

January 7, 2009

**SHELBY COUNTY BOARD MEETING AGENDA**

**January 14, 2009 – 9:00 A. M. in Courtroom B**

1. Call to Order - Pledge of Allegiance
2. Roll Call
3. Approval of Minutes
4. Illinois Landowners Association
5. County Highway Engineer Alan Spesard – Highway Engineer's Report
6. Zoning Administrator Dennis Harris – Zoning Report
7. Committee Reports
8. Chairman Brooks Updates
9. Chairman Brooks Appointments
10. Correspondence
11. Public Body Comment
12. Adjournment

COFFEE: Jury Room B - 8:30 A. M.

REMINDERS: Please silence cell phones during the Board meeting.

**Elected Officials and County Board Members – bring your completed Statement of Economic Interest Form and file in the County Clerk's Office.**

**SHELBY COUNTY BOARD MEETING**

**January 14, 2009 – 9:00 A.M.**

The Shelby County Board met on Wednesday, January 14, 2009, at 9:00 A.M. at the Courthouse in Shelbyville, Illinois.

Chairman Paul Brooks called the meeting to order and all present recited the Pledge of Allegiance.

The Clerk called the roll. Norma Stewart was absent. Bruce Cannon and Robert Jordan were tardy.

Minutes for the December 10, 2008 Board meeting were presented for approval.

MOTION: Jim Warren made motion to approve the minutes of the December 10, 2008 Board meeting as presented. John "Jack" Roessler seconded the motion.

VOTE: All voted aye by voice and the motion carried.

E. C. Eberspacher, Attorney for the Illinois Landowners Association (ILA), addressed the Board. Mr. Eberspacher requested an Adhoc Committee be appointed and the same will be requested from the Illinois Landowners Association. The Board Committee will consist of Paul Brooks, as Chairman, and two other County Board members along with Allan Lollie, State's Attorney, to further discuss a way to deal with the problems caused by the position taken by BPI and to find common ground for a "win-win resolution" to their respective needs.

MOTION: Robert Behl made motion to approve the creation of the above-stated Adhoc Committee.

Larry Lenz seconded the motion.

VOTE: All voted aye by voice and the motion carried.

Chairman Brooks will make the appointments at the February Board meeting.

Alan Spesard, County Highway Engineer, addressed the Board to give the highway report. Mr. Spesard requested approval for a Resolution to award to various low bidders the contracts for the Shelby County 2009 Motor Fuel Tax rock bids. The low bidders are enumerated on the Resolution.

MOTION: Dale Wetherell made motion to approve the Resolution to award contracts to the low bidders for the Shelby County 2009 Motor Fuel Tax rock materials as presented.

Glenn R. "Dick" Clark seconded the motion

VOTE: All voted aye by voice and the motion carried.

Mr. Spesard requested approval for a Resolution to award to low bidder, Clark County Supply, the contract for various sizes of pipes and bands for \$61,866.11.

MOTION: Dale Wetherell made motion to approve the Resolution to award the contract for pipes and bands to Clark County Supply as presented.

Richard Reynolds seconded the motion.

VOTE: All voted aye by voice and the motion carried.

Mr. Spesard presented a Resolution to accept the donation totaling \$16,000 from Brush Creek Quarry to be used to purchase road material for the purpose of maintaining Shelby County Highway 6 for one year beginning January 14, 2009.

MOTION: Jim Warren motion to approve the Resolution to accept the donation of \$16,000 of road material from Brush Creek Quarry for maintenance of Shelby County Highway 6 for 1 year.

Robin Robertson seconded the motion.

VOTE: All voted aye by voice and the motion carried

Ending his report, Mr. Spesard gave the Board some highlights and updates on the work in the County Highway Department. The Highway Department's Annual Report was presented and briefly highlighted by Mr. Spesard. Board member Barbara Bennett commended Mr. Spesard for his grant writing abilities and for obtaining grants on behalf of the Highway Department. It was further noted that Mr. Spesard has prepared a list of projects to be included in Shelby County's stimulus package.

MOTION: Robert Amling made motion to send a letter from the County Board to various legislators describing the stimulus package for Shelby County.

Jim Warren seconded the motion.

VOTE: All voted aye by voice and the motion carried.

Mr. Spesard graciously agreed to prepare the letter to be sent to the legislators.

Zoning Administrator Dennis Harris updated the Board on the activities of the Zoning office. Mr. Harris highlighted the Zoning monthly report. Mr. Harris stated that the joint meeting of the Planning Commission and Board of Appeals Committee was held on December 18. The Committees recommended that legal action should proceed against Paul Walk for an on-going zoning violation.

