

COLES COUNTY BOARD
Regular Meeting
October 8, 2024

The regular meeting of the Coles County Board was called to order at 6:00 p.m. with the following members present, Bob Bennett, Mike Clayton, Denise Corray, John Doty, Tad Freezeland, Gail Mason, Nancy Purdy, Rick Shook, Michael Watts with Chairman Darrell Cox presiding. Absent were members Jeremy Doughty and Andrew McDevitt.

Invocation was given by Mike Clayton
Moment of Silent Reflection
Pledge to the Flag

PUBLIC COMMENT

Rob Perry John Kraft Charles Stodden James Dinaso Kirk Allen

APPROVAL OF THE COUNTY BOARD MINUTES

Upon motion by Freezeland, seconded by Purdy to approve the County Board Minutes dated September 10, 2024 with the consent of the County Board

AYES: Bennett, Clayton, Corray, Cox, Doty, Freezeland
 Mason, Purdy, Shook, Watts (10)
NAYS: None (0)
ABSENT: Doughty, McDevitt (2)

PRESENT FY2025 BUDGET

Budget for the FY2025 will be available to view in the County Clerk's Office.

**RESOLUTION: AMENDING COUNTY BOARD ADMINISTRATIVE
ASSISTANT NIGHT MEETINGS PAY**

For a copy of the resolution see page 6666

Motion by Mason, seconded by Bennett

AYES: Bennett, Clayton, Corray, Cox, Doty, Freezeland
 Mason, Purdy, Shook, Watts (10)
NAYS: None (0)
ABSENT: Doughty, McDevitt (2)

**TAX SALE RESOLUTION
202000216**

For a copy of the resolution see page 6667

Motion by Freezeland, seconded by Doty

AYES: Bennett, Clayton, Corray, Cox, Doty, Freezeland
Mason, Purdy, Shook, Watts (10)
NAYS: None (0)
ABSENT: Doughty, McDevitt (2)

**RESOLUTION: RETURN ARPA FUNDS
CATHOLIC SHARITIES - \$15,000.00**

For a copy of the resolution see page 6668

Motion by Doty, seconded by Mason

AYES: Bennett, Clayton, Corray, Cox, Doty, Freezeland
Mason, Purdy, Shook, Watts (10)
NAYS: None (0)
ABSENT: Doughty, McDevitt (2)

**RESOLUTION: RETURN ARPA FUNDS
THE SAVALATION ARMY - \$25,000.00**

For a copy of the resolution see page 6669

Motion by Doty, seconded by Bennett

AYES: Bennett, Clayton, Corray, Cox, Doty, Freezeland
Mason, Purdy, Shook, Watts (10)
NAYS: None (0)
ABSENT: Doughty, McDevitt (2)

**RESOLUTION: RETURN ARPA FUNDS
COLES COUNTY HABITAT FOR HUMANITY - \$461.00**

For a copy of the resolution see page 6670

Motion by Doty, seconded by Purdy

AYES: Bennett, Clayton, Corray, Cox, Doty, Freezeland
Mason, Purdy, Shook, Watts (10)
NAYS: None (0)
ABSENT: Doughty, McDevitt (2)

APPROVAL OF BILLS - COLES COUNTY

Motion by Bennett, seconded by Mason to approve the payment of the Coles County bills, with the approval of the County Board.

AYES: Bennett, Clayton, Corray, Cox, Doty, Freezeland
Mason, Purdy, Shook, Watts (10)
NAYS: None (0)
ABSENT: Doughty, McDevitt (2)

AMEND MINUTES – MAY 10, 2022 – RESOLUTION OFFICERS SALARY

For a copy of the resolution see page 6671

Motion by Purdy, seconded by Clayton

AYES: Bennett, Clayton, Corray, Cox, Doty, Freezeland
Mason, Purdy, Shook, Watts (10)
NAYS: None (0)
ABSENT: Doughty, McDevitt (2)

ANNOUNCEMENT OF APPOINTMENTS

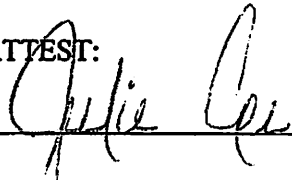
1. One appointment to the Coles County Airport Authority
2. Seven appointments to the Coles County Opioid Settlement Fund Advisory Committee

RECESSED

Upon motion by Watts, seconded by Freezeland, the Coles County Board was recessed at 6:50 p.m. with the consent of the County Board.

AYES: Bennett, Clayton, Corray, Cox, Doty, Freezeland
Mason, Purdy, Shook, Watts (10)
NAYS: None (0)
ABSENT: Doughty, McDevitt (2)

ATTEST:



County Clerk

State of Illinois)
)ss.
County of Coles)

**RESOLUTION AMENDING COUNTY BOARD ADMINISTRATIVE ASSISTANT
NIGHT MEETING PAY**

WHEREAS, the County Board Administrative Assistant is required to attend night meetings; and

WHEREAS, additional pay for any night meetings attended exceeding four per month has been paid at \$35 per meeting plus travel since 1993, and

WHEREAS, the Finance Committee finds it appropriate and recommends that the County Board increase said additional pay to the amount of \$50 per meeting plus travel for any night meetings attended exceeding four per month.

