

November 2, 2010

**SHELBY COUNTY BOARD MEETING AGENDA**

**November 10, 2010 – 9:00 A. M. in Courtroom B**

1. Call to Order - Pledge of Allegiance
2. Roll Call
3. Approval of Minutes
4. State's Attorney Gina Vonderheide – State's Attorneys Appellate Prosecutor Program Resolution
5. Executive Session - Pursuant to 5 ILCS 120/2(C)(11) Pending Litigation
6. Kevin Ross, Interim Superintendent of Shelbyville Schools– Consideration of a Resolution providing for and requiring the submission to the electors of The County of Shelby, Illinois, at the Consolidated Election to be held on the 5<sup>th</sup> day of April, 2011, of a Proposition to Impose a Retailers' Occupation Tax and a Service Occupation Tax to be Used Exclusively for School Facility Purposes
7. Chairman Pauley – Resolution to Authorize Morrissey Group Authority to Pursue Grants for the Preservation of the Courthouse on Behalf of Shelby County
8. Probation Officer Heather Wooters – Drunk and Drugged Driving Prevention Month Proclamation
9. County Highway Engineer Alan Spesard – Highway Engineer's Report
10. EMA Coordinator/Zoning Administrator Jared Rowcliffe – EMA/Zoning Reports
11. Steve Melega, Health Department Administrator – Proposed Private Sewage Code Update
12. Chairman Pauley - West Central Development Council (WCDC) Resolution to Support the Application of the WCDC for Economic Development Comprehensive Planning Activities
13. **Agenda Item Added by Amendment:** David Young, member, Shelby County Economic Development Corporation – Economic Development Proposal
14. Committee Reports
15. Chairman Updates
16. Chairman Appointments
17. Correspondence
18. Public Body Comment
19. Adjournment

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

REMINDERS: Please silence cell phones during the Board meeting.

SHELBY COUNTY BOARD MEETING

November 10, 2010 – 9:00 A.M.

The Shelby County Board met on Wednesday, November 10, 2010, at 9:00 A.M. at the Courthouse in Shelbyville, Illinois.

Chairman Roger Pauley called the meeting to order. All present recited the Pledge of Allegiance.

The Clerk called the roll. Absent were Richard Hayden, Richard Reynolds, Jr. and Robin Robertson.

Minutes for the October 13, 2010 Board meeting were presented for approval.

MOTION: Don Strohl made motion to approve the minutes of the October 13, 2010 Board meeting as presented. Norma Stewart seconded the motion.

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

Chairman Pauley called on Board member Rob Amling who proceeded to ask for an addition to the meeting agenda. Mr. Amling explained that David Young, member of the Shelby County Economic Development Corporation, wished to address the Board regarding an economic development proposal. Chairman Pauley stated the item would be heard before committee reports.

MOTION: Glenn R. "Dick" Clark made motion to amend the Board meeting agenda to allow for David Young to address the body regarding an economic development proposal. Ken Barr seconded the motion.

VOTE: All voted aye by voice and the motion carried

States Attorney Gina Vonderheide requested Board approval for the annual State's Attorneys Appellate Prosecutor Resolution after noting highlights of the agreement. Discussion followed.

MOTION: Rob Amling made motion to approve the State's Attorneys Appellate Prosecutor Resolution as presented. Glenn R. "Dick" Clark seconded the motion.

VOTE: Roll Call Vote:  
Aye: Amling, Barr, Behl, Bennett, Cannon, Clark, Cruitt, Doerner, Durbin, Jordan, Kearney, Lenz, Roessler, Sims, Stewart, Strohl, Warren, Wetherell  
Nay: None  
Absent: Hayden, Reynolds, Robertson  
Not Voting: Pauley  
Motion carried.

At this time, Chairman Pauley changed the next agenda item, the Executive Session, from number five on the agenda to number six so that the schools proposal could be heard ahead of the Executive Session. There were no objections to the Chairman's request.

Kevin Ross, Co-Interim Superintendent of Shelbyville Community Unit Schools, addressed the Board to request their approval of a Resolution providing for the submission to the electors of the County at the Consolidated Election to be held on April 5, 2011, of a proposition to impose a retailers' occupation tax and service occupation tax of one percent to be used exclusively for school facility purposes. Mr. Ross introduced other Superintendents of Schools present - Denise Bence, Shelbyville Co-Interim, Steve Harsy, Stewardson-Strasburg and Gary Caldwell, Cowden-Herrick. School district board resolutions representing at least 51 percent of the county's student enrollment were provided to the County Board by Central A & M and the above mentioned school districts. Mr. Ross highlighted the handout, Local Governments' Guide to Tax, provided to the Board detailing the schools proposal. A question and answer period followed. (Copies of all resolutions and the handout may be found in the original County Board records in the County Clerk's office.) The Clerk read by title the Resolution as follows:

*"Resolution providing for and requiring the submission to the electors of the County of Shelby, Illinois, at the Consolidated Election to be held on the 5<sup>th</sup> day of April, 2011, of a proposition to impose a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes."*

MOTION: Rob Amling made motion to approve the above stated Resolution as read by the Clerk to impose a retailers' occupation tax and service occupation tax of one percent to be used exclusively for school facility purposes. Fred Doerner seconded the motion.

VOTE: Roll Call Vote:  
Aye: Amling, Bennett, Cannon, Clark, Cruitt, Doerner,  
Durbin, Jordan, Kearney, Lenz, Roessler, Sims, Stewart,  
Strohl, Warren, Wetherell  
Nay: Barr, Behl  
Absent: Hayden, Reynolds, Robertson  
Not Voting: Pauley  
Motion carried.

At this time Chairman Pauley called for a motion to enter into closed session pursuant to statutory citation 5 ILCS 120/2(C) (11) - to discuss pending litigation.

MOTION: Barbara Bennett made motion to adjourn the regular meeting and convene to Closed Session.  
Jim Warren seconded the motion.

VOTE: Roll Call Vote:  
Aye: Amling, Barr, Behl, Bennett, Cannon, Clark, Cruitt,  
Doerner, Durbin, Jordan, Kearney, Lenz, Roessler, Sims,  
Stewart, Strohl, Warren, Wetherell  
Nay: None  
Absent: Hayden, Reynolds, Robertson  
Not Voting: Pauley  
Motion carried.

CLOSED SESSION OF THE SHELBY COUNTY BOARD.

The Closed Session was ended, the doors opened and spectators were allowed to return to the meeting. There was no action taken in closed session.

MOTION: Barbara Bennett made motion to adjourn the Closed Session and to reconvene the regular session of the County Board meeting.  
Norma Stewart seconded the motion.

VOTE: Roll Call Vote:  
Aye: Amling, Barr, Behl, Bennett, Cannon, Clark, Cruitt,  
Doerner, Durbin, Jordan, Kearney, Lenz, Roessler, Sims,  
Stewart, Strohl, Warren, Wetherell  
Nay: None  
Absent: Hayden, Reynolds, Robertson  
Not Voting: Pauley  
Motion carried.

Chairman Pauley introduced Thomas Deters, Morrissey Construction Company LEED AP, who addressed the Board regarding Courthouse preservation at last month's Board meeting. Mr. Deters further explained the Courthouse preservation proposal. A lengthy question and answer discussion followed.

MOTION: Robert Behl made motion to table the Courthouse preservation matter, to look it all over and make sure we get it all right for the \$125,000.00.  
Don Strohl seconded the motion.

VOTE: All voted nay with the exception of a few ayes.  
Motion denied.

Mr. Amling read the Resolution that was provided by Mr. Deters to hire Wilcox Development I, LTD. Mrs. Vonderheide stated that the Resolution would need to be amended. Mr. Deters worked with Mrs. Vonderheide to prepare the final Resolution presented to the Board which is as follows:

*WHEREAS, Wilcox Development Services I, LTD. provides full development services; and*

*WHEREAS, Wilcox Development Services I, LTD. has proposed to provide planning services including architectural, environmental, energy, and engineering studies, including budgeting information and grant evaluation and application for the redevelopment and preservation of the Shelby County Court House.*

*THEREFORE, be it resolved that:*

- 1. The Shelby County Board wholeheartedly supports Wilcox Development Services I, LTD.*
- 2. The Shelby County Board hereby gives Wilcox Development Services I, LTD. authority to apply for grants and awards on behalf of the Shelby County Board.*

3. *The Shelby County Board hereby accepts Wilcox Development Services I, LTD's Technical Assistance Services Proposal dated 11/3/10.*
4. *Total fee for services according to the Technical Assistance Services proposed shall not exceed \$125,000.00.*
5. *Wilcox Development Services I, LTD. shall credit the Shelby County Board for any applicable engineering studies provided.*

*PRESENTED, APPROVED, AND RESOLVED, by the County Board of the County of Shelby, Illinois at a regular meeting thereof held on the 10<sup>th</sup> day of November, 2010 and approved by me as Chairman on the 10<sup>th</sup> day of November, 2010. Signature and attest signature followed.*

MOTION: Ken Barr made motion to approve the Resolution to hire Wilcox Development Services I, LTD as stated above and to pay according to the fee schedule in the Proposal for Shelby County Courthouse presented to the Board at the October Board meeting.

Dale Wetherell seconded the motion.

VOTE: Roll Call Vote:  
Aye: Amling, Barr, Bennett, Cannon, Clark, Cruitt, Doerner, Durbin, Jordan, Kearney, Roessler, Sims, Stewart, Warren, Wetherell  
Nay: Behl, Lenz, Strohl  
Absent: Hayden, Reynolds, Robertson  
Not Voting: Pauley  
Motion carried.

The Chairman called for a ten minute recess.

MOTION: Glenn R. "Dick" Clark made motion to approve the Chairman's request for a ten minute recess.

Jim Warren seconded the motion.

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

The recess was ended, the regular board session was reconvened and roll was called.

MOTION: Norma Stewart made motion to reconvene the regular Board session.

Fred Doerner seconded the motion.

VOTE: Roll Call Vote:  
Aye: Amling, Barr, Behl, Bennett, Cannon, Clark, Doerner, Durbin, Jordan, Kearney, Lenz, Roessler, Sims, Stewart, Strohl, Warren, Wetherell  
Nay: None  
Absent: Cruitt, Hayden, Reynolds, Robertson  
Not Voting: Pauley  
Motion carried.

Probation Office Heather Wooters requested the County Board proclaim December 2010 Drunk and Drugged Driving (3D) Prevention Month. Mrs. Wooters stated 319 alcohol related fatalities occurred in the State of Illinois in 2009. A red ribbon will be placed on the Memorial Tree representing each one of these fatalities. Mrs. Wooters thanked the Board for their support.

MOTION: Jim Warren made motion to approve the Proclamation Declaring December 2010 to be Drunk and Drugged Driving (3D) Prevention Month.

Robert Jordan seconded the motion.

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

Alan Spesard, County Highway Engineer, addressed the Board to give the highway report. Mr. Spesard presented for approval a Resolution Establishing a Class III Designated Truck Route for portions of FAS 656 (Neoga Road) beginning at the intersection of IL Route 32 and extending to FAS 1631 (Trowbridge Corner) for 5.5 miles. Mr. Spesard explained that the initial funding was for 1.5 miles. Detailing the changes in rules for the Truck Access Program grant funding, Mr. Spesard stated that he has applied for a grant through this program which would fund the additional miles. Mr. Spesard noted that if the grant is not successful that only 1.5 miles will be repaired.