**Shelby County Board Meeting**  
**January 14, 2009**

MOTION: Robin Robertson made motion to approve Mr. Lolie, State's Attorney, proceeding with legal action against Paul Walk for an on-going zoning violation.  
Glenn R. "Dick" Clark seconded the motion.  
VOTE: All voted aye by voice and the motion carried.

Chairman Brooks called for Committee Reports.

Legislative Committee Chairperson Robin Robertson informed the Board that the Legislative Committee met to conduct the semi-annual review of Closed Session minutes of the County Board and Committees as mandated by the Open Meetings Act. (Public bodies are required to review closed meeting minutes at least twice a year to determine whether a need for confidentiality exists regarding those minutes.) Mr. Robertson stated the Committee recommended opening all County Board meetings reviewed: April 9, May 14 and June 11, 2008.

MOTION: Richard Reynolds made motion to approve the recommendation by the Legislative Committee and open to the public the above-stated meeting minutes.  
Barbara Bennett seconded the motion.  
VOTE: All voted aye by voice and the motion carried.

Chairman Brooks informed the Board that he received correspondence regarding the Illinois Wind Working Group meeting to be held February 4, 2009. Those interested may get a copy of the registration form from Chairman.

MOTION: Robert Amling made motion to approve reimbursement of the Illinois Wind Working Group meeting registration expenses for the County Board member attendees.  
Glenn R. "Dick" Clark seconded the motion.  
VOTE: All voted aye by voice and the motion carried.

At this time, Chairman Brooks requested the following appointments.

**Mental Health "708" Board re-appoint Penny Standerfer, Brenda Horsman, Ralph May**

**Rescue Squad Committee re-appoints Dick Clark**

**Cooperative Extension Committee appoints Jesse Durbin (replaces Floyd Storm)**

**Solid Waste Committee appoints Richard Reynolds**

MOTION: Barbara Bennett made motion to approve the Chairman's appointments as presented.  
Jim Warren seconded the motion.  
VOTE: All voted aye by voice and the motion carried.

Thank you acknowledgements were received by Bev Spencer and Shelbyville Ambulance for the memorial sent in former board member Lloyd Spencer's name. A letter of thanks was received from the local C. E. F. S. office for the Board members and employees winter food donations.


Chairman Brooks called for Public Body Comment.

At this time, Health Administrator Steve Melega gave the Board some updates on the IEPA sewage permits and the Oconee Minimart food permit. Mr. Melega announced Sue Berryman as the new Director of Nursing for the Health Department.

Chairman Brooks invited everyone to feel free to contact him by phone or to drop by the County Board office anytime to see him.

There was no further business to come before the Shelby County Board.

MOTION: Glenn R. "Dick" Clark made motion to assess mileage and per diem for the January meetings, to pay the bills and payroll as approved by the Committees and adjourn until the next regular meeting to be held on February 11, 2009.  
Fred Doerner seconded the motion.  
VOTE: All voted aye by voice, motion carried and the meeting was adjourned at 10:20 A.M.

  
Kathy A. Lantz  
Shelby County Clerk and Recorder

STATE OF ILLINOIS

ROLL CALL VOTES IN COUNTY BOARD

SHELBY COUNTY

*January 14, 2009* SESSION

		ROLL CALL			QUESTIONS									
		MILEAGE	1/14/2009 A.M.	/ /2009 P.M.	ON MOTIONS TO AYE	NAY	ON MOTIONS TO AYE	NAY	ON MOTIONS TO AYE	NAY	ON MOTIONS TO AYE	NAY	ON MOTIONS TO AYE	NAY
217	AMLING, ROBERT	35	✓											
110	BARR, KENNETH	50	✓											
116	BEHL, ROBERT H.	42	✓											
117	BENNETT, BARBARA	40	✓											
29	BROOKS, PAUL		✓											
45	CANNON, BRUCE	26	✓											
133	CLARK, GLENN "DICK"	12	✓											
25	DOERNER, FRED		✓											
214	DURBIN, JESSE	12	✓											
490	FRAZIER, GEORGE		✓											
177	HAYDEN, RICHARD	44	✓											
193	JORDAN, ROBERT N.	31	✓											
206	LENZ, LARRY	26	✓											
457	PAULEY, ROGER	18	✓											
458	REYNOLDS, RICHARD JR.	32	✓											
181	ROBERTSON, ROBIN		✓											
148	ROESSLER, JOHN JACK	12	✓											
221	SIMS, TERRY JOE	24	✓											
137	STEWART, NORMA J.	52	α											
46	STROHL, DON	45	✓											
329	WARREN, JAMES	28	✓											
44	WETHERELL, DALE	46	✓											