NOW, THEREFORE BE IT RESOLVED by the County Board of Coles County, Illinois that the Coles County Board Administrative Assistant shall receive additional pay for any night meetings attended exceeding four per month at the rate of \$50 per meeting plus travel.

DATED this ____ day of _____, 2024.

ATTEST:

_____ County Clerk

_____ Chairman



WHEREAS, The County of Coles, as Trustee for the Taxing Districts therein, 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 therein, has acquired an interest in the following described real estate:

MORGAN TOWNSHIP

PERMANENT PARCEL NUMBER 08-0-00796-000

As described in certificate(s) : 202000216 sold October 2021

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

WHEREAS, ORGANIC AG SOLUTIONS, has bid \$819.00 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 \$126.27 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 \$173.73 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 \$69.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$819.00.

WHEREAS, 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 hereby authorized to execute a deed of conveyance of the County's interest on the above described real estate for the sum of \$126.27 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 this _____ day of _____,

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

State Of Illinois)
)SS
County Of Coles)

Resolution to return ARPA Funds

WHEREAS, The American Rescue Plan Act provides for State and Local Fiscal Recovery Funds, a definition which includes Coles County, Illinois, and

WHEREAS, The United States Treasury Department was tasked with administration of the American Rescue Plan Act and in July 2021 issued instructions, criteria, and limitations for the use of funds provided by the American Rescue Plan Act compiled titled U.S. TREASURY INTERIM FINAL RULE & GUIDANCE FOR STATE AND LOCAL FISCAL RECOVERY FUNDS (31 CFR Part 35 / RIN 1505-AC77) henceforth U.S. TREASURY INTERIM FINAL RULE, and

WHEREAS, in January 2022, the U.S. TREASURY issued U.S. TREASURY FINAL RULE AND GUIDANCE FOR STATE AND LOCAL FISCAL RECOVERY FUNDS (31 CFR Part 35 RIN 1505-AC77) henceforth U.S. TREASURY FINAL RULE

WHEREAS, Coles County elected the Standard Allowance method of calculating Lost Revenue as allowed by the U.S. TREASURY FINAL RULE, thus enabling Coles County to use available ARPA STATE AND LOCAL FISCAL RECOVERY FUNDS for *"a broad range of government services, programs, and projects outside of typical eligible used of recovery funds under the final rule"* and in accordance with cited restrictions defined in the U.S. TREASURY FINAL RULE.

WHEREAS, an amount of \$15,000.000 was awarded to Catholic Charities for food insecurity on April 10, 2023. Coles County has terminated the agreement for non-compliance as outlined in their Termination Notice.

NOW THEREFORE BE IT RESOLVED, by the County Board of Coles County, Illinois shall return unused funds to the American Rescue Plan Act, State and Local Fiscal Recovery fund and shall authorize the Coles County Treasurer to properly record such return.

The amount of \$15,000.00 shall be returned to the ARPA fund from Catholic Charities.

DATED THIS 8th day of October, 2024

ATTEST:

County Clerk & Recorder

County Board Chairman

State Of Illinois)
)SS
County Of Coles)

Resolution to return ARPA Funds

WHEREAS, The American Rescue Plan Act provides for State and Local Fiscal Recovery Funds, a definition which includes Coles County, Illinois, and

WHEREAS, The United States Treasury Department was tasked with administration of the American Rescue Plan Act and in July 2021 issued instructions, criteria, and limitations for the use of funds provided by the American Rescue Plan Act compiled titled U.S. TREASURY INTERIM FINAL RULE & GUIDANCE FOR STATE AND LOCAL FISCAL RECOVERY FUNDS (31 CFR Part 35 / RIN 1505-AC77) henceforth U.S. TREASURY INTERIM FINAL RULE, and

WHEREAS, in January 2022, the U.S. TREASURY issued U.S. TREASURY FINAL RULE AND GUIDANCE FOR STATE AND LOCAL FISCAL RECOVERY FUNDS (31 CFR Part 35 RIN 1505-AC77) henceforth U.S. TREASURY FINAL RULE

WHEREAS, Coles County elected the Standard Allowance method of calculating Lost Revenue as allowed by the U.S. TREASURY FINAL RULE, thus enabling Coles County to use available ARPA STATE AND LOCAL FISCAL RECOVERY FUNDS for *“a broad range of government services, programs, and projects outside of typical eligible used of recovery funds under the final rule”* and in accordance with cited restrictions defined in the U.S. TREASURY FINAL RULE.

WHEREAS, an amount of \$25,000.00 was awarded to The Salvation Army for household assistance on February 14, 2024. Coles County has terminated the agreement for non-compliance as outline in the Termination Notice.

NOW THEREFORE BE IT RESOLVED, by the County Board of Coles County, Illinois shall return unused funds to the American Rescue Plan Act, State and Local Fiscal Recovery fund and shall authorize the Coles County Treasurer to properly record such return.