MOTION: Robert Behl made motion to approve the Resolution Establishing a Class III Designated Truck Route for portions of Neoga Road as presented.

Glenn R. "Dick" Clark 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. An IDOT letting was held November 11<sup>th</sup> for a bridge in Oconee Township. Depew and Owen had the low bid of \$350,488.00, estimated cost was \$456,231.00. The closed bridge on the Okaw/Windsor Township line was replaced with a pipe culvert and is now open. A prejob meeting for the Dry Point Township bridge will be held November 16<sup>th</sup>. IDOT was inspecting a bridge today in Tower Hill Township which has been completed and opened. The Highway Department's front money for all entities participating in the Local Agency Traffic Sign Upgrade Program is estimated to be \$225,000.00. IDOT has closed a bridge in Cold Spring Township and reduced posting for a Prairie Township bridge. A record number of people attended the semiannual highway commissioner's conference held on November 5<sup>th</sup> at the Highway Department.

Zoning Administrator Jared Rowcliffe updated the Board on the activities of the Zoning offices. Mr. Rowcliffe requested approval for a Resolution to rezone property currently zoned Agriculture to General Business, in Rose Township (PID #1812-17-00-300-016) petitioned by applicants, Roger and Jane Haycraft. Mrs. Haycraft stated the reason for the rezoning was to establish a wholesale wine manufacturing business.

MOTION: Don Strohl made motion to approve the Resolution to rezone property owned by Roger and Jane Haycraft, Rose Township (PID #1812-17-00-300-016) to General Business to establish a wholesale wine manufacturing business as presented.  
Glenn R. "Dick" Clark seconded the motion.

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

Next, Mr. Rowcliffe presented a Resolution to rezone property currently zoned General Business to Residential, in Rose Township petitioned by applicants, Jared and Shannon Miller, to develop a place of residence.

MOTION: Dale Wetherell made motion to approve the Resolution to rezone property owned by Jared and Shannon Miller to develop a place of residence as presented.  
Fred Doerner seconded the motion.

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

Ending his Zoning report, Mr. Rowcliffe highlighted the October permits issued and described to the Board the zoning accessory building fee structure.

Continuing to report, as EMA Coordinator, Mr. Rowcliffe stated a \$3,000.00 Hazardous Materials Emergency Preparedness grant was approved. November is Winter Weather Preparedness Month. A group of ham radio operators have volunteered to be a supplemental communications group for emergencies known as ARES. Ending his EMA report, Mr. Rowcliffe noted that the Shelby County Dive Team multi-agency exercise was a huge success. Discussion followed.

Steve Melega, Health Department Administrator, gave an update on the proposed private sewage code which was opposed by the County Board. There will be a public hearing on the proposed rules on November 17<sup>th</sup> at the Illinois Department of Natural Resources from 10:00 A.M. to 12:00 P.M.. Mr. Melega gave the Board member a handout covering the major issues of the proposal.

Chairman Pauley presented the annual West Central Development Council (WCDC) Resolution to support the application of the WCDC for economic development comprehensive planning activities.

MOTION: Rob Amling made motion to approve the WCDC Resolution to support the application of the WCDC for economic development comprehensive planning activities.  
Ken Barr seconded the motion.

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

At this time, Chairman Pauley called on David Young, member of the Shelby County Economic Development Corporation who requested to address the Board regarding a Resolution of Support to Christian County Generation, LLC and Tenaska, in their efforts to move forward in completion of plans to build and operate one of the first integrated gasification combined cycle electric generation stations. Board member Rob Amling and Mr. Young will be part of the team to help get this passed through the Senate.

MOTION: Glenn R. "Dick" Clark made motion to approve the Resolution of Support to Christian County Generation, LLC and Tenaska, as presented.  
Rob Amling seconded the motion.

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

Chairman Pauley called for committee reports.

Fees and Salaries Committee – Bruce Cannon reported no problems.

Purchasing Committee – John “Jack” Roessler reported no problems.

Animal Control Committee – Robert Jordan reported, once again, that the location of the dog pound could be an issue.

Health Committee – Ken Barr reported no problems.

Law Enforcement Committee – Kay Kearney reported that the new Detention Center commissary program was more efficient. The County needs a Cost Allocation Plan on file to raise fees. Once the plan is prepared, all offices will be able to use the plan. Cost of the plan is \$6,500.00.

Airport Committee – Fred Doerner reported that the Airport and Landing Fields Commission has had one member resign and they would need an appointment to fill vacancy.

Legislative Committee – Rob Amling reported that the next meeting would be the review of closed executive session minutes.

Insurance Committee – Barbara Bennett informed the Board that the review with Shelbyville Insurance Services and Bliss McKnight regarding the County’s liability insurance was conducted yesterday. There is no control over the Workman Compensation premium as it is set by salaries. It was recommended by the Insurance Committee to accept the Bliss McKnight renewal of liability insurance for a two-year rate guarantee and to raise the auto coverage to five million dollars. Total cost of coverage is \$231,696.00. (The handout of the insurance coverage detail will be on file in the official County Board files.)

MOTION: Norma Stewart made motion to approve the recommendation of the Insurance Committee to accept the Bliss McKnight renewal of liability insurance for a two-year rate guarantee and to raise the auto coverage to five million dollars as presented.  
Fred Doerner seconded the motion.

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

Chairman Pauley stated that the Budget Committee will meet to conduct a three month review of the budget.

Sheriff Mike Miller addressed the Board to give an update on the cost study being conducted in his office by MGT of America, Inc. The cost study will cost \$15,000.00 and is necessary for the Sheriff to implement the booking and finger printing fees he needs. The cost allocation plan will be an additional \$6,500.00 and Sheriff Miller will need to sign an agreement to have it done.

MOTION: Don Strohl made motion to approve the cost allocation plan to be prepared by MGT of America, Inc. at a cost of \$6,500.00.  
Barbara Bennett seconded the motion.

VOTE: All voted aye by voice with the exception of one nay vote.  
Motion carried.

Providing an update, Chairman Pauley highlighted the longwall mining presentation conducted at the highway commissioner’s conference earlier in the month.

Chairman Pauley requested the following appointment:

Airport and Landing Fields Commission appoints Tad Mayhall, Commissioner to replace Monte McElroy following his resignation from the Commission.

MOTION: Glenn R. “Dick” Clark made motion to approve the Chairman’s appointment as presented.  
Barbara Bennett seconded the motion.

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

Under correspondence, Chairman Pauley read the announcement of the swearing-in ceremony for the newly elected County Board members and the agenda for the Board’s organizational meeting.

*"HONORABLE JUDGE MICHAEL KILEY WILL CONDUCT THE SWEARING-IN CEREMONY FOR THE NEWLY ELECTED COUNTY BOARD MEMBERS ON DECEMBER 6, 2010 AT 8:30 A.M. IN COURTROOM A. FAMILY AND FRIENDS ARE INVITED TO ATTEND THIS CEREMONY. THE ORGANIZATIONAL MEETING OF THE SHELBY COUNTY BOARD WILL BEGIN AT 9:00 A.M. IN COURTROOM B FOLLOWING THE SWEARING-IN CEREMONY.*

SHELBY COUNTY BOARD  
ORGANIZATIONAL MEETING AGENDA  
*December 6, 2010 - 9:00 A. M.*  
FOLLOWING "SWEARING-IN" CEREMONY  
at 8:30 A. M. in COURTROOM A

1. *Call to Order and Pledge of Allegiance*
2. *Roll Call*
3. *Election of County Board Chairman*
4. *Election of County Board Vice-Chairman*
5. *Adoption of Rules of Order*
6. *Adjournment"*


At this time, Chairman Pauley announced to the Board that he would not run for Chairman of the Board at the organizational meeting.

Chairman Pauley called for Public Body Comment. There was none.

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 November meetings, to pay the bills and payroll as approved by the Committees and adjourn until the organizational meeting to be held on December 6, 2010. Fred Doerner seconded the motion.

VOTE: All voted aye by voice, motion carried and the meeting was adjourned at 11:50 A.M.

  
Kathy A. Lantz  
Shelby County Clerk and Recorder

STATE OF ILLINOIS

ROLL CALL VOTES IN COUNTY BOARD

SHELBY COUNTY

November 10, 2010 SESSION

LD  
 wire which Dev. 1  
 passed Resolution as amended  
 by the SA Underhill

		ROLL CALL			QUESTIONS									
		MILEAGE	11/10/2010 A.M.	11/10/2010 P.M.	ON MOTIONS TO APPROVE The SHAP Resolution		ON MOTIONS TO APPROVE Resolution regarding the subcommittee of the public sale the proposition to Cross the border		ON MOTIONS TO enter closed session		ON MOTIONS TO enter to regular session		ON MOTIONS TO wire which Dev. 1 passed Resolution as amended by the SA Underhill	
COUNTY BOARD MEMBERS					AYE	NAY	AYE	NAY	AYE	NAY	AYE	NAY	AYE	NAY
217	AMLING, ROBERT	35	✓	✓	✓		✓		✓		✓		✓	
110	BARR, KENNETH	50	✓	✓	✓			✓	✓		✓		✓	
116	BEHL, ROBERT H.	42	✓	✓	✓			✓	✓		✓			✓
117	BENNETT, BARBARA	40	✓	✓	✓		✓		✓		✓		✓	
45	CANNON, BRUCE	26	✓	✓	✓		✓		✓		✓		✓	
133	CLARK, GLENN "DICK"	12	✓	✓	✓		✓		✓		✓		✓	
99	CRUITT, DAVID		✓	A	✓		✓		✓		✓		✓	
25	DOERNER, FRED		✓	✓	✓		✓		✓		✓		✓	
214	DURBIN, JESSE	12	✓	✓	✓		✓		✓		✓		✓	
177	HAYDEN, RICHARD	44	A	A	A		A		A		A			
193	JORDAN, ROBERT N.	31	✓	✓	✓		✓		✓		✓		✓	
64	KEARNEY, KAY		✓	✓	✓		✓		✓		✓		✓	
206	LENZ, LARRY	26	✓	✓	✓		✓		✓		✓			✓
457	PAULEY, ROGER	18	✓	✓	X		X		X		X		X	
458	REYNOLDS, RICHARD JR.	32	A	A	A		A		A		A		A	
181	ROBERTSON, ROBIN		A	A	A		A		A		A		A	
148	ROESSLER, JOHN JACK	12	✓	✓	✓		✓		✓		✓		✓	
221	SIMS, TERRY JOE	24	✓	✓	✓		✓		✓		✓		✓	
137	STEWART, NORMA J.	52	✓	✓	✓		✓		✓		✓		✓	
46	STROHL, DON	45	✓	✓	✓		✓		✓		✓			✓
329	WARREN, JAMES	28	✓	✓	✓		✓		✓		✓		✓	
44	WETHERELL, DALE	46	✓	✓	✓		✓		✓		✓		✓	

↓ 18 ayes  
 3 absent  
 x not voting  
 motion  
 Carried

↓ 16 ayes  
 2 nays  
 3 absent  
 x not voting  
 motion  
 carried

↓ 18 ayes  
 3 absent  
 x not voting  
 motion  
 Carried

↓ 18 ayes  
 3 absent  
 x not voting  
 motion  
 Carried

↓ 15 ayes  
 3 nays  
 x not voting  
 motion  
 Carried

**RESOLUTION**

**2010-54**

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Judicial Districts 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 Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives county approval and support from within the respective Judicial Districts 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 shall and the Illinois General Assembly have reviewed and approved a budget for Fiscal Year 2010, 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 Shelby County Board, in regular session, this 10<sup>th</sup> day of November, 2010 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 Attorneys 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.