rock

TO: THE SHELBY COUNTY BOARD

WE, THE MEMBERS OF THE ROAD AND BRIDGE COMMITTEE,  
HAVING EXAMINED THE ATTACHED

RESOLUTION	<u>  X  </u>
PETITION	<u>          </u>
AGREEMENT	<u>          </u>

DO HEREBY RECOMMEND APPROVAL OF SAME BY THE COUNTY BOARD.

RESPECTFULLY SUBMITTED,  
ROAD & BRIDGE COMMITTEE

[Redacted signature block]

2009 - 01  
**RESOLUTION**

BE IT RESOLVED, by the County Board of Shelby County, that that the following contracts be awarded as listed below as received at a letting held on January 9, 2009, for Shelby County Section 09-00000-00-GM.

Group 1	Prosser Construction	350 Tons	CA14, CM14, CA15, CM15, CA16, CM16 @ \$10.50/TON – GRAVEL
Group 3	Brush Creek Quarry	350 Tons	CA14, CM14, CA15, CM15, CA16, CM16 @ \$9.50/TON – CR. STONE
Group 4	Hiler Trucking	750 Tons	CA14, CM14 @ \$13.46/TON – CR. STONE
Group 5	Hiler Trucking	500 Tons	CA10, CM10 @ \$8.34/TON – CR. STONE
Group 6	Brush Creek Quarry	400 Tons	CA14, CM14, CA15, CM15 @ \$9.50/TON – CR. STONE
Group 7	Nokomis Quarry Co.	200 Tons	CA14, CM14, CA15, CM15 @ \$10.75/TON – CR. STONE
Group 8	Hiler Trucking	400 Tons	CA14, CM14, CA15, CM15 @ \$13.95/TON – CR. STONE
Group 10	Nokomis Quarry Co.	250 Tons	AGG. SURF CSE TY B, CA-06 @ \$5.50/TON
Group 11	Brush Creek Quarry	300 Tons	AGG. SURF CSE TY B, CA-06 @ \$7.50/TON
Group 12	Hiler Trucking	350 Tons	CA-14, CM14 @ \$13.47/TON – CR. STONE

STATE OF ILLINOIS     )  
   ) SS  
 COUNTY OF SHELBY     )

I, Kathy A. Lantz 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 Shelby County at its regular meeting held in Shelbyville, Illinois on January 14, 2009.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Shelbyville in said County this 14th day of January 2009 A.D.

  
 County Clerk

Culver

TO: THE SHELBY COUNTY BOARD

WE, THE MEMBERS OF THE ROAD AND BRIDGE COMMITTEE,  
HAVING EXAMINED THE ATTACHED


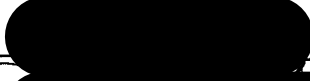
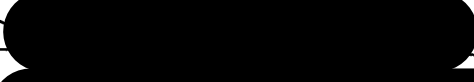

RESOLUTION   X  

PETITION           

AGREEMENT           

DO HEREBY RECOMMEND APPROVAL OF SAME BY THE COUNTY BOARD.

RESPECTFULLY SUBMITTED,  
ROAD & BRIDGE COMMITTEE


2009 - 02  
**RESOLUTION**

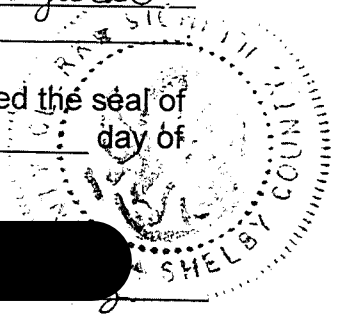
BE IT RESOLVED, by the County Board of Shelby County, State of Illinois, that Shelby County concurs in the awarding of a contract for various sizes of pipes and bands to CLARK COUNTY SUPPLY based on their low bid submitted at a letting held January 9, 2009, of \$ 25,171.11 for Group I, and \$ 36,695.00 for Group II.

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF SHELBY     )

I, Kathy A. Lantz 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 Shelby County at its regular meeting held in Shelbyville, Illinois on January 14, 2009

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Shelbyville in said County this 14th day of January 2009 A.D.

