

COLES COUNTY BOARD
Regular Meeting
September 13, 2016

The regular meeting of the Coles County Board was called to order at 7:00 p.m. with the following members present, Brandon Bell, Paul Daily, Mark Degler, Jan Eads, Dan Lawrence, Brian Marvin, Ron Osborne, Nancy Purdy, Marc Weber and Mike Zuhone with Chairman Stan Metzger presiding. Absent was member Cory Sanders.

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

Motion was made by Marvin, seconded by Daily to approve the August 9, 2016 County Board minutes.

AYES: Bell, Daily, Degler, Eads, Lawrence, Marvin, Metzger
Osborne, Purdy, Weber, Zuhone (11)
NAYS: None (0)
ABSENT: Sanders (1)

APPOINTMENT TO THE EMERGENCY TELEPHONE SYSTEMS 9-1-1 BOARD

Motion was made by Metzger to appoint Kent Martin to serve on the Emergency 911 Board until May, 2019 with the consent of the County Board.

AYES: Bell, Daily, Degler, Eads, Lawrence, Marvin, Metzger
Osborne, Purdy, Weber, Zuhone (11)
NAYS: None (0)
ABSENT: Sanders (1)

10 APPOINTMENTS TO THE DRAINAGE DISTRICTS

Motion was made by Metzger, to appoint the following people to serve on the Drainage Districts until the second Tuesday in May, 2019 with the consent of the County Board.

Brewster-Rice Drainage District - Erbon Doak
Drainage District #4-12 of North Okaw - Omer Herschberger
Drainage District #2 of Mattoon - Stephan W. Degler
Drainage District #1-B of Seven Hickory - Terry Warner
Kickapoo Drainage District - Christopher Walker
Majors Drainage District - Ronnie Hill
Shellhammer Drainage District - Duane Seaman
Loxa Drainage District - Curt Niemeyer
Union Drainage District#1 of Mattoon and Whitley - Brett Bond
Coles-Clark Drainage District - Ray Galbreath

AYES: Bell, Daily, Degler, Eads, Lawrence, Marvin, Metzger
Osborne, Purdy, Weber, Zuhone (11)
NAYS: None (0)
ABSENT: Sanders (1)

APPOINTMENT TO THE SEVEN HICKORY FIRE PROTECTION DISTRICT

Motion was made by Metzger, to appoint Randy McCray to serve on the Seven Hickory Fire Protection District Board until May, 2019 with the consent of the County Board.

AYES: Bell, Daily, Degler, Eads, Lawrence, Marvin, Metzger
Osborne, Purdy, Weber, Zuhone (11)
NAYS: None (0)
ABSENT: Sanders (1)

**COUNTY CLERKS OFFICE REQUEST NOVEMBER 7TH, 2016
TO BE OPEN ONLY FOR VOTING ISSUES**

Motion was made by Weber, seconded by Lawrence to have the County Clerks Office be open on November 7th for voting issues only, with the Consent of the County Board.

AYES: Bell, Daily, Degler, Eads, Lawrence, Marvin, Metzger
Osborne, Purdy, Weber, Zuhone (11)
NAYS: None (0)
ABSENT: Sanders (1)

POLICY - FRAUD AWARENESS

For a copy of the policy see page 3347

Upon motion by Weber, seconded by Daily

AYES: Bell, Daily, Degler, Eads, Lawrence, Marvin, Metzger
Osborne, Purdy, Weber, Zuhone (11)
NAYS: None (0)
ABSENT: Sanders (1)

RESOLUTION TO ESTABLISH FEES FOR ELECTRONIC MONITORING DEVICE

For a copy of the resolution see pages 3348 - 3349

Upon motion by Weber, seconded by Marvin

AYES: Bell, Daily, Degler, Eads, Lawrence, Marvin, Metzger
Osborne, Purdy, Weber, Zuhone (11)
NAYS: None (0)
ABSENT: Sanders (1)

TAX SALE RESOLUTIONS (5)

For a copy of the resolutions see pages 3350 - 3354

Upon motion by Lawrence, seconded by Weber

AYES: Bell, Daily, Degler, Eads, Lawrence, Marvin, Metzger
Osborne, Purdy, Weber, Zuhone (11)
NAYS: None (0)
ABSENT: Sanders (1)

APPOINTMENTS

1. One appointment to the Little Wabash Drainage District
2. Two appointments to the Housing Authority
3. One appointment to the Wabash Fire Protection District

RECESS

Upon motion by Weber, seconded by Marvin the Coles County Board was recessed at 7:26 p.m., until October 11, 2016.