The amount of \$25,000.00 shall be returned to the ARPA fund from The Salvation Army.

DATED THIS 8th day of October, 2024

ATTEST:

County Clerk & Recorder

County Board Chairman

State Of Illinois)
)SS
County Of Coles)

Resolution to return ARPA Funds

WHEREAS, The American Rescue Plan Act provides for State and Local Fiscal Recovery Funds, a definition which includes Coles County, Illinois, and

WHEREAS, The United States Treasury Department was tasked with administration of the American Rescue Plan Act and in July 2021 issued instructions, criteria, and limitations for the use of funds provided by the American Rescue Plan Act compiled titled U.S. TREASURY INTERIM FINAL RULE & GUIDANCE FOR STATE AND LOCAL FISCAL RECOVERY FUNDS (31 CFR Part 35 / RIN 1505-AC77) henceforth U.S. TREASURY INTERIM FINAL RULE, and

WHEREAS, in January 2022, the U.S. TREASURY issued U.S. TREASURY FINAL RULE AND GUIDANCE FOR STATE AND LOCAL FISCAL RECOVERY FUNDS (31 CFR Part 35 RIN 1505-AC77) henceforth U.S. TREASURY FINAL RULE

WHEREAS, Coles County elected the Standard Allowance method of calculating Lost Revenue as allowed by the U.S. TREASURY FINAL RULE, thus enabling Coles County to use available ARPA STATE AND LOCAL FISCAL RECOVERY FUNDS for *“a broad range of government services, programs, and projects outside of typical eligible used of recovery funds under the final rule”* and in accordance with cited restrictions defined in the U.S. TREASURY FINAL RULE.

WHEREAS, an amount of \$12,636.00 was awarded to Coles County Habitat for Humanity for the purchase of a tool trailer. The cost was \$12,175.00, leaving an unused balance of \$461.00.

NOW THEREFORE BE IT RESOLVED, by the County Board of Coles County, Illinois shall return unused funds to the American Rescue Plan Act, State and Local Fiscal Recovery fund and shall authorize the Coles County Treasurer to properly record such return.

The amount of \$461.00 shall be returned to the ARPA fund from Coles County Habitat for Humanity.

DATED THIS 8th day of October, 2024

ATTEST:

County Clerk & Recorder

County Board Chairman

Amendment/Correction of May 10, 2022 Minutes

I have been advised the Board is required to amend the May 10, 2022 minutes. According to the Deputy Bureau Chief of the Public Access Bureau, Laura Harter, the minutes need to be amended to reflect the motion that the Board voted on that date. The action taken was to approve the version of a resolution that passed out of the Finance Committee and which included language regarding optional health insurance.

HISTORY:

In May of 2022 the Board passed the salary resolutions for all elected officials, including county board members.

Years prior to the May 2022 board meeting, there had been much heated public comment claiming the Coles County Board members did not have a legal right to receive the health insurance offered to county employees because the salary resolution did not contain any wording showing optional health insurance.

Although the State's Attorney explained that it is not legally required for a salary resolution to show there is optional health insurance, members of the public disagreed and became increasingly enraged on the issue. In March of 2021 a lawsuit was filed as Coles County cause number 2021-MR-70. The County prevailed on that issue in April of 2022. Judge Fahey dismissed the insurance case ruling that since the option of health insurance for county board members is statutory, there is no insurance wording necessary on the salary resolution.

Following the ruling of the Court, members of the public vocalized their continued disagreement on the issue. On May 2, 2022, the Finance Committee discussed two options as to the form of the salary resolution for County Board members: One that simply showed the compensation to be received, and another that included an added sentence showing the optional health insurance. The Finance Committee voted to advance the resolution to the County Board that contained the wording of optional medical insurance.

When the resolution was presented at the May 10, 2022, meeting, an awkward and confusing discussion ensued and when a vote was taken, it ended in a 5 to 5 push. No action was taken to break the tie vote.

At a later time, it was noticed that the resolution with the insurance language was retained in the minutes rather than the one without the wording. In December 2022, the Board attempted to correct the matter by amending the minutes to indicate the intent of the Board in passing the salary resolution of County Board members without the insurance wording.

The Deputy Bureau Chief responsible for compliance with the Open Meetings Act determined it was a violation because the action amounted to simply replacing the resolution that was actually voted on with a resolution that was never put to a vote. Therefore, she determined this Board must now amend the May 10, 2022, minutes to revert back to reflect the resolution that was voted on that contains the optional insurance wording and that ended in a tie vote.

I THEREFORE MAKE A MOTION THAT THE MAY 10, 2022, MINUTES BE AMENDED CONSISTENT WITH THE ATTORNEY GENERAL'S DIRECTIVE TO REFLECT THE RESOLUTION THAT WAS ACTUALLY VOTED ON AND ENDED IN A TIE VOTE AND CONTAINED THE OPTIONAL INSURANCE LANGUAGE. Discussion?