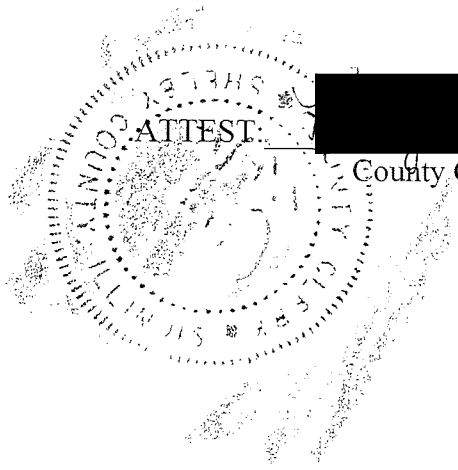
BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist the State's Attorney of this County in the discharge of the State's Attorney's duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed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

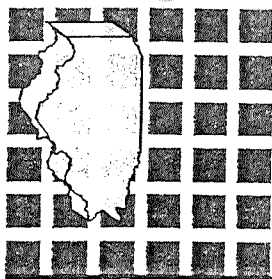
BE IT FURTHER RESOLVED that the Shelby County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2011, commencing December 1, 2010, and ending November 30, 2011, by hereby appropriating the sum of \$7,000.00 as consideration 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 2011.

Passed and adopted by the County Board of Shelby County, Illinois, this 10<sup>th</sup> day of November, 2010.

  
Chairman

ATTEST:   
County Clerk





**Local  
Governments’  
Guide  
to  
Tax**

**County School  
Facility Occupation  
Tax**

**What is the County  
School Facility  
Occupation Tax?**

The corporate authorities of a county, except Cook County, may impose a tax upon all persons engaged in the business of selling tangible personal property at retail (retailers’ occupation tax) and upon all persons engaged in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property in that county (service occupation tax). This tax is referred to as the County School Facility Occupation Tax. The Illinois Department of Revenue is responsible for administering this tax.

**Are there kinds of  
sales that are *not*  
subject to this tax  
and that will *not*  
generate additional  
revenue?**

Yes, the county school facility tax does not apply to the sale of:

- ◆ tangible personal property that is titled or registered with an agency of this state’s government, (e.g., cars, trucks, boats, motorcycle, trailers, snowmobiles, aircraft), or
- ◆ food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics.

**Do any restrictions  
exist on how  
counties can use  
the collections  
from this tax?**

The revenue generated is to be used exclusively for “school facility purposes” in that county as defined in the statute.

**Is voter approval  
required before  
implementation?**

Yes, the corporate authorities of the county must have voter approval in order to establish a County School Facility Occupation Tax.

**What steps  
must be taken to  
establish this tax?**

Upon either:

- ◆ a resolution by the county board or
- ◆ a resolution by school district boards that represent at least 51 percent of the student enrollment within the county,

the county board must certify the question of whether the county shall impose this tax to the proper election authority, who submits the proposition at an election in accordance with the general election law. If a majority of the electors voting on the proposition vote in favor of it, the county may impose the tax.

RESOLUTION NUMBER 2010-55

RESOLUTION providing for and requiring the submission to the electors of The County of Shelby, Illinois, at the consolidated election to be held on the 5th day of April, 2011, of a proposition to impose a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes.

\* \* \*

WHEREAS, Section 5-1006.7 of the Counties Code of the State of Illinois, as amended (the "*County School Facility Occupation Tax Law*"), authorizes the County Board (the "*County Board*") of The County of Shelby, Illinois (the "*County*"), to impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of the government of the State of Illinois, at retail in the County on the gross receipts of the sales made in the course of business and a service occupation tax upon all persons engaged, in the County, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the County as an incident to a sale of service, at a rate of 1% to provide revenue to be used exclusively for school facility purposes (the "*County School Facility Occupation Taxes*"), if a proposition for the County School Facility Occupation Taxes (the "*Proposition*") is submitted to the electors of the County at a regular election and approved by a majority of the electors voting on the Proposition; and

WHEREAS, for purposes of the County School Facility Occupation Tax Law, "*school facility purposes*" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the capital facilities, and also includes fire prevention, safety, energy



conservation, disabled accessibility, school security, and specified repair purposes set forth under Section 17-2.11 of the School Code of the State of Illinois, as amended; and

WHEREAS, a resolution with respect to the County School Facility Occupation Taxes has been adopted by school district boards that represent at least 51% of the student enrollment within the County; and

WHEREAS, it is hereby deemed advisable, necessary and in the best interests of the County that the Proposition be submitted to the voters of the County at an election to be held and conducted in accordance with the general election law:

NOW, THEREFORE, Be It and It Is Hereby Resolved by the County Board of The County of Shelby, Illinois, as follows:

*Section 1. Incorporation of Preambles.* The County Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

*Section 2. Submission to Voters.* The Proposition shall be submitted to the voters of the County in accordance with the general election law at the consolidated election to be held on the 5th day of April, 2011, between the hours of 6:00 o'clock A.M. and 7:00 o'clock P.M. on said day (the "Election").

*Section 3. Voting Precincts and Polling Places.* The Election shall be held in the voting precincts and at the polling places established by the County Board for voters of the County at the Election.

*Section 4. Election Notice.* The County Clerk of the County (the "County Clerk") shall give notice of the Election (the "Notice") in accordance with the general election law by (i) publishing the Notice once not more than 30 nor less than 10 days prior to the date of the Election in a local, community newspaper having general circulation in the County, and

(ii) posting a copy of the Notice at least 10 days before the date of the Election at the principal office of the County Clerk.

*Section 5. Newspaper of General Circulation.* It is hereby found and determined that the Shelbyville Daily Union is a local, community newspaper having general circulation in the County as required by Section 12-5 of the Election Code of the State of Illinois, as amended (the "*Election Code*").

*Section 6. Form of Notice.* The notice shall appear over the name or title of the County Clerk and shall be substantially in the following form:

NOTICE IS HEREBY GIVEN that at the election to be held on Tuesday, the 5th day of April, 2011, the following proposition will be submitted to the voters of The County of Shelby, Illinois:

Shall The County of Shelby, Illinois, be authorized to impose a retailers' occupation tax and a service occupation tax (commonly referred to as a "sales tax") at a rate of 1% to be used exclusively for school facility purposes?

The polls at the election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this \_\_\_\_ day of March, 2011.

---

County Clerk, The County of Shelby,  
Illinois

*Section 7. Form of Ballot.* The ballot to be used at the Election shall be in substantially the following form, with such alterations, changes, deletions and insertions as may be required by Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical or electric voting system is used at the Election:

(Face of Ballot)

OFFICIAL BALLOT

PROPOSITION TO IMPOSE COUNTY  
SCHOOL FACILITY OCCUPATION TAXES

(INSTRUCTIONS TO VOTERS: Mark a cross (x) in  
the space opposite the word indicating  
the way you desire to vote.)

Shall The County of Shelby, Illinois, be authorized to impose a retailers' occupation tax and a service occupation tax (commonly referred to as a "sales tax") at a rate of 1% to be used exclusively for school facility purposes?	YES	
	NO	

(Back of Paper Ballot)

OFFICIAL BALLOT

Official ballot for voting on the proposition to impose a retailers' occupation tax and a service occupation tax for school facility purposes of The County of Shelby, Illinois, at the consolidated election held on April 5, 2011.

Precinct Number: \_\_\_\_\_

Polling Place: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Facsimile Signature)

\_\_\_\_\_  
County Clerk,  
The County of Shelby, Illinois

*Section 8. Election Judges.* The Election shall be conducted by the election judges appointed by the County Board to act in the precincts at which the Proposition will be submitted to the voters of the County.

*Section 9. Filing of Resolution.* After the adoption hereof and not less than 61 days prior to the date of the Election, the County Clerk shall certify, on behalf of the County Board, that the Proposition shall be submitted to the voters of the County at the Election.

*Section 10. Canvass of Election.* The Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and time as provided by the general election law.

*Section 11. Severability.* If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 12. *Repealer and Effective Date.* All resolutions and parts of resolutions in conflict herewith be and the same are hereby repealed, and that this Resolution be in full force and effect forthwith upon its adoption.

AYES: Robert Amling, Barbara Bennett, Bruce Cannon, Glenn "Dick" Clark,  
David Cruitt, Fred Doerner, Jesse Durbin, Robert Jordan, Kay Kearney,  
Larry Lenz, John "Jack" Roessler, Terry Joe Sims, Norma Stewart,  
Don Strohl, James Warren, Dale Wetherell

NAYS: Kenneth Barr, Robert Behl

ABSENT: Richard Hayden, Richard Reynolds, Jr., Robin Robertson

ADOPTED: November 10, 2010

APPROVED: November 10, 2010



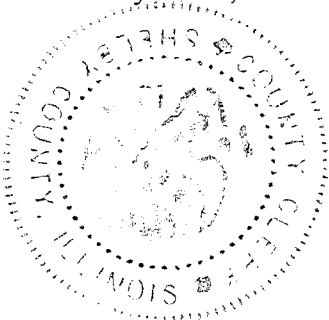
Chairman, County Board /  
The County of Shelby, Illinois

Recorded In County Records: November 10, 2010

ATTEST:



County Clerk, The County of Shelby, Illinois



After a full and complete discussion thereof, County Board Member Robert Amling moved and County Board Member Fred Doerner seconded the motion that said resolution be adopted.

The Chairman directed the County Clerk to call the roll for a vote upon the motion to adopt said resolution.

Upon roll call, the following County Board Members voted AYE: Robert Amling,  
Barbara Bennett, Bruce Cannon, Glenn "Dick" Clark, David Cruitt, Fred Doerner,  
Jesse Durbin, Robert Jordan, Kay Kearney, Larry Lenz, John "Jack" Roessler,  
Terry Joe Sims, Norma Stewart, Don Strohl, James Warren, Dale Wetherell

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The following County Board Members voted NAY: Kenneth Barr, Robert Behl

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Whereupon the Chairman declared the motion carried and said resolution adopted, and in open meeting did approve and sign said resolution and did direct the County Clerk to record the same in full in the records of the County Board of The County of Shelby, Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

  
County Clerk

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF SHELBY     )

**CERTIFICATION OF RESOLUTION AND MINUTES**

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of Shelby, Illinois (the "County"), and that as such official I am the keeper of the records and files of the County Board of the County (the "County Board").