AYES: Bell, Daily, Degler, Eads, Lawrence, Marvin, Metzger
Osborne, Purdy, Weber, Zuhone (11)
NAYS: None (0)
ABSENT: Sanders (1)

ATTEST:



County Clerk



FRAUD POLICY

The purpose of a fraud policy is to establish the development of controls that will aid in the detection and prevention of fraud against Coles County. This policy applies to any irregularity, or suspected irregularity, involving employees as well as consultants, vendors, contractor, outside agencies doing business with employees of such agencies, and/or any other parties with a relationship with Coles County.

Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. The terms of defalcation, misappropriation, and other fiscal irregularities refer to, but are not limited to:

- Any dishonest or fraudulent act;
- Misappropriation of funds, securities, supplies or other assets;
- Impropriety in the handling or reporting of money or financial transactions;
- Profiteering as a result of insider knowledge of the County's activities;
- Disclosing confidential and proprietary information to outside parties;
- Accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to Coles County;
- Destruction, removal, or inappropriate use of records, furniture, fixtures and equipment.

The County Official/Department Head is responsible for the detection and prevention of fraud, misappropriations, and other irregularities within their respective offices. County Officials/Department Heads will be familiar with the types of improprieties that might occur within his or her office and be alert for any indication of irregularity.

Annually, the Auditors for Coles County, will distribute to every employee a fraud survey that can be filled out and returned to the Auditors anonymously. Any irregularity that is detected or suspected must be reported to the respective County Official/Department Head, who coordinates all investigations with the State's Attorney. With respect to any irregularity that is detected or suspected from a County Official/Department Head, the irregularity must be reported to the County Offices/Rules Committee, who coordinates all investigations with the State's Attorney. The County has set up a fraud hotline for employees to report any irregularity. The number is (217) 348-0595.

If an investigation results in a recommendation to discipline or terminate an employee, the recommendation will be forwarded to the County Official/Department Head or County/Offices/Rules Committee.

Decisions to prosecute or refer the examination results to the Sheriff's Department for investigation will be made by the State's Attorney, as will final disposition of the case.

RESOLUTION TO ESTABLISH FEES FOR ELECTRONIC MONITORING DEVICE

WHEREAS, the County Board is authorized by the Illinois Compiled Statutes to adopt by resolution a "Electronic Monitoring (also known as Home Confinement) Fee" to be collected by the Circuit Clerk and used to cover fees for maintenance, equipment, and all costs incidental to approved electronic monitoring, involved in a successful probation and pre-trial services or conditional discharge programs for the county.

WHEREAS, electronic monitoring (home confinement) fee is required and 730 ILCS 5/5-6-3(b)(10)(iv) and (v) authorizes the County Board with the concurrence of the Chief Judge to establish an "Electronic Monitoring (also known as Home Confinement) Fee". An offender (defendant) sentenced to a period of electronic monitoring (also known as home confinement) as ordered by the Court shall be ordered to pay the additional fees. The fees shall be assessed for each day of use by the offender (defendant) on electronic monitoring (also known as home confinement). The fees shall be determined by the Coles/Cumberland/Edgar Counties Probation and Court Services Department; this fee shall be based upon the costs of the maintaining equipment, equipment fees or any incidentals required ensuring properly working electronic monitoring (also known as home confinement) devices. The fee is subject to change based on the costs incurred by the Coles/Cumberland/Edgar Counties Probation and Court Services Department. It is the responsibility of the Coles/Cumberland/Edgar Counties Probation and Court Services Department to inform the Court, State's Attorney, Clerk of the Court and offender (defendant) of any change in fees. It is the responsibility of the Coles/Cumberland/Edgar Counties Probation and Court Services Department to maintain records of any fee changes and provide supporting documents to the Office of the Chief Judge. It is the discretion of the Coles/Cumberland/Edgar Counties Probation and Court Services Department to determine if the offender (defendant) has the ability to pay the fees. Such fee can be assessed in any criminal felony, criminal misdemeanor, traffic and driving under the influence cases, such fee can be assessed against the offender (defendant) upon order of the Court.