  
County Clerk





Brush Creek

TO: THE SHELBY COUNTY BOARD

WE, THE MEMBERS OF THE ROAD AND BRIDGE COMMITTEE,  
HAVING EXAMINED THE ATTACHED

RESOLUTION

X

PETITION

\_\_\_\_\_

AGREEMENT

\_\_\_\_\_

DO HEREBY RECOMMEND APPROVAL OF SAME BY THE COUNTY BOARD.

RESPECTFULLY SUBMITTED,  
ROAD & BRIDGE COMMITTEE

[REDACTED SIGNATURE]

**RESOLUTION NO.** 2009 - 03

Whereas, Brush Creek Quarry, has agreed to donate \$16,000 of road material for needed maintenance of Shelby County Highway 6, for 1 (one) year beginning January 14, 2009;

Whereas, pursuant to 605 ILCS 5/5-401, Shelby County, by and through its duly elected Board, has jurisdiction over Shelby County Highway 6 and has the authority to accept money and donations for highways pursuant to 605 ILCS 5/5-101.7;

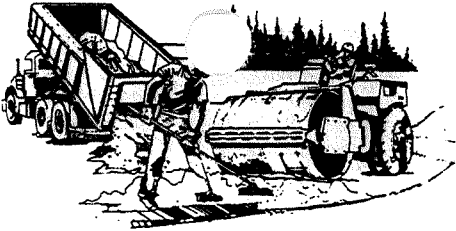
Now therefore, Be it resolved, that Shelby County accept payment of \$16,000 of road material for one year beginning January 14, 2009, from Brush Creek Quarry, for the purpose of maintaining Shelby County Highway 6.

**STATE OF ILLINOIS)  
COUNTY OF SHELBY)      SS**

I Kathy Lantz 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 Shelby County at its regular meeting held in Shelbyville Illinois on January 14, 2009. IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said County at my office in Shelbyville in said County this 14<sup>th</sup> day of January A.D. 2009.

  
\_\_\_\_\_  
COUNTY CLERK





## Shelby County Highway Department

R #3 - Box 38A

SHELBYVILLE, ILLINOIS 62565

Telephone (217) 774-2721

Fax (217) 774-2690

December 22, 2008

Brush Creek Quarry  
RR#1 Box 202  
Mode, Illinois 62444

Attention: Mr. Mark Maxey

This letter is written to request that you increase your annual donation from \$14,000 to \$16,000 of material to go toward the maintenance of the County Highway #6 (i.e. the Mode Road). This donation agreement will begin as of the date of this letter and shall expire after one year.


This request is due to the extraordinary increase we have experienced in the price of seal coat oil and other maintenance materials over the last few years.


Should you concur with this agreement please sign one copy of this letter and return to my office. I will request concurrence from the County Board at their meeting on January 14, 2009.

Should you have any questions on the above please contact this office.

Sincerely,

Concurrence:

  
S. Alan Spesard, PE  
County Engineer  
Shelby County

  
Designated Representative  
Brush Creek Quarry

**SHELBY COUNTY BOARD MEETING ZONING  
INFORMATION FOR JANUARY 14,2008**

The following is provided to the County Board Members for their consideration:

**Zoning Administration Monthly Report**

- (1) New residential building permit issued
- (2) Accessory building permits issued
- (1) Zoning violation investigated
- (5) Final inspections completed

**Update on recreational vehicle violations**

**Paul Walk rezoning issue**

Respectfully submitted,  
Denny Harris  
Zoning administrator

January 1, 2009

**FILED**  
JAN 06 2009

*Kathy A. Lantz*  
SHELBY COUNTY CLERK

Mr. Paul Brooks,

Due to recently being appointed to the Shelby County Board, I am resigning from the Shelby County Board of Appeals.

Sincerely,

Don Strohl



Shelby County Treasurer  
 Monthly Report of Investments  
 1-Jan-09  
 Bank Balance: \$13,272,745.44