I do further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the County Board held on the 10th day of November, 2010, insofar as the same relates to the adoption of a resolution numbered 2010-55 and entitled:

RESOLUTION providing for and requiring the submission to the electors of The County of Shelby, Illinois, at the consolidated election to be held on the 5th day of April, 2011, of a proposition to impose a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the County Board at said meeting were conducted openly, that all votes taken at said meeting were taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the County Board on a day other than a Saturday, Sunday or legal holiday and at least 48 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Counties Code of the State of Illinois, as amended, and that the County Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the County Board in the conduct of said meeting.

I do hereby certify for submitting to the voters of the County at the consolidated election to be held on the 5th day of April, 2011, the proposition set forth in said resolution, which said resolution was duly adopted by the County Board on the 10th day of November, 2010.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the County, this 10th day of November, 2010.



  
County Clerk

MINUTES of a regular public meeting of the County Board of The County of Shelby, Illinois, held at the Shelby County Courthouse 301 East Main Street, Shelbyville, Illinois, in said County at 9:00 AM. on the 10th day of November, 2010.

The Chairman of the County Board called the meeting to order and directed the County Clerk to call the roll.

Upon the roll being called, the Chairman, Roger Pauley, and the following County Board Members were physically present at said location: Robert Amling, Kenneth Barr, Robert Behl, Barbara Bennett, Bruce Cannon, Glenn "Dick" Clark, David Cruitt, Fred Doerner, Jesse Durbin, Robert Jordan, Kay Kearney, Larry Lenz, John "Jack" Roessler, Terry Joe Sims, Norma Stewart, Don Strohl, James Warren, Dale Wetherell

---

The following County Board Members were allowed by a majority of the members of the County Board in accordance with and to the extent allowed by rules adopted by the County Board to attend the meeting by video or audio conference: \_\_\_\_\_

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No County Board Member was not permitted to attend the meeting by video or audio conference.

The following County Board Members were absent and did not participate in the meeting in any manner or to any extent whatsoever: Richard Hayden, Richard Reynolds, Jr., Robin Robertson

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\* \* \*

The Chairman announced that the next item of business before the County Board was the consideration of a resolution providing for the submission of the proposition to impose a retailers' occupation tax and a service occupation tax to be used exclusively for school facility



purposes to the electors of the County at the consolidated election to be held on the 5th day of April, 2011.

Whereupon County Board Member Robert Amling presented and the County Clerk read by title a resolution as follows, a copy of which was provided to each County Board Member prior to said meeting and to everyone in attendance at said meeting who requested a copy:

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MINUTES of a regular public meeting of the Board of Education of Central A & M Community Unit District 21, Shelby County, Illinois, held in the library of Central A & M High School, 229 E. Pine Street, Moweaqua, Illinois, in said School District at 8:00 o'clock P.M., on the 25th day of October, 2010.

*Kathy A. Lentz*  
SHELBY COUNTY CLERK

\* \* \*

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The meeting was called to order by the President, and upon the roll being called, Dawnna Corzine, the President, and the following members were physically present at said location: Dennis Zindel, Stephanie Burgener, Stephanie Ramsey, Beth Sams, Lindsay Paradee, Tim Dial.

The following members were allowed by a majority of the members of the Board of Education in accordance with and to the extent allowed by rules adopted by the Board of Education to attend the meeting by video or audio conference: \_\_\_\_\_

---

No member was not permitted to attend the meeting by video or audio conference.

The following members were absent and did not participate in the meeting in any manner or to any extent whatsoever: \_\_\_\_\_

---

The President announced that the Board of Education would consider the adoption of a resolution requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

Whereupon Member Dennis Zindel presented and the Secretary read by title a resolution as follows, a copy of which was provided to each member of the Board of Education prior to said meeting and to everyone in attendance at said meeting who requested a copy:

RESOLUTION requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

\* \* \*

WHEREAS, Section 5-1006.7 of the Counties Code of the State of Illinois, as amended (the "*County School Facility Occupation Tax Law*"), authorizes the County Board (the "*County Board*") of The County of Shelby, Illinois (the "*County*"), to impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of the government of the State of Illinois, at retail in the County on the gross receipts of the sales made in the course of business and a service occupation tax upon all persons engaged, in the County, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the County as an incident to a sale of service, at a rate of 1% to provide revenue to be used exclusively for school facility purposes (the "*County School Facility Occupation Taxes*") if a proposition for the County School Facility Occupation Taxes (the "*Proposition*") is submitted to the electors of the County at a regular election and approved by a majority of the electors voting on the Proposition; and

WHEREAS, for purposes of the County School Facility Occupation Tax Law, "*school facility purposes*" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the capital facilities, and also includes fire prevention, safety, energy

conservation, disabled accessibility, school security, and specified repair purposes set forth under Section 17-2.11 of the School Code of the State of Illinois, as amended; and

WHEREAS, the County School Facility Occupation Tax Law provides that upon a resolution by school district boards that represent at least 51% of the student enrollment within the County, the County Board must certify the Proposition to the proper election authority in accordance with the Election Code of the State of Illinois, as amended (the "*Election Code*"); and

WHEREAS, the Board of Education (the "*School Board*") of Central A & M Community Unit District 21, Shelby County, Illinois (the "*District*"), deems it necessary, advisable and in the best interest of the District that the County Board certify the Proposition to the County Clerk of the County (the "*County Clerk*") for submission to the electors of the County at the consolidated election to be held on the 5th day of April, 2011 (the "*Election*");

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Education of Central A & M Community Unit District 21, Shelby County, Illinois, as follows:

*Section 1. Incorporation of Preambles.* The School Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.


*Section 2. Request to County Board.* The County Board is hereby requested to certify the Proposition to the County Clerk, in accordance with the Election Code, for submission to the electors of the County at the Election.

*Section 3. Severability.* If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

*Section 4. Repeal.* All resolutions or parts thereof in conflict herewith be and the same are hereby repealed, and this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted October 25, 2010.

  
President, Board of Education

  
Secretary, Board of Education

Member Dennis Zindel moved and Member Lindsay Paradee seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the President directed that the roll be called for a vote upon the motion to adopt said resolution.


Upon the roll being called, the following members voted AYE: Stephanie Burgener, Dawna Corzine, Tim Dial, Lindsay Paradee, Stephanie Ramsey, Beth Sams and Dennis Zindel

The following members voted NAY: \_\_\_\_\_

Whereupon the President declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the Secretary to record the same in the records of the Board of Education of Central A & M Community Unit District 21, Shelby County, Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

  
Secretary, Board of Education

STATE OF ILLINOIS        )  
                                      ) SS  
COUNTY OF SHELBY        )

**CERTIFICATION OF MINUTES AND RESOLUTION**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education of Central A & M Community Unit District 21, Shelby County, Illinois (the "Board"), and as such official I am the keeper of the records and files of the Board.


I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 25th day of October 2010, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board on a day other than a Saturday, Sunday or legal holiday and at least 48 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the School Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 25th day of October, 2010.

  
Secretary, Board of Education

MINUTES of a regular public meeting of the Board of Education of Community Unit School District Number 3A, Shelby County, Illinois, held in the Board Meeting Room at the Cowden Elementary School, Route 128 South, Cowden, Illinois, in said School District at 7:30 o'clock P.M., on the 14th day of October, 2010.

\* \* \*

The meeting was called to order by the President, and upon the roll being called, Dale Mahaffey, the President, and the following members were physically present at said location: -

Melanie Meek, Randy Schoonover, Jason Mansley, Mike Wheeler  
Dale Mahaffey

The following members were allowed by a majority of the members of the Board of Education in accordance with and to the extent allowed by rules adopted by the Board of Education to attend the meeting by video or audio conference: NONE

No member was not permitted to attend the meeting by video or audio conference.

The following members were absent and did not participate in the meeting in any manner or to any extent whatsoever: Trent Barnes, Michael Myers

The President announced that the Board of Education would consider the adoption of a resolution requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

**FILED**  
OCT 21 2010

*Kathy A. Lantz*  
SHELBY COUNTY CLERK



Whereupon ~~Member~~ Superintendent Cadwell presented and the Secretary read by title a resolution as follows, a copy of which was provided to each member of the Board of Education prior to said meeting and to everyone in attendance at said meeting who requested a copy:

RESOLUTION requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

\* \* \*

WHEREAS, Section 5-1006.7 of the Counties Code of the State of Illinois, as amended (the "*County School Facility Occupation Tax Law*"), authorizes the County Board (the "*County Board*") of The County of Shelby, Illinois (the "*County*"), to impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of the government of the State of Illinois, at retail in the County on the gross receipts of the sales made in the course of business and a service occupation tax upon all persons engaged, in the County, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the County as an incident to a sale of service, at a rate of 1% to provide revenue to be used exclusively for school facility purposes (the "*County School Facility Occupation Taxes*") if a proposition for the County School Facility Occupation Taxes (the "*Proposition*") is submitted to the electors of the County at a regular election and approved by a majority of the electors voting on the Proposition; and

WHEREAS, for purposes of the County School Facility Occupation Tax Law, "*school facility purposes*" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the capital facilities, and also includes fire prevention, safety, energy

conservation, disabled accessibility, school security, and specified repair purposes set forth under Section 17-2.11 of the School Code of the State of Illinois, as amended; and

WHEREAS, the County School Facility Occupation Tax Law provides that upon a resolution by school district boards that represent at least 51% of the student enrollment within the County, the County Board must certify the Proposition to the proper election authority in accordance with the Election Code of the State of Illinois, as amended (the "*Election Code*"); and

WHEREAS, the Board of Education (the "*School Board*") of Community Unit School District Number 3A, Shelby County, Illinois (the "*District*"), deems it necessary, advisable and in the best interest of the District that the County Board certify the Proposition to the County Clerk of the County (the "*County Clerk*") for submission to the electors of the County at the consolidated election to be held on the 5th day of April, 2011 (the "*Election*");

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Education of Community Unit School District Number 3A, Shelby County, Illinois, as follows:

*Section 1. Incorporation of Preambles.* The School Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.


*Section 2. Request to County Board.* The County Board is hereby requested to certify the Proposition to the County Clerk, in accordance with the Election Code, for submission to the electors of the County at the Election.

*Section 3. Severability.* If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

*Section 4. Repeal.* All resolutions or parts thereof in conflict herewith be and the same are hereby repealed, and this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted October 14, 2010.

  
\_\_\_\_\_  
President, Board of Education

  
\_\_\_\_\_  
Secretary, Board of Education

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF SHELBY         )

**CERTIFICATION OF MINUTES AND RESOLUTION**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education of Community Unit School District Number 3A, Shelby County, Illinois (the "Board"), and as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 14th day of October 2010, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board on a day other than a Saturday, Sunday or legal holiday and at least 48 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the School Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 14th day of October, 2010.

  
Secretary, Board of Education

Member Melanie Meek moved and Member Jason Manley seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the President directed that the roll be called for a vote upon the motion to adopt said resolution.


