

COLES COUNTY BOARD

Regular Meeting

December 11, 2012

The regular meeting of the Coles County Board was called to order at 7.00 p.m. with the following members present John Bell, Mark Degler, Jan Eads, Dick Goodrick, Dan Lawrence, Brian Marvin, Stan Metzger, Ron Osborne, Nancy Purdy, Cory Sanders and Mike ZuHone with Chairman Paul Daily presiding.

Following the Pledge to the Flag, the Invocation was given by Sue Rennels.

APPROVAL OF MINUTES

Motion was made by Degler, seconded by Bell to approve the November 13, 2012 and November 26, 2012 County Board minutes.

AYES: Bell, Daily, Degler, Eads, Goodrick, Lawrence, Marvin,
Metzger, Osborne, Purdy, Sanders, ZuHone (12)

NAYS: None (0)

ABSENT: None (0)

APPOINTMENT OF THE SHELLHAMMER DRAINAGE DISTRICT

Appointment was made by Daily to appoint Dalane Allenbaugh to serve on the Shellhammer Drainage District until the first Tuesday in September, 2014 with the consent of the County Board. (See page 2147)

AYES: Bell, Daily, Degler, Eads, Goodrick, Lawrence, Marvin,
Metzger, Osborne, Purdy, Sanders, ZuHone (12)

NAYS: None (0)

ABSENT: None (0)

RESOLUTION : STATE'S ATTORNEYS APPELLATE PROSECUTOR

Upon motion by Degler, seconded by Metzger. (See page 2148)

AYES: Bell, Daily, Degler, Eads, Goodrick, Lawrence, Marvin,
Metzger, Osborne, Purdy, Sanders, ZuHone (12)

NAYS: None (0)

ABSENT: None (0)

RESOLUTION RE: HIRING FREEZE WAIVER- CIRCUIT CLERK

Upon motion by Degler, seconded by Bell. (See page 2149)

AYES: Bell, Daily, Degler, Eads, Goodrick, Lawrence, Marvin,
Metzger, Osborne, Purdy, Sanders, ZuHone (12)

NAYS: None (0)

ABSENT: None (0)

RESOLUTION RE: TRANSFER OF FUNDS - MAINTENANCE

Upon motion by Bell, seconded by Sanders. (See page 2150)

AYES: Bell, Daily, Degler, Eads, Goodrick, Lawrence, Marvin,
Metzger, Osborne, Purdy, Sanders, ZuHone (12)

NAYS: None (0)

ABSENT: None (0)

RESOLUTION RE: HIRING FREEZE - PLANNING & DEVELOPMENT

Upon motion by Metzger, seconded by Lawrence. (See page 2151)

AYES: Bell, Daily, Degler, Eads, Goodrick, Lawrence, Marvin,
Metzger, Osborne, Purdy, Sanders, ZuHone (12)

NAYS: None (0)

ABSENT: None (0)

RESOLUTION - HIGHWAY MOTOR FUEL TAX ALLOTMENT

Upon motion by Zuhone, seconded by Degler. (See page 2152)

AYES: Bell, Daily, Degler, Eads, Goodrick, Lawrence, Marvin,
Metzger, Osborne, Purdy, Sanders, ZuHone (12)

NAYS: None (0)

ABSENT: None (0)

**RESOLUTION RE: CONTRACT WITH ASHMORE AND
COLES COUNTY - SPECIAL POLICE SERVICES**

Motion was made by Osborne, no second

Motion was made by Lawrence, seconded by Marvin to table the Resolution

AYES: Bell, Daily, Degler, Eads, Goodrick, Lawrence, Marvin,
Metzger, Osborne, Purdy, Sanders, ZuHone (12)

NAYS: None (0)

ABSENT: None (0)

ANNOUNCEMENT OF APPOINTMENTS

1. One appointment to the Public Health Board.

ADJOURNED

Motion by Bell, seconded by Metzger the Coles County Board was adjourned at 7:50 p.m..

AYES: Bell, Daily, Degler, Eads, Goodrick, Lawrence, Marvin,
Metzger, Osborne, Purdy, Sanders, ZuHone (12)

NAYS: None (0)

ABSENT: None (0)

ATTEST:

_____ County Clerk

IN THE CIRCUIT COURT
FOR THE FIFTH JUDICIAL CIRCUIT OF ILLINOIS
COLES COUNTY, CHARLESTON, ILLINOIS

IN THE MATTER OF SHELLHAMMER)
DRAINAGE DISTRICT BY USER,)
COLES COUNTY, ILLINOIS)

CERTIFICATE OF APPOINTMENT

The undersigned Clerk of the County Board, Coles County, Illinois, hereby certifies that at a regular meeting held on the ____ day of _____, 2012, the said Board found that the following-named person has the qualifications required by law for the office for which he is appointed and that said Board did appoint the following-named person to the office of Commissioner and for the term set forth after his name to serve, subject to requirements of the office, for said term and until his successor is appointed and qualified.