Passbooks, Money Markets,  
 & Certificates of Deposits

Checking & Cash

\$ 622,122.32	MMD		
\$ 1,774,477.49	MMD	General Fund	\$ 2,034.68
\$ -			
\$ -		County Payroll Clearing	\$ 45,682.28
\$ -			
\$ -		Section 105 Claims	\$ 1,000.00
\$ -			
\$ 320,516.51	PB	County Health Fund	\$ -
\$ 118,504.15	CD		
\$ 13,821.89	MMD	County Health-TB	\$ -
\$ -			
\$ 36,635.93	MMD	Animal Control Fund	\$ 42,283.40
\$ 22,806.34	MMD		
\$ 100,570.46	PB	Ambulance Fund	\$ -
\$ 148,241.15	MMD		
\$ 824,769.54	MMD	Mental Health Fund	\$ -
\$ -			
\$ 726,845.22	PB	IMRF Fund	\$ -
\$ -			
\$ 239,615.41	PB	Social Security Fund	\$ -
\$ 54,339.93	CD & MMD		
\$ 19,924.42	PB	Indemnity Fund	\$ -
\$ -			
\$ 997.80	PB	Court Security Fund	\$ -
\$ -			
\$ 289,619.44	MMD	County Bridge Fund	\$ -
\$ -			
\$ 187,969.52	PB	County Highway Fund	\$ -
\$ -			
\$ 261,738.94	MMD	FASM Fund	\$ -
\$ -			
\$ 440,690.25	MMD	County Motor Fuel Tax Fund	\$ -
\$ -			
\$ 13,761.51	PB	Tourism Fund	\$ -
\$ 94,675.97	CD & MMD		
\$ 79,753.24	PB	Probation Fund	\$ -
\$ 55,217.53	CD & MMD		
\$ 77,524.89	PB	Assist Court Fund	\$ -
\$ -			
\$ 3,021.29	PB	Law Library Fund	\$ -
\$ -			
\$ 89,263.08	PB	Automation Fund	\$ -
\$ -			
\$ 72,299.44	PB	Recording Fund	\$ -
\$ -			
\$ 9,548.40	PB	Drug Traffic Fund	\$ -
\$ -			
\$ -		Airport Fund	\$ 264.84
\$ 239,031.70	CD & MMD		
\$ 423,159.32	MMD	Home Nursing Fund	\$ -
\$ -			
\$ -		W.I.C. Fund	\$ 26,686.59
\$ -			
\$ 436,489.49	MMD	Local Bridge Fund	\$ -
\$ -			
\$ -		Township Bridge Fund	\$ 9,902.02
\$ -			
\$ -		Township Construction Fund	\$ 714.05



CERTIFICATE OF DEPOSITS  
January 1, 2009

General Fund(001) Community Banks of Shelby County-MMD# 390	
1.51% Interest	\$ <u>622,122.32</u>
Animal Control Fund(003) Community Banks of Shelby County-MMD# 390	
1.51% Interest	\$ <u>36,635.93</u>
Ambulance Fund(004) Community Banks of Shelby County-MMD# 390	
1.51% Interest	\$ <u>22,806.34</u>
Mental Health Fund(005) Community Banks of Shelby County-MMD# 390	
1.51% Interest	\$ <u>148,241.15</u>
Indemnity Fund(008) Community Banks of Shelby County-MMD# 390	
1.51% Interest	\$ <u>9,339.93</u>
Probation Fund(016) Community Banks of Shelby County-MMD# 390	
1.51% Interest	\$ <u>94,675.97</u>
Assist Court(017) Community Banks of Shelby County-MMD# 390	
1.51% Interest	\$ <u>217.53</u>
Home Nursing Fund(024) Community Banks of Shelby County-MMD# 390	
1.51% Interest	\$ <u>114,031.70</u>
Township Motor Fuel Tax Fund(029) Community Banks of Shelby County-MMD# 390	
1.51% Interest	\$ <u>285,079.25</u>
Miscellaneous County Health Fund(043) Community Banks of Shelby County-MMD# 390	
1.51% Interest	\$ <u>79,822.17</u>
County Health Fund-TB(002) Ayars State Bank-CD# 3162 Matures 02/01/2009 2.85% Interest	\$ <u>118,504.15</u>



CERTIFICATE OF DEPOSITS  
January 1, 2009

Indemnity Fund(008) Shelby County State Bank-CD# 14065 Matures 02/13/2009 2.98% Interest	\$ <u>45,000.00</u>
Assist Court Fund(017) Shelby County State Bank-CD# 14794 Matures 4/21/2009 2.72% Interest	\$ <u>55,000.00</u>
Home Nursing Fund(024) Prairie National Bank-CD# 14288 Matures 02/19/2009 2.52% Interest	\$ <u>125,000.00</u>
Revolving Loan Fund(045) Community Banks of Shelby County-MMD# 720151  .85% Interest	\$ <u>206,028.05</u>
Capital Improvement(054) First Federal Savings & Loan-CD# 20555 Matures 10/16/2009 3.75% Interest	\$ <u>1,114,342.09</u>
TOTAL	\$ <u>3,076,846.58</u>