Upon the roll being called, the following members voted AYE: Melanie Meek,  
Jason Manley, Randy Schoonover, Mike Wheeler,  
Dale Mahoffey

The following members voted NAY: none

Whereupon the President declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the Secretary to record the same in the records of the Board of Education of Community Unit School District Number 3A, Shelby County, Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

  
Secretary, Board of Education

MINUTES of a regular public meeting of the Board of Education of the Stewardson-Strasburg Community Unit School District Number 5A, Shelby and Effingham Counties, Illinois, held in Room 1 of the Stewardson-Strasburg High School Building, R.R. 1, Box 67, Stewardson, Illinois, in said School District at 7:30 o'clock P.M., on the 21st day of October, 2010.

\* \* \*

The meeting was called to order by the President, and upon the roll being called, Leroy Helmuth, the President, and the following members were physically present at said location: Leroy Helmuth, Candie Kessler, Jennifer Burton, Gary Collins, Bob Schlechte, and Chad Smith \_

The following members were absent and did not participate in the meeting in any manner or to any extent whatsoever: \_\_\_\_\_

The President announced that the Board of Education would consider the adoption of a resolution requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

Whereupon Member Candie Kessler presented and the Secretary read by title a resolution as follows, a copy of which was provided to each member of the Board of Education prior to said meeting and to everyone in attendance at said meeting who requested a copy:

FILED  
OCT 25 2010

Kathy A. Lentz  
SHELBY COUNTY CLERK

RESOLUTION requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

\* \* \*

WHEREAS, Section 5-1006.7 of the Counties Code of the State of Illinois, as amended (the "*County School Facility Occupation Tax Law*"), authorizes the County Board (the "*County Board*") of The County of Shelby, Illinois (the "*County*"), to impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of the government of the State of Illinois, at retail in the County on the gross receipts of the sales made in the course of business and a service occupation tax upon all persons engaged, in the County, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the County as an incident to a sale of service, at a rate of 1% to provide revenue to be used exclusively for school facility purposes (the "*County School Facility Occupation Taxes*") if a proposition for the County School Facility Occupation Taxes (the "*Proposition*") is submitted to the electors of the County at a regular election and approved by a majority of the electors voting on the Proposition; and

WHEREAS, for purposes of the County School Facility Occupation Tax Law, "*school facility purposes*" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the capital facilities, and also includes fire prevention, safety, energy conservation, disabled



accessibility, school security, and specified repair purposes set forth under Section 17-2.11 of the School Code of the State of Illinois, as amended; and

WHEREAS, the County School Facility Occupation Tax Law provides that upon a resolution by school district boards that represent at least 51% of the student enrollment within the County, the County Board must certify the Proposition to the proper election authority in accordance with the Election Code of the State of Illinois, as amended (the "*Election Code*"); and

WHEREAS, the Board of Education (the "*School Board*") of Stewardson-Strasburg Community Unit School District Number 5A, Shelby and Effingham Counties, Illinois (the "*District*"), deems it necessary, advisable and in the best interest of the District that the County Board certify the Proposition to the County Clerk of the County (the "*County Clerk*") for submission to the electors of the County at the consolidated election to be held on the 5th day of April, 2011 (the "*Election*");

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Education of Stewardson-Strasburg Community Unit School District Number 5A, Shelby and Effingham Counties, Illinois, as follows:

*Section 1. Incorporation of Preambles.* The School Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

*Section 2. Request to County Board.* The County Board is hereby requested to certify the Proposition to the County Clerk, in accordance with the Election Code, for submission to the electors of the County at the Election.

*Section 3. Severability.* If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or

unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

*Section 4. Repeal.* All resolutions or parts thereof in conflict herewith be and the same are hereby repealed, and this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted October 21, 2010.



\_\_\_\_\_  
President, Board of Education



\_\_\_\_\_  
Secretary, Board of Education

Member Candie Kessler moved and Member Gary Collins seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the President directed that the roll be called for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following members voted AYE: Leroy Helmuth, Candie Kessler, Jennifer Burton, Gary Collins, Bob Schlechte, and Chad Smith

The following members voted NAY: \_\_\_\_\_

Whereupon the President declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the Secretary to record the same in the records of the Board of Education of Community Unit School District Number 4, Shelby and Effingham Counties, Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

  
Secretary, Board of Education

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF SHELBY         )

**CERTIFICATION OF MINUTES AND RESOLUTION**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education of Stewardson-Strasburg Community Unit School District 5A, Shelby and Effingham Counties, Illinois (the "Board"), and as such official I am the keeper of the records and files of the Board.


I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 21st day of October 2010, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board on a day other than a Saturday, Sunday or legal holiday and at least 48 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the School Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 21st day of October, 2010.

  
Secretary, Board of Education

MINUTES of a regular public meeting of the Board of Education of Community Unit School District Number 4, Shelby County, Illinois, held in the cafeteria of the Shelbyville High School Building, 1001 W N 6th Street, Shelbyville, Illinois, in said School District at 7:30 o'clock P.M., on the 21st day of October, 2010.

\* \* \*

The meeting was called to order by the President, and upon the roll being called, Clay Miller, the President, and the following members were physically present at said location: \_\_\_\_\_

Robert Bosgraaf, Larry Durbin, Matthew Beyers, Toby Koonce, Scott West and Mike Wheeler

The following members were allowed by a majority of the members of the Board of Education in accordance with and to the extent allowed by rules adopted by the Board of Education to attend the meeting by video or audio conference: None

No member was not permitted to attend the meeting by video or audio conference.

The following members were absent and did not participate in the meeting in any manner or to any extent whatsoever: None

The President announced that the Board of Education would consider the adoption of a resolution requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

FILED  
OCT 29 2010

*Kathy A. Lentz*  
SHELBY COUNTY CLERK

Whereupon Member Clay Miller, Board President presented and the Secretary read by title a resolution as follows, a copy of which was provided to each member of the Board of Education prior to said meeting and to everyone in attendance at said meeting who requested a copy:

RESOLUTION requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

\* \* \*

WHEREAS, Section 5-1006.7 of the Counties Code of the State of Illinois, as amended (the "*County School Facility Occupation Tax Law*"), authorizes the County Board (the "*County Board*") of The County of Shelby, Illinois (the "*County*"), to impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of the government of the State of Illinois, at retail in the County on the gross receipts of the sales made in the course of business and a service occupation tax upon all persons engaged, in the County, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the County as an incident to a sale of service, at a rate of 1% to provide revenue to be used exclusively for school facility purposes (the "*County School Facility Occupation Taxes*") if a proposition for the County School Facility Occupation Taxes (the "*Proposition*") is submitted to the electors of the County at a regular election and approved by a majority of the electors voting on the Proposition; and

WHEREAS, for purposes of the County School Facility Occupation Tax Law, "*school facility purposes*" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the capital facilities, and also includes fire prevention, safety, energy conservation, disabled

accessibility, school security, and specified repair purposes set forth under Section 17-2.11 of the School Code of the State of Illinois, as amended; and

WHEREAS, the County School Facility Occupation Tax Law provides that upon a resolution by school district boards that represent at least 51% of the student enrollment within the County, the County Board must certify the Proposition to the proper election authority in accordance with the Election Code of the State of Illinois, as amended (the "*Election Code*"); and

WHEREAS, the Board of Education (the "*School Board*") of Community Unit School District Number 4, Shelby County, Illinois (the "*District*"), deems it necessary, advisable and in the best interest of the District that the County Board certify the Proposition to the County Clerk of the County (the "*County Clerk*") for submission to the electors of the County at the consolidated election to be held on the 5th day of April, 2011 (the "*Election*");

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Education of Community Unit School District Number 4, Shelby County, Illinois, as follows:

*Section 1. Incorporation of Preambles.* The School Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.


*Section 2. Request to County Board.* The County Board is hereby requested to certify the Proposition to the County Clerk, in accordance with the Election Code, for submission to the electors of the County at the Election.


*Section 3. Severability.* If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.



*Section 4. Repeal.* All resolutions or parts thereof in conflict herewith be and the same are hereby repealed, and this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted October 21, 2010.

  
\_\_\_\_\_  
President, Board of Education

  
\_\_\_\_\_  
Secretary, Board of Education

Member Robert Bosgraaf moved and Member Matthew Beyers seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the President directed that the roll be called for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following members voted AYE: Robert Bosgraaf, Matthew Beyers, Larry Durbin, Toby Koonce, Scott West, Mike Wheeler and Clay Miller.

The following members voted NAY: None

Whereupon the President declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the Secretary to record the same in the records of the Board of Education of Community Unit School District Number 4, Shelby County, Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

  
Secretary, Board of Education

STATE OF ILLINOIS        )  
                                  ) SS  
COUNTY OF SHELBY        )

**CERTIFICATION OF MINUTES AND RESOLUTION**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education of Community Unit School District Number 4, Shelby County, Illinois (the "Board"), and as such official I am the keeper of the records and files of the Board.


I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 21st day of October 2010, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION requesting the County Board of The County of Shelby, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the consolidated election to be held on the 5th day of April, 2011.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board on a day other than a Saturday, Sunday or legal holiday and at least 48 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the School Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 21st day of October, 2010.

  
Secretary, Board of Education

**Proposal for  
Shelby County Courthouse**



**WILCOX DEVELOPMENT**

**&**

**MORRISSEY**  
**CONSTRUCTION COMPANY**

# MORRISSEY

CONSTRUCTION COMPANY

705 SOUTHMOOR PLACE • P.O. BOX 189 • GODFREY, ILLINOIS 62035 • (618) 466-3112  
FACSIMILE NUMBER (618) 466-9284  
www.morrisseyconstruction.com  
Email: info@morrisseyconstruction.com

October 13, 2010

Shelby County Board  
301 E. Main Street  
Shelbyville, IL 62565

Board Members,

I am pleased to present our proposal for assistance with the Shelby County Courthouse. Our team has ample experience in:

- Historic Architecture
- Structural Engineering
- Environmental Assessment
- Historic Renovation
- Commissioning
- LEED Accreditation
- Grant Writing
- Historic Tax Credits
- Financial Planning
- Remediation
- Performance Contracting

Our seven step plan is as follows:

1. Building analysis and feasibility study
2. Priority and phasing plan
3. Conceptual cost estimate
4. Grant identification and application
5. Gap fund analysis and identification
6. Construction and Renovation
7. Operation and building commissioning

We appreciate the opportunity to offer our services, and look forward to hearing from you.

Respectfully,

  
Thomas Deters, LEED AP

## **TECHNICAL ASSISTANCE SERVICES PROPOSAL**

Wilcox Development proposes to provide Planning Services, Community Assessment, Funding Source Analysis and Redevelopment Plan for the Shelby County Court House.

### **SERVICES**

Wilcox Development will assist in the development of goals and objectives; provide input and direction in the overall policy framework and conceptual master plan revisions and updates; collect, compile, and analyze data and plans; provide a community assessment; participate in coordination meetings with the County, assess current and proposed economic development activities and financial feasibility that might influence the funding of the project; work with County on a communications strategy; review redevelopment options that maximize the best use of the property and benefit to the citizens and the county; and review sources of financing, including federal, state, local, private grants and how the project might be managed.