NAME

TERM

DALANE ALLENBAUGH

Until the first Tuesday in September, 2014

This appointment shall take effect upon said person filing his Oath of Drainage Commissioner and Commissioner's Bond in the amount of \$500 in the Office of the Circuit Clerk, Coles County, Illinois.

DATED this ____ day of _____, 2012.

CLERK, COUNTY BOARD, COLES COUNTY,
ILLINOIS

RESOLUTION

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Counties containing less than 3,000,000 inhabitants; and

WHEREAS, the powers and duties of the Office of the State's Attorneys Appellate Prosecutor are defined and enumerated in the "State's Attorneys Appellate Prosecutor's Act", 725 ILCS 210/1 et seq., as amended; and

WHEREAS, the Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives approval and support from the respective Counties eligible to apply; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor shall administer the operation of the appellate offices so as to insure that all participating State's Attorneys continue to have final authority in preparation, filing, and arguing of all appellate briefs and any trial assistance; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor and the Illinois General Assembly have reviewed and approved a budget for Fiscal Year 2013, which funds will provide for the continued operation of the Office of the State's Attorneys Appellate Prosecutor.

NOW, THEREFORE, BE IT RESOLVED that the Coles County Board, in regular session, this ____ day of _____, 20__ does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorney of this County in the appeal of all cases, when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney prepare, file, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the State's Attorney's duties under the Illinois Public Labor Relations Act, including negotiations thereunder, as well as in the trial and appeal of tax objections.

BE IT FURTHER RESOLVED that the Office of the State's Attorneys Appellate Prosecutor will offer Continuing Legal Education training programs to the State's Attorney and Assistant State's Attorneys.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist the State's Attorney of this County in the discharge of the State's Attorney's duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

BE IT FURTHER RESOLVED that the Coles County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2013, commencing December 1, 2012, and ending November 30, 2013, by hereby appropriating the sum of \$15,000.00 as consideration for the express purpose of providing a portion of the funds required for financing the operation of the Office of the State's Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the Fiscal Year 2013.

Passed and adopted by the County Board of Coles County, Illinois, this
_____ day of _____ 20_____.

Chairman _____

ATTEST: _____
County Clerk

State of Illinois)
)ss.
County of Coles)

RESOLUTION RE: HIRING FREEZE WAIVER

WHEREAS, the County is currently under a hiring freeze; and

WHEREAS, the Circuit Clerk requested that the County Offices/Rules Committee recommend to the County Board to waive the hiring freeze to fill an existing position in the Circuit Clerk's Office.

NOW, THEREFORE BE IT RESOLVED by the County Board of Coles County, Illinois to waive the hiring freeze for the above stated position in the Circuit Clerk's Office.

DATED this ____ day of _____, 2012

ATTEST:

_____ Clerk

State of Illinois)
)ss.
County of Coles)

RESOLUTION RE: TRANSFER OF FUNDS

WHEREAS, the funds to pay for the repairs to the roof at the Courthouse are included in the Maintenance Department’s budget for FY 2012; and

WHEREAS, the repairs to the roof will not be completed in FY 2012; and

WHEREAS, Monty Walters, Maintenance Supervisor, requested that the funds be included in the Maintenance Department’s budget for FY 2013; and

WHEREAS, the Finance Committee voted to recommend that the County Board grant this request.

NOW, THEREFORE BE IT RESOLVED by the County Board of Coles County, Illinois to transfer \$50,000 from line item 01-7500-05, Contingency to line item 01-7490-14, Improvement - Lands & Buildings in the Maintenance Department’s FY 2013 budget.

DATED this ____ day of _____, 2011.

ATTEST:

_____ Clerk

State of Illinois)
)ss.
County of Coles)

RESOLUTION RE: HIRING FREEZE WAIVER

WHEREAS, the County is currently under a hiring freeze; and

WHEREAS, the Planning & Development Commission requested that the Planning & Development Committee recommend that the County Board waive the hiring freeze to fill an IT position in the Planning Commission.

NOW, THEREFORE BE IT RESOLVED by the County Board of Coles County, Illinois to waive the hiring freeze for an IT position in the Planning Commission.

DATED this ____ day of _____, 2012.

ATTEST:

_____ Clerk



RESOLVED, by the County board of Coles County, that \$550,000.00 is appropriated from the Motor Fuel Tax allotment for the maintenance on county or State highways and meeting the requirements of the Illinois Highway Code, and be it further

RESOLVED, that maintenance sections or patrols be maintained under the provision of said Illinois Highway Code beginning January 1, 2013 and ending December 31, 2013, and be it further

RESOLVED, that the County Engineer/County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved

STATE OF ILLINOIS

Coles County, } ss.

I, Sue Rennels County Clerk, in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the County Board of

Date

Coles County, at its regular

meeting held at the Coles County Courthouse, Charleston, IL

on December 13, 2011

Date

Department of Transportation

IN TESTIMONY WHEREOF, I have hereunto set my hand and

affixed the seal of said County at my office in Charleston, IL

in said County, this 11th day of December A.D. 2012

Regional Engineer

(SEAL) _____ County Clerk.