NOW THEREFORE BE IT RESOLVED, that the County Board does enact by this resolution a electronic monitoring (also known as home confinement) fee dedicated to defraying the costs incurred by the Coles/Cumberland/Edgar Counties Probation and Court Services Department. The fees shall be collected by the clerk of the court. The clerk of the court shall pay all monies collected from these fees to the county treasurer who shall use the monies collected to defray the costs of electronic monitoring. The county treasurer shall deposit the fees collected in the substance abuse services fund under Section 5-1086.1 of

the Counties Code if the offender (defendant) has been convicted of any alcohol, cannabis or controlled substance violation that are placed on an approved monitoring device as a condition of probation or conditional discharge. The county treasurer shall deposit the fees collected in the probation and court services fund if the offender (defendant) has been convicted of offenses other than those referenced above that are placed on an approved monitoring device as a condition of probation or conditional discharge.

BE IT FURTHER RESOLVED by the Coles County Board, now in regular session that it respectfully requests the Chief Judge of the Fifth Judicial Circuit enter an administrative order concurring with this resolution imposing and setting the electronic monitoring (also known as home confinement) fee. This Resolution shall become effective on February _____, 2016. Retroactive to October 1, 1990.

I move for the adoption of the foregoing Resolution.

I second the motion for the adoption of the foregoing Resolution.

PASSED this _____ day of _____, 2016

CHARIMAN OF THE BOARD

ATTEST:

COLES COUNTY CLERK

RESOLUTION



WHEREAS, The County of Coles, as Trustee for the Taxing Districts, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Coles, as Trustee for the Taxing Districts, has acquired an interest in the following described real estate:

CHARLESTON TOWNSHIP

PERMANENT PARCEL NUMBER: 02-1-03467-000

As described in certificate(s) : 201200039 sold October 2013

and it appearing to the Finance Committee that it would be to the best interest of the County to dispose of its interest in said property.

WHEREAS, Wayne R. Bosler, has bid \$676.00 for the County's interest, such bid having been presented to the Finance Committee at the same time it having been determined by the Finance Committee and the Agent for the County, that the County shall receive from such bid \$154.24 as a return for its certificate(s) of purchase. The County Clerk shall receive \$0.00 for cancellation of Certificate(s), the Tax Revolving Account Fund shall receive \$122.76 to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive \$0.00 for his services and the Recorder of Deeds shall receive \$49.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$676.00.

THEREFORE, your Finance Committee recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF COLES COUNTY, ILLINOIS, that the Chairman of the Board of Coles County, Illinois, be authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of \$154.24 to be paid to the Treasurer of Coles County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this _____ day of _____, _____

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER

09-16-001

RESOLUTION



WHEREAS, The County of Coles, as Trustee for the Taxing Districts, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Coles, as Trustee for the Taxing Districts, has acquired an interest in the following described real estate:

CHARLESTON TOWNSHIP

PERMANENT PARCEL NUMBER: 02-1-03771-000

As described in certificate(s) : 201200042 sold October 2013

and it appearing to the Finance Committee that it would be to the best interest of the County to dispose of its interest in said property.

WHEREAS, Kris A. Phipps, has bid \$3,388.00 for the County's interest, such bid having been presented to the Finance Committee at the same time it having been determined by the Finance Committee and the Agent for the County, that the County shall receive from such bid \$2,394.97 as a return for its certificate(s) of purchase. The County Clerk shall receive \$0.00 for cancellation of Certificate(s), the Tax Revolving Account Fund shall receive \$109.28 to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive \$0.00 for his services and the Recorder of Deeds shall receive \$49.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$3,388.00.