The proposed technical assistance services included in the study, but are not limited to:

- Historic Tax Credits
- Landmark Grant
- EPA Brownfield Grants & USEPA assistance
- Energy Grants
- DECO & SWIDA Funding
- Revolving Loan Funds
- FHA & Rural indebtedness
- ARRA stimulus funding
- Historic Preservation Society
- Remediation Grants
- Various other local, state, and federal funding sources
- Tax exempt bond issue possibilities
- Local tax and rent subsidy participation

The community assessment will identify community strengths, existing assets, weaknesses, and potential concerns with the goal of creating a platform in order to historically renovate the county courthouse and identify the local funding needed that can rebuild the facility. Wilcox will develop a methodology in the planning, organizing, data collection, survey summary and dissemination, and public forum sharing. Wilcox may involve an educational institution to assist with phases such as planning and organizing, literature reviews, and computer-analysis (such as SPSS). Wilcox is responsible for the full coordination and delivery of the community assessment and the costs of any agreed upon incentives utilized.

**REDEVELOPMENT PLAN**

Wilcox Development will prepare a redevelopment plan based upon findings in review of goals and objectives, local requirements, existing draft conceptual master plan, stakeholder communications, and the community needs assessment. Plan Components will include at a minimum: general building use, implementation phasing, infrastructure requirements and constraints, investment requirements, environmental requirements, city policies and regulations, summary of public comment and involvement, market demand, and sources of funding.

A conceptual plan will be established for the renovation including a conceptual budget and schedule for remediation and redevelopment. Wilcox Development has assembled a team of experts for this task including architectural, engineering, construction and grant writers. Full emphasis will be placed upon items such as accessibility, environmental issues, energy efficiency, special planning, and other upgrades.

Once completed and accepted Wilcox will assist in identifying GAP financing in order to facilitate a successful project.


**TIMETABLE**

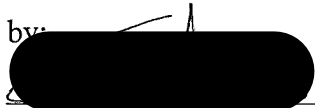
The term of the service will start immediately and is expected to be complete within 6 months. Time is of the Essence as several grant opportunities have early fall deadlines. Upon acceptance a conceptual schedule will be issued in order to ascertain key deliverables in the process in order to capitalize on funding sources as they are available.

**FEE AND PAYMENT SCHEDULE**

The total fee for the services will be \$125,000 payable as follows:

Acceptance	\$10,000
Month 3	\$55,000
Completion	\$60,000
Total	\$125,000

 Date 11/16/2010  
Shelby County

by:  Date 11/17/2010  
Wilcox Development

by:

RESOLUTION NO. 2010- 56

WHEREAS, Wilcox Development Services I, LTD. provides full development services;  
and

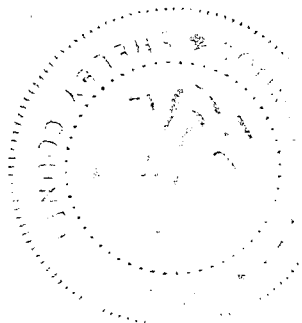
WHEREAS, Wilcox Development Services I, LTD. Has proposed to provide planning services including architectural, environmental, energy, and engineering studies, including budgeting information and grant evaluation and application for the redevelopment and preservation of the Shelby County Court House. \_

THEREFORE, be it resolved that:

1. The Shelby County Board wholeheartedly supports Wilcox Development Services I, LTD.
2. The Shelby County Board hereby gives Wilcox Development Services I, LTD. authority to apply for grants and awards on behalf of the Shelby County Board.
3. The Shelby County Board hereby accepts Wilcox Development Services I, LTD's Technical Assistance Services Proposal dated 11/3/10.
4. Total fee for services according to the Technical Assistance Services proposed shall not exceed \$125,000.00.
5. Wilcox Development Services I, LTD. shall credit the Shelby County Board for any applicable engineering studies provided.

PRESENTED, APPROVED, AND RESOLVED, by the County Board of the County of Shelby, Illinois at a regular meeting thereof held on the 10<sup>th</sup> day of November, 2010 and approved by me as Chairman on the 10<sup>th</sup> day of November, 2010.

ATTEST



[Redacted signature]

Kathy Lantz, County Clerk

[Redacted signature]

Roger Pauley, Chairman

Shelby County Board



## PROCLAMATION

### Drunk and Drugged Driving (3D) Prevention Month

**Whereas**, more violent deaths are attributed to traffic crashes than any other cause of death, and in 2009 there were 319 alcohol-related fatalities in the State of Illinois, and

**Whereas**, approximately 3 in every 10 Americans will be involved in an alcohol-related crash at some time in their lives; and

**Whereas**, the December holiday season is traditionally one of the most deadly times of the year for alcohol-impaired driving and is an appropriate time to focus attention on both the problems and the solutions; and

**Whereas**, for thousands of families across the nation, the December holidays are a sad time to remember loved ones they lost to an impaired driver during a previous holiday season; and

**Whereas**, community based programs involving consumer education, effective laws, and strong law enforcement have been proven successful in reducing impaired driving; and

**Whereas**, organizations from every state are joining together this December by supporting anti-impaired driving programs and policies; and

**Whereas**, Shelby County is a partner in that effort to make our roads and streets safer;

**Now, therefore**, I, Roger Pauley, Shelby County Board Chairman, do hereby proclaim December 2010 as **Drunk and Drugged Driving (3D) Prevention Month** and do hereby call upon all citizens, government agencies, business leaders, hospitals, schools, and public and private institutions in Shelby County to promote awareness of the impaired driving problem, to support programs and policies to reduce the incidence of impaired driving, to promote safer and healthier behaviors regarding the use of alcohol and other drugs this December 2010 holiday season.

  
Signature \_\_\_\_\_  
*County Board Chairman*  
*November 10, 2010*

TARP  
Neoga Road

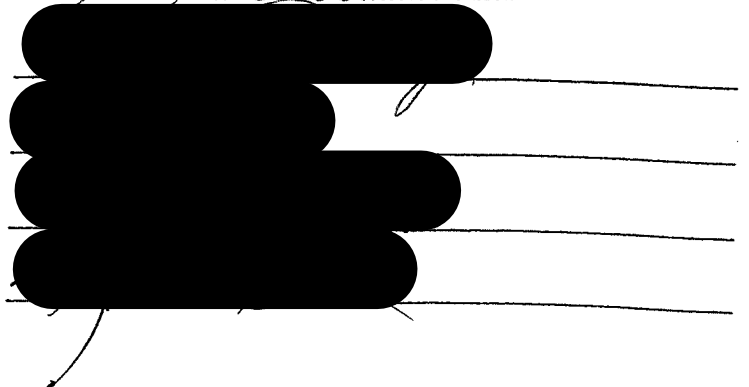
TO: THE SHELBY COUNTY BOARD

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

A large black rectangular redaction covers the signature area. Below the redaction are four horizontal lines, likely representing the names of the committee members. A small handwritten mark is visible on the second line from the top of the redacted area.



**Zoning/EMA Report**  
**Shelby County Board Meeting 11/10/10**

**Zoning**

5 Building Permits Issued. 3 for Accessory Buildings and 2 for New Residences.

Zoning Map Amendment proposals approved by Planning Commission and Board of Appeals

- Jared and Shannon Miller Rezone from General Business to Residential  
Section 26 Rose Township
- Roger and Jane Haycraft Rezone from Agriculture to General Business  
Section 17 Rose Township

**EMA**

Hazardous Materials Emergency Preparedness Grant approved. County awarded \$3,000.

Shelby County Dive Team multi-agency exercise was a great success. Total of 14 different agencies with 64 individual responders participated.

**October Building Permit Log**

<u>Permit #</u>	<u>Date</u>	<u>Name</u>	<u>Township</u>	<u>Parcel ID</u>	<u>Type</u>	<u>Fee</u>
10-119	10/8/2010	Ashton R. Waggoner	Sec 13; Ridge	1707-13-00-100-007	Acc Building	N/F
10-120	10/12/2010	Elaine Beery	Sec 23; Pickaway	1404-23-00-300-006	Acc Building	N/F
10-121	10/15/2010	Ben Hoyt	Sec 10; Rose	1812-10-00-100-007	Acc Building	\$125.00
10-122	10/21/2010	Steve and Charlene Case	Sec 5; Flat Branch	0603-05-00-100-019	New Residence	\$175.00
10-123	10/28/2010	Andy McDonald	Sec 16; Rose	1812-16-00-400-005	New Residence	\$175.00
					<b>Fees Total</b>	
					\$475.00	

**Resolution Number:** 2010-58

**Applicants:** Roger and Jane Haycraft


**Whereas,** petition by Mr. and Mrs. Haycraft wishes to rezone their property that is currently zoned Agriculture to General Business, to establish a wine manufacturing business. The property is located at S17 T11N R3E(Section 17, Rose Township) BEG NW COR SW - S 375' E 600' N 375' W 600' TO POB 5.16 AC. 100 ft by 50 ft of said property. Parcel number: 1812-17-00-300-016

**Whereas,** hearings with respect to this rezoning request concerning the said real estate have been held before the Shelby County Planning Commission and Zoning Board of Appeals;


**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the County Board of Shelby County assembled this 10th day of November, 2010, that the rezoning request for the said real estate be approved.

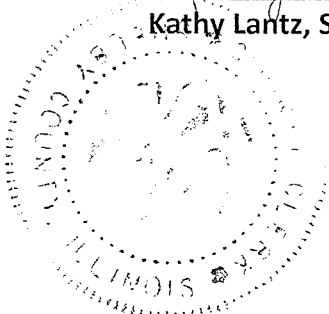
**BE IT FURTHER RESOLVED** that the Zoning Administrator be, and he is, hereby directed to issue Notice of District Change to the owner of the said real estate.

Duly adopted and approved this 10<sup>th</sup> day of November, 2010 .

  
Roger Pauley, Chairman  
Shelby County Board

ATTEST:

  
Kathy Lantz, Shelby County Clerk



Resolution Number: 2010-59

Applicants: Jared and Shannon Miller

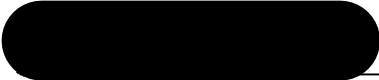
Whereas, petition by Mr. and Mrs. Miller wishes to rezone their property that is currently zoned General Business to Residential, to develop as a place of residence. The property is located at S26 T11N R3E COMMENCING AT NE COR W 115.5' S 198' E 115.5' N 198' TO POB .52 AC(Section 26, Rose Township)

Whereas, hearings with respect to this rezoning request concerning the said real estate have been held before the Shelby County Planning Commission and Zoning Board of Appeals;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the County Board of Shelby County assembled this 10th day of November, 2010, that the rezoning request for the said real estate be approved.

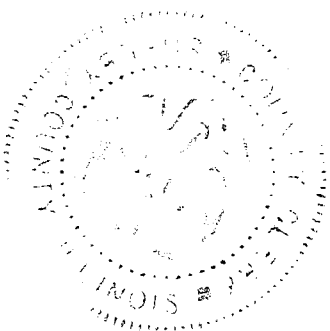
BE IT FURTHER RESOLVED that the Zoning Administrator be, and he is, hereby directed to issue Notice of District Change to the owner of the said real estate.

Duly adopted and approved this 10<sup>th</sup> day of November, 2010.

