motion carried with a 13-1 voting in favor.**
5. **MCEDC Update:** Hughes reported the next MCEDC meeting is scheduled for next Thursday at 5:30 p.m. at the Farm Bureau Building in Hillsboro, Illinois.
6. **Nextlink Broadband Internet Update:** Hughes reported County Clerk Leitheiser and County Coordinator Daniels attended a meeting in Greenville recently involving a number of representatives from broadband companies including Nextlink representative Mike Johnson. Leitheiser stated they are excited for the prospect of rural broadband in the county. She said other counties represented at the meeting included Bond, Clinton, Fayette, Washington and Madison. Although Nextlink did not receive Rural Digital Opportunity Fund (RDOF) grant funds in every county, Leitheiser said they are receptive to working with counties who did not receive those grant funds.

7. **Vistra Energy – Coffeen Solar Project Permit Application Update:** Hughes reported the committee has not had a chance to see the independent review from Hurst-Rosche; therefore, they will wait until next month to address this matter further. Donaldson said Hurst-Rosche representative Jeremy Connor is meeting with Vistra representatives at 5:00 pm today to discuss the issues from the review.
8. **Vistra Energy – Coffeen Solar Project Enterprise Zone Request Update:** Hughes reported this item will be discussed again after the next Mayors’ meeting. Donaldson stated the meeting is tentatively scheduled for Wednesday, October 18th, 2023.
9. **Ordinance Adopting Personnel Manual Update:** Hughes reported Treasurer Lohman attended a webinar on this matter today, and she will share information at the next committee meeting.
10. **Illinois DCEO Community Development Block Grant Update:**
 - **Intergovernmental Agreement with City of Litchfield for the DCEO Community Development Block Grant Update:** Hughes reported he has spoken with Litchfield Economic Development Coordinator Tonya Flannery and Hillsboro Economic Development and Community Planner Sarah McConnell, and both stated no interest has been received regarding projects related to this grant. He said no intergovernmental agreement will be needed due to this lack of interest.
11. **Scheduling of Union Negotiation Meetings with Local 773 (Correctional Officers and Telecommunicators) Update:** Hughes reported the Sheriff Department Correctional Offices and Telecommunicators have decided to switch from union Local 773 to union Local 1084. He stated a negotiations meeting will be scheduled soon.

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

1. **SOA Report Update:** Ritchie reported the Supervisor of Assessments office has been inputting the work from the assessors into the county tax software; and when completed, they will roll their information to the County Clerk’s office for tax extension.
2. **Capital Improvement Fund Reports Update:** Ritchie reported the July Coal Royalty Check totaled \$197,243.83, bringing the balance to \$8,421,610. He stated we also received a check for August, which will be reflected in next month’s report.
3. **Allocation of Remaining ARPA Funds for FY 2024 Budget Approval:** Ritchie reported the County has enough ARPA funds to move further down the list of requested projects. He stated both county and non-county entities were notified of additional funds and were asked to respond if they are still interested in funding. Every entity replied, and the list was revised to reflect the responses. Ritchie said the remaining ARPA funds will cover items #21 through #29 on the ARPA request list. After funding #29, there will be a remaining balance of about \$45,880.80 in ARPA money. **Motion by Ritchie and second by Young to approve funding ARPA projects 21 through 29 on the updated list. All in favor, motion carried. (For copy of list, see Resolution Book 20, page 168).**
4. **Highway Department \$30,000 Payment Approval:** Ritchie reported the Highway Department has been paying \$30,000 annually since 2020 to reimburse coal funds used to purchase their current property. However, since the Highway Department is not able to own property and in order to utilize the \$30,000 elsewhere on an annual basis, Ritchie said the committee is recommending forgiving the remaining balance on the loan.

Motion by Ritchie and second by Beason to forgive the remaining balance on the loan for the new Highway Department building starting in Fiscal Year 2023. Whitworth asked what the remaining balance is. Greenwood said if they would have made this year's payment, they would have paid \$120,000 total of the \$300,000 loan so far. **All in favor, motion carried.**

5. **County Policy for Special Fund Use Update:** Ritchie reported the committee discussed the potential creation of a policy for how each department is able to utilize their special funds. He said this item was brought to light after a discussion surrounding the Circuit Clerk's budget. Ritchie said Affrunti informed the committee the County Board does not have a voice in how departments utilize special funds, as the statute reads the County Board "shall" expend funds at the request of the Clerk of the Courts. Ritchie stated Lohman is seeking a UCCI opinion to interpret the statute. Lohman said she found UCCI opinions on similar matters but has not heard back about the request she submitted. County Clerk Leitheiser stated this issue may affect her office as she pays employee salaries with her special funds and asked Affrunti for an analysis of her office usage.
6. **FY 2024 Budget Update:** Ritchie reported the County is looking at a deficit of around \$640,000, which does not include the 14 percent of the total proposed 29 percent increase in health insurance. Ritchie stated the committee asked Lohman to send the latest proposed budget to Department Heads to see if they can make any additional reductions to bring it closer to balance. He stated a special meeting of the Finance and Budget Committee has been scheduled for September 28th at 5:30 p.m. for the purpose of discussing the County budget.
7. **Resolution Increasing Election Judge Salary Update:** Ritchie reported this item was tabled until next month so State's Attorney Affrunti may review it.
8. **Resolution to Convey Deed for Parcel ID # 08-23-160-029 in Nokomis Township to Jason and Sarah Miller Approval:** Motion by Ritchie and second by Whitworth to approve the Resolution to Convey Deed for Parcel ID # 08-23-160-029 in Nokomis Township to Jason and Sarah Miller. All in favor, motion carried. (For copy, see Resolution Book 20, pages 169-170).
9. **Resolution to Convey Deed for Parcel ID # 13-06-333-002 in Witt Township to Tucker Teubel Approval:** Motion by Ritchie and second by Young to approve the Resolution to Convey Deed for Parcel ID # 13-06-333-002 in Witt Township to Tucker Teubel. All in favor, motion carried. (For copy, see Resolution Book 20, pages 171-172).
10. **Resolution to Convey Deed for Parcel ID # 16-12-205-004 in Hillsboro Township to Scott Anderson Approval:** Motion by Ritchie and second by Hughes to approve the Resolution to Convey Deed for Parcel ID # 16-12-205-004 in Hillsboro Township to Scott Anderson. All in favor, motion carried. (For copy, see Resolution Book 20, pages 173-174).
11. **Resolution to Convey Deed for Parcel ID # 16-12-111-006 in Hillsboro Township to Brittny Harris Approval:** Motion by Ritchie and second by Folkerts to approve the Resolution to Convey Deed for Parcel ID # 16-12-111-006 in Hillsboro Township to Brittny Harris. All in favor, motion carried. (For copy, see Resolution Book 20, pages 175-176).
12. **Resolution to Convey Deed for Parcel ID # 17-35-406-002 in East Fork Township to Snowwhite and Jonathan Nixon Approval:** Motion by Ritchie and second by Young