THEREFORE, your Finance Committee recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF COLES COUNTY, ILLINOIS, that the Chairman of the Board of Coles County, Illinois, be authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of \$2,394.97 to be paid to the Treasurer of Coles County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this _____ day of _____, _____

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER

09-16-002

RESOLUTION



WHEREAS, The County of Coles, as Trustee for the Taxing Districts, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Coles, as Trustee for the Taxing Districts, has acquired an interest in the following described real estate:

EAST OAKLAND TOWNSHIP

PERMANENT PARCEL NUMBER: 03-0-02829-000

As described in certificate(s) : 201200147 sold October 2013

and it appearing to the Finance Committee that it would be to the best interest of the County to dispose of its interest in said property.

WHEREAS, Terry Garrett, Gayle Garrett, has bid \$1,000.00 for the County's interest, such bid having been presented to the Finance Committee at the same time it having been determined by the Finance Committee and the Agent for the County, that the County shall receive from such bid \$478.24 as a return for its certificate(s) of purchase. The County Clerk shall receive \$0.00 for cancellation of Certificate(s), the Tax Revolving Account Fund shall receive \$122.76 to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive \$0.00 for his services and the Recorder of Deeds shall receive \$49.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$1,000.00.

THEREFORE, your Finance Committee recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF COLES COUNTY, ILLINOIS, that the Chairman of the Board of Coles County, Illinois, be authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of \$478.24 to be paid to the Treasurer of Coles County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this _____ day of _____, _____

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER

09-16-003

RESOLUTION



WHEREAS, The County of Coles, as Trustee for the Taxing Districts, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Coles, as Trustee for the Taxing Districts, has acquired an interest in the following described real estate:

LAFAYETTE TOWNSHIP

PERMANENT PARCEL NUMBER: 06-0-04411-000

As described in certificates(s) : 201200204 sold October 2013

and it appearing to the Finance Committee that it would be to the best interest of the County to dispose of its interest in said property.

WHEREAS, H & H Land Holdings, LLC, has bid \$5,027.00 for the County's interest, such bid having been presented to the Finance Committee at the same time it having been determined by the Finance Committee and the Agent for the County, that the County shall receive from such bid \$3,630.96 as a return for its certificate(s) of purchase. The County Clerk shall receive \$0.00 for cancellation of Certificate(s), the Tax Revolving Account Fund shall receive \$102.54 to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive \$0.00 for his services and the Recorder of Deeds shall receive \$49.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$5,027.00.

THEREFORE, your Finance Committee recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF COLES COUNTY, ILLINOIS, that the Chairman of the Board of Coles County, Illinois, be authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of \$3,630.96 to be paid to the Treasurer of Coles County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this _____ day of _____, _____

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER

09-16-004

RESOLUTION



WHEREAS, The County of Coles, as Trustee for the Taxing Districts, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Coles, as Trustee for the Taxing Districts, has acquired an interest in the following described real estate:

NORTH OKAW TOWNSHIP

PERMANENT PARCEL NUMBER: 09-0-00345-000

As described in certificates(s) : 201200393 sold October 2013

and it appearing to the Finance Committee that it would be to the best interest of the County to dispose of its interest in said property.

WHEREAS, Clinton E. Pierce, has bid \$768.51 for the County's interest, such bid having been presented to the Finance Committee at the same time it having been determined by the Finance Committee and the Agent for the County, that the County shall receive from such bid \$266.97 as a return for its certificate(s) of purchase. The County Clerk shall receive \$0.00 for cancellation of Certificate(s), the Tax Revolving Account Fund shall receive \$102.54 to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive \$0.00 for his services and the Recorder of Deeds shall receive \$49.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$768.51.

THEREFORE, your Finance Committee recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF COLES COUNTY, ILLINOIS, that the Chairman of the Board of Coles County, Illinois, be authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of \$266.97 to be paid to the Treasurer of Coles County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this _____ day of _____,

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER

09-16-005