  
Roger Pauley, Chairman  
Shelby County Board

ATTEST:

  
Kathy Lantz, Shelby County Clerk





Onsite Wastewater Professionals of Illinois, LTD

P.O. Box 106 Newton, IL 62448

Date: October 26, 2010

To: OWPI Membership

Subject: Hearing on Sewage Code

put in  
original County  
Board file.

Rick Maguire, President of O.W.P.I., formally requested on the behalf of the O.W.P. I.Board, that the Illinois Department of Public Health hold a public hearing on the proposed private sewage code to allow for public comment on the rules.

The Illinois Department of Public Health has scheduled the hearing and enclosed you will find details of the upcoming public hearing.

If you have not reviewed the proposed changes to the Illinois Private Sewage Code, you can access it by going to the following link:

[http://www.cyberdriveillinois.com/departments/index/register/register\\_volume34\\_issue35.pdf](http://www.cyberdriveillinois.com/departments/index/register/register_volume34_issue35.pdf)

ILLINOIS REGISTER

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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PUBLIC HEARING ON PROPOSED RULES

- 1) Heading of the Part: Private Sewage Disposal Code
- 2) Code Citation: 77 Ill. Adm. Code 905
- 3) Register Citation to Notice of Proposed Rules: 34 Ill. Reg. 12394
- 4) Dates, Times and Locations of Public Hearings:

November 17, 2010  
10:00 AM to 12:00 PM  
Illinois Department of Natural Resources  
IDPH Training Room  
1 Natural Resource Way  
Springfield, IL 62702

- 5) Other Pertinent Information:

This hearing is being held solely to gather public comment on the proposed rules. Persons interested in presenting testimony at the hearing are advised that the Department will adhere to the following procedures:

- A) Persons must sign in at the registration desk and must have the name badge provided on their person at all times while in the public hearing location.
- B) Persons may provide oral or written testimony.
- C) Persons wishing to provide oral testimony must register at the beginning of the hearing by completing the registration form available at the hearing room entrance.
- D) Persons registered to provide oral testimony must submit a written copy of their testimony at the time of registration.
- E) Persons giving oral testimony are asked to limit their comments to the time specified by the Department at the time of the hearing. Persons who exceed the time limit will be advised to conclude their testimony so that each person who wishes to offer oral testimony will have time to speak. Persons will not be recognized to speak a second time until all registered persons have been offered the opportunity to give testimony.



ILLINOIS REGISTER

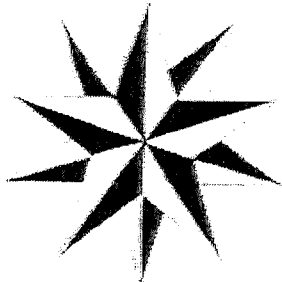
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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PUBLIC HEARING ON PROPOSED RULES

- F) Organizations are asked to select one spokesperson to present oral testimony on behalf of the organization.
  - G) To provide a balanced presentation of views and to assist the orderly conduct of the hearing, the Department may impose other rules of procedure as necessary, including, but not limited to, the order of persons providing oral testimony.
- 6) Agency contact person:

Susan Meister  
Department of Public Health-Division of Legal Services  
535 West Jefferson Street, 5<sup>th</sup> Floor  
Springfield, Illinois 62761-0001  
217-782-2043  
[rules@idph.state.il.us](mailto:rules@idph.state.il.us)



*Illinois Association of Local  
Environmental Health Administrators*

October 7, 2010

Ms. Susan Meister  
Division of Legal Services  
Illinois Department of Public Health  
535 W. Jefferson Street, 5<sup>th</sup> Floor  
Springfield, Illinois 62761

RE: Proposed Amendments of the Private Sewage Disposal Code Published in the Illinois Register August 27, 2010.

On behalf of the Illinois Association of Local Environmental Health Administrators, the following comments are being made in regard to the proposed changes to the private sewage disposal code.

We believe the filing notice submitted with the proposed rule changes does not meet the statutory obligations of 5 ILCS 100 et al and has omissions that are not contained in the attached proposed amendments. Part 5 of the notice indicate the “proposed changes in these amendments to the private sewage rules will: clarify construction and excavation of private sewage disposal system requirements including, design and sizing criteria for effluent reduction trenches.” There is no design or sizing criteria for effluent reduction trenches in the proposed amendments, so we cannot provide a comment on these proposed changes.

Part 5 of the notice states that “the economic effect of this proposed rulemaking is unknown. Therefore, the Department request any information that would assist in calculating this effect.” In 2008, the Department proposed similar rule changes prior to withdrawing them the same year in which this very issue was brought up. Since this time there has been multiple contacts made to the Department providing them with information as to anticipated economic impact on the public, county agencies, contractors, and real estate transactions. We believe the Department has had ample time and opportunity to provide this information since the original rule making in 2008 and see no reason it should not be provided at this time.

The Department in their notice under Part 5 “anticipates adoption of this rulemaking approximately six to nine months after publication of the notice in the Illinois Register.” Many of the proposed changes have an implementation date January 1, 2011, well prior to the anticipated implementation date of six to nine months. It could very well be the case that these changes have not been adopted until after the January 1, 2011 date contained in the rules.

Part 13 of the notice fails to mention that this rulemaking will affect business owners of all types who decide to locate in an area where private sewage disposal systems are the only option. It will affect every municipality that does not have a sanitary sewage collection system whose residents have new or repaired private sewage disposal systems. This part also fails to identify that maintenance and record keeping is required of the homeowner or by contractors and the impact this will have on them.

Changes to the Private Sewage Disposal Code that we have greatest opposition to is those changes as they apply to surface discharging systems. We do not understand why discharging to a "common collector" in section 905.110 has been removed. If an individual discharge is required to have an NPDES permit under Section 905.110 then why is it that this discharge cannot go to a common collector? In a letter dated September 30, 2010 to the president of the Shelby County Board from Dr. Arnold, Director of the Illinois Department of Public Health, tries to address that very question. In that letter there are two reasons given to remove "common collectors, "1) The discharge generated by the property should have to be handled on the property of origin and create a nuisance or unwanted condition as an adjacent property and 2) the inability to identify which system is failing when there are multiple surface discharging private sewage disposal systems on a common tile."

The proposed rules require each new individual surfacing discharging system to have maintenance (905.20q3), disinfection (905.120) a sample port (905.110f), and be in compliance with an NPDES permit issued by IEPA (905.110a). A condition of the NPDES permit will be routine sampling to be tested for parameters established within the NPDES permit. The ability to identify individual systems that are not in compliance prior to discharging to a common collector will exist within these rules. In regards to potential nuisance conditions, it would make more sense to address the issue associated from one discharge from multiple homes than discharges for twenty different homes.

The removal of a common collector has profound implications on the installment of private sewage disposal systems. Many communities in Illinois do not have a sanitary sewer system available to them. Over the years these communities have installed tile collection systems that individual homes discharge their wastewater into. These properties are extremely small that cannot in most instances support the installation of a non-discharging private sewage disposal system. By definition, these tile collection systems are common collectors. If the homeowner needs to repair his private sewage disposal system, he will be unable to do so as he cannot discharge to the common collector. In Dr. Arnold's letter mentioned above, his solution to this problem is for local health departments to grant a variance for connection to the common tile. Rather than write a rule in which it is known that variances will have to be issued requiring extra resources spent by contractors and local health departments, the correct thing would be to change the rule to eliminate the need for a variance in the first place. Again these systems would be required to have all those requirements mentioned above prior to connecting to the common tile. This same scenario would apply to existing subdivisions and new subdivisions. We oppose the removal of common collector as a discharge due to that it provides no public health significance with the proposed rule changes mentioned above.


In Section 750.110 a reference is made that "Pursuant to 415 ILCS 5/12 (f) and 35 ILL Adm. Code 309.102 (a) all discharges to Waters of the United States are prohibited unless in compliance with an NPDES permit, obtainable from the Illinois Environmental Protection Agency." This reference should be removed and

replaced with the statute in which this code is being based on which is 225 ILCS 225/7 which is significantly different than the citation given above. 225 ILCS 225/7 only requires that discharges to Waters of the United States as used in the Federal Water Pollution Control Act (40 CFR 122.2) are required to obtain an NPDES permit. 415 ILCS 5/12 (f) and 35 ILL Adm. Code 309.102 (a) use Waters of the State wording which is a different and unique definition. Section 905.110 is contrary to 225 ILCS 225/7, in 415 ILCS 5/12 (f) as to the requirement of Waters of the United States within the rule. We would strongly urge the Department to remove the references to 415 ILCS 5/12 (f) and 35 ILL Adm. Code 309.102 (a) and replace with a reference to 225 ILCS 225/7 requirements pertaining to discharges.

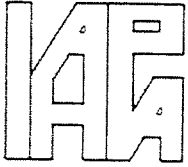
The Illinois Association of Local Health Administrators stands committed to working towards the adoption of rules that protect the public health of our residents while being cognizant of the implication change it will have upon their daily lives. We fully recognize that changes need to be made to the Private Sewage Disposal Code, that not all changes will be accepted by all, and that we are the ones who implement the code in our counties.

We support the Onsite Wastewater Professionals of Illinois request for a public hearing with the hope that we can have our comments in this letter addressed by representatives of the Department in a public forum.

Any questions to these comments can be addressed by me at 815/844-7174 ext. 216.



Donnie Simmons, L.E.H.P  
IALEHA President  
Director of Environmental Health  
Livingston County Health Department  
310 E. Torrance Avenue, P.O. Box 650  
Pontiac, Illinois 61764



## Illinois Association of Public Health Administrators

DATE: October 6, 2010

TO: IDPH  
Division of Legal Services  
Illinois Department of Public Health  
535 West Jefferson Street, 5<sup>th</sup> Floor  
Springfield, IL 62761  
email: [DPH.RULES@illinois.gov](mailto:DPH.RULES@illinois.gov)

FROM: Toni M. Corona, President  
Illinois Association of Public Health Administrators

RE: Notice of Proposed Amendments  
Title 77: Public Health, Chapter I: Department of Public Health  
Subchapter r: Water and Sewage, Part 905 Private Sewage Disposal Code

The Illinois Association of Public Health Administrators (IAPHA) is submitting the following comments regarding the proposed amendments to the Private Sewage Disposal Code. IAPHA offers our support in working with the Department of Public Health as the proposed rule changes progress throughout the rulemaking process. On behalf of the IAPHA Private Sewage Disposal System subcommittee led by John Wagner, Administrator of Monroe County Health Department, the following comments and suggestions were submitted by IAPHA membership and reflect the position of this association:

### **Section 905.20 General Requirements**

j) Private Sewage Disposal System Development. The following factors shall govern the development of a private sewage disposal system:

3) Area Reserved for Sewage Disposal. The area to be used for a private sewage disposal system shall be selected and maintained so that it is free from encroachment by driveways, accessory buildings, swimming pools, parking areas, buried lawn sprinkling systems and underground utility services, patios, slabs, and additions to the original structure or any other structure that limit which limits free access to the system for maintenance, servicing or proper operation. The designated area for the subsurface seepage system shall be secured prior to construction or modifications to the site, and shall be protected throughout the site development or construction process. The homeowner or licensed contractor shall secure this area to deter any traffic, compaction of the soil, removal or addition of soil or encroachment on the area of the proposed subsurface seepage system. Temporary fencing, posts and roping or a similar restrictive barrier may be used to restrict access. The area of the proposed private sewage disposal system shall be protected throughout the site development or construction process.