to approve the Resolution to Convey Deed for Parcel ID # 17-35-406-002 in East Fork Township to Snowwhite and Jonathan Nixon. All in favor, motion carried. (For copy, see Resolution Book 20, pages 177-178).

13. **Resolution to Convey Deed for Parcel ID # 21-23-226-008 in East Fork Township to Travis and Amanda Hemken Approval:** Motion by Ritchie and second by Bergen to approve the Resolution to Convey Deed for Parcel ID # 21-23-226-008 in East Fork Township to Travis and Amanda Hemken. All in favor, motion carried. (For copy, see Resolution Book 20, pages 179-180).

ROADS & BRIDGES COMMITTEE REPORT: Given by Committee Chairman Ethan Murzynski:

1. **Section 15-00138-00-BR Red Ball Trail Bridge Update:** Murzynski reported they are making progress on this project and are ahead of schedule. Greenwood stated they are working on a new box culvert now as well as the 3rd Avenue intersection.
2. **Upcoming Road Use Agreements Update:** Greenwood reported Keira Gavin from the Anacott solar project is going to submit road use agreements for the other two solar applications, which are Bluestar and Horseshoe.
3. **Resolution 2023-09 Appropriating Funds for 100% County Culvert Replacement on E. 20th Road Approval:** Motion by Murzynski and second by Young to approve Resolution 2023-09 appropriating funds for 100 percent county culvert replacement on East 20th Road for an amount not to exceed \$9,000. All in favor, motion carried. (For copy, see Resolution Book 20, pages 181-182).
4. **Township Bridge Program (TBP) Funding Update:** Murzynski reported the TBP funds came through in the amount of \$816,473, which is much greater than the average \$204,000 received previously.
5. **Seasonal Renting/Leasing of Roadside Mowing Equipment Update:** Greenwood reported he is exploring the option about leasing mowers, but nothing is set.

APPROVAL OF THE COMMITTEE REPORTS & MINUTES: Motion by Whitworth and second by Ritchie to approve the five committee reports and minutes. All in favor, motion carried.

ANNOUNCEMENTS: None

SCHEDULE CHANGES: Donaldson reported a Mayors' meeting has been tentatively scheduled for October 18th, 2023 at 5:00 p.m. He said a special Finance and Budget Committee meeting has also been scheduled for Thursday, September 28th, 2023 at 5:30 p.m.

APPOINTMENTS:

Motion by Donaldson and second by Jones to approve the appointment of Alex Jordan to the Bois D'Arc #4 Drainage District Board to a term expiring the first Tuesday in September, 2025. All in favor, motion carried.

Motion by Donaldson and second by Beck to approve the appointment of Donald Murphy to the Bois D'Arc #4 Drainage District Board to a term expiring the first Tuesday in September, 2026. All in favor, motion carried.

Motion by Donaldson and second by Beck to approve the appointment of Todd Megginson to the Bois D'Arc #4 Drainage District Board to a term expiring the first Tuesday in September, 2024. All in favor, motion carried.

Motion by Donaldson and second by Young to approve the appointment of Daniel Tester to the Irving-Witt-Nokomis-Rountree #1 Drainage District Board to a term expiring the first Tuesday in September 2026. All in favor, motion carried.

Motion by Donaldson and second by Jones to approve the appointment of Robert Wagahoff to the Farmersville-Waggoner Fire Protection District Board to a three-year term expiring September 2026. All in favor, motion carried.

Motion by Donaldson and second by Beck to approve the appointment of Leonard Rovey to the Farmersville-Waggoner Fire Protection District Board to a two-year term expiring September, 2025. All in favor, motion carried.

Motion by Donaldson and second by Beck to approve the appointment of John Welsh to the Farmersville-Waggoner Fire Protection District Board to a one-year term expiring September 2024. All in favor, motion carried.

Motion by Donaldson and second by Loucks to approve the appointment of Paul Pershing to the Three County Public Water District Board to a five-year term expiring October 31, 2028. All in favor, motion carried.

PAY BILLS AND PAYROLL: Motion by Ritchie and second by Hughes to pay all approved bills and Payroll. All in favor, motion carried. 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: Donaldson announced the next regular full board meeting will be on Tuesday, October 10th, 2023 at 5:30 p.m. in the County Board Room, Hillsboro, Illinois. Motion by Hughes and second by Murzynski to adjourn the Full Board Meeting. All in favor, motion carried.

Meeting Adjourned at 6:31 p.m. Minutes respectfully recorded and submitted by Montgomery County Clerk and Recorder Sandy Leitheiser.