Comment: IAPHA opposes this change. On the surface this appears to be a great idea to protect the area where the subsurface seepage system will be installed. However, this will greatly increase the cost of the Private Sewage Disposal Program for most counties in Illinois. Additional inspections to verify compliance would come at a time when local health departments do not have the personnel to complete existing work.

This section is unenforceable in many counties. Some counties do not have zoning departments and cannot control the sequence of construction on the property. The building can be constructed long before an application for a private sewage disposal system is submitted and approved in areas that have no zoning and building regulations.

Suggestion: Change to: "The homeowner and installation contractor shall ensure the designated area for the subsurface seepage system is secured prior to construction or modifications to the site, and is protected throughout the site development or construction process."

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### Section 905.30 Approved Private Sewage Disposal Systems

a) The following systems are approved for private sewage disposal when designed, constructed, operated, and maintained in accordance with this Part Code:

- (67) Illinois raised filter bed preceded by a batch treatment aeration system.

Comment: Illinois raised filter beds are approved for use when preceded by a Norweco Aeration treatment system approved by NSF Standard 40.

Suggestions: Change wording to include Norweco system.

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### Section 905.20 General Requirements

5) After January 1, 2011, every proposal for installation or replacement of a private sewage disposal system shall meet the requirements of Section 905.55 of this Part to determine the feasibility for the use of a subsurface seepage system. If the soils on the lot are identified within Design Groups II through VII as illustrated in Appendix A, Illustration M, Exhibit A, a subsurface system shall be used when there is sufficient area for a subsurface seepage system, excluding the area for the structure served by a private sewage disposal system and provided that the minimum distance can be met as established in Section 905.60(a)(7) and Appendix A, Illustration D of this Part. Before deeming a property as unsuitable for a subsurface system, all approved technologies and private sewage disposal system components shall be evaluated and proven to be non-feasible. Requirements in this Section do not exclude Design Groups VII through XII to be used for subsurface systems if the site is feasible. After January 1, 2011, only Section 905.55(a) of this Section shall be used to evaluate a site and determine the feasibility for a subsurface system.

Comment: IAPHA opposes the wording of this section. IAPHA understands the intent of this section is to use sub-surface disposal when possible. The use of the word feasible and non-feasible in this section makes enforcement impossible. What may be feasible to one is not to another. What will the outcome be when a local health department requires someone to install a subsurface seepage system and a homeowner says that the additional cost to do so is not feasible? This may result in a legal battle no local health department can win. Example: Is it feasible when the soils around the home are unsuitable for sub-surface disposal but there is a section on the other side of the 20 acre tract that is suitable. Can a local health department require them to pump to that location? It is technically possible but is it feasible?

Suggestion: Change wording to make section enforceable and not open to variations of interpretation.

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### Section 905.55 Subsurface Seepage System Design Requirements

When designing a subsurface seepage system, the absorption capacity of the soil shall be determined by subsection (a) or (b) of this Section. After January 1, 2011, when designing a subsurface seepage system, the absorption capacity of the soil shall be determined by subsection (a) of this Section. After January 1, 2011, subsection (b) of this Section may be used to judge if the soils may be suitable for a subsurface system, as follows:

- 2) The following persons are qualified to conduct soil investigations:

- A) any person who meets the definition of soil classifier in Section 905.10;
- B) ~~an Illinois Licensed Professional Engineer a licensed professional engineer;~~
- C) an employee of a local health department who has ~~three~~ 3 years of experience in designing or approving private sewage disposal systems using soil classification information and ~~six~~ 6 semester hours of soils-related coursework;
- D) an employee of a local health department with ~~five~~ 5 years experience reviewing the design and ~~designing or~~ approving private sewage disposal systems using soil classification information under the direct supervision of those persons listed in subsection (a)(2)(A), (B) or (C) ~~of this subsection (a)(2).~~

Comment: IAPHA opposes the use of LHD employees to do soil borings. The only person qualified to accurately conduct a soil investigation is stated in A). Employees of local health departments have limited knowledge on how to interpret a soil core. Local health departments are not qualified to take on the liability of soil loading rates when sizing a subsurface disposal system.

Suggestion: Remove sections B, C, and D.

### Section 905.110 Effluent Discharges

a) General. Buried sand filters, recirculating sand filters, waste stabilization ponds, and aerobic treatment plants ~~and NSF International/ANSI Standard 40 wastewater treatment systems listed by NSF International/ANSI for Class I effluent (seeSee~~ Section 905.100(a) and (c)) ~~or any Department approved or accepted system may be discharged to any one of the following three~~ 3 options (Pursuant to 415 ILCS 5/12(f) and 35 Ill. Adm. Code 309.102(a), all discharges to waters of the United States are prohibited unless in compliance with an NPDES permit, obtainable from the Illinois Environmental Protection Agency.);

Comment: IAPHA opposes the wording Pursuant to 415 ILCS 5/12(f) and 35 Ill Adm. Code 309.102(a) as this citation states "waters of the State" and not waters of the United States.

415 ILCS 5/12(f) "Cause, threaten or allow the discharge of any contaminant into the waters of the State, as defined herein, including but not limited to, waters to any sewage works, or into any well or from any point source within the State, without an NPDES permit for point source discharges issued by the Agency..."

35 Ill Adm. Code 309.102(a) "Except as in compliance with the provisions of the Act, Board regulations, and the CWA, and the provisions and conditions of the NPDES permit issued to the discharger, the discharge of any contaminant or pollutant by any person into the waters of the State from a point source or into a well shall be unlawful."

Suggestion: Eliminate contradiction in terms. Use "Waters of the United States". Recommend citation of 225 ILCS 225/7 (c) (from Public Act 096-0801 (HB 170) references only).

### Section 905.110 Effluent Discharges

a) General

~~2) A common collector provided that the collector does not discharge within one mile upstream from a public water supply intake, public bathing beach, or to any public use area. A public use area is any area which is frequently used by the public. Examples of a public use area are playgrounds and picnic areas. Common collectors used to carry treated effluent for 2 or more discharging systems with a combined design flow of less than 1500 gallons per day shall be constructed of materials as listed in Appendix A: Illustration C of this Part, and shall discharge in accordance with subsections (a)(1) and (3) of this Section. If the flow from any number of discharging systems is combined and exceeds 1500 gallons per day, then the owner of the property shall provide a copy of the construction permit obtained in accordance with 35 Ill. Adm. Code 309.202(a) and (b) and a National Pollutant Discharge Elimination System (NPDES) permit issued by the Illinois Environmental Protection Agency to the Department or local authority to demonstrate that the effluent from this private sewage disposal system can discharge to this location.~~

Comment: IAPHA opposes the exclusion of the common collector. Many areas of the state utilize common collectors to collect effluent from small lot rural subdivisions. Elimination of collection lines would require on lot discharge for these lots creating nuisance conditions and reducing property values.

Suggestion: Exemption clause for existing common collectors and requirement of and NPDES permit for homes connected to collection lines.

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While IAPHA does support a majority of the proposed amendments such as Portable Sanitation and Drip Irrigation; we would like to express our continued concern regarding the division of labor inherent to regulation of surface discharging systems with respect to the NPDES permits. Local Health Departments are in the middle of a very cumbersome application process with two different State regulatory agencies –IEPA and IDPH involved. Both State agencies need to work with all stakeholders for a feasible transition into this new regulatory issue. The impact of this regulation has many, many consequences that are not just economical and environmental.

If you have any questions, please feel free to contact me at (618) 296-6065, or John Wagner at (618) 939-3871 extension 13. Thank you.





**Shelby County Board of Commissioners  
Shelbyville, Illinois 62565**

2010-60  
**RESOLUTION**

Whereas, the West Central Development Council, consisting of the seven counties of Calhoun, Christian, Greene, Jersey, Macoupin, Montgomery, and Shelby was created for the purpose of comprehensive planning and development assistance and for the benefit of the citizens of the seven counties; and

**Whereas;** United States Economic Development Administration grants are available to multi-county regions to provide long-range planning and development activities to reduce unemployment and promote industrial, agricultural, tourism and other retail Economic Development activities; and

**Whereas,** the Federal Economic Development Administration requires a multi-county regional planning commission to be designated as an Economic Development District prior to an application for federal funds for Economic Development planning grants,

**Now, Therefore, Be It Resolved** by the **Shelby County Board** that it has reviewed discussed and accepted the CEDS document prepared by the WCDC Strategy Committee and that **Shelby County** hereby supports the application of the West Central Development Council for Economic Development comprehensive planning activities.

Signed this *10<sup>th</sup>* day of *November* 2010.

  
\_\_\_\_\_  
County Board Chairman

ATTEST:   
\_\_\_\_\_  
County Clerk



Public Notice  
EDA Planning Grant #06-83-05481

On October 1, 2009 the Economic Development Administration Chicago Regional Office commissioned the West Central Development Council located in Carlinville, Illinois to update, revise and submit a Comprehensive Economic Development Strategy that is the result of a local planning process designed to guide the economic growth of the seven county regions of Calhoun, Christian, Green, Jersey, Macoupin, Montgomery; and Shelby Counties in West Central Illinois. For the purpose of these Guidelines, the terms "area", "region, and "community" are often used interchangeably to refer to an appropriate political, economic, geographic, or environmental entity for addressing economic development. A CEDS process will help create jobs, foster more stable and diversified economics, and improve living conditions, local governments, and private Industry concerned with economic development.

A CEDS is required to qualify for Economic Development Administration (EDA) assistance under its public works, economic adjustment and most planning programs, and is a prerequisite for designation by EDA as an economic development district (EDD).

The CEDS must be the result of a continuing economic development planning process, developed with broad based and diverse community participation, and contain the following:

- Air analysis of economic and community development problems and opportunities including incorporation of any relevant material of suggestions from other government sponsored or supported plans;
- Background and history of the economic development situation of the area covered; with a discussion of the economy, including as appropriate, geography, population labor force, resources, and the environment;
- A discussion of community participation in the planning efforts;
- A section setting forth goals and objectives for taking advantage of the opportunities and solving the economic development problems of the area serviced;
- A plan of action, including suggested projects to implement objectives and goals set forth in the strategy; and
- Performance measures that will be used to evaluate whether and to what extent goals and objectives have been or are being met ,

Public Law 105-393, the Economic Development Administration Reform Act of 1998 (the Act) (42 U.S.C. & 3121, et seq.), a comprehensive amendment of the Public Works and Economic Development of 1965, as amended (PWEDA), requires a strategy to qualify for assistance under most EDA programs.

EDA will continue to direct its investments based on strategies resulting from locally controlled participatory planning processes established to develop and maintain the CEDS. This guide is intended to assist in efforts to develop, implement, and document a CEDS process. It describes the steps to follow, participants, required documents, evaluation and, for districts and other EDA supported planning organizations, the updating procedures, and reporting requirements.

The West Central Development Council is continually updating the CEDS and appreciates any information that can be provided to be included in the document. Upon request the WCDC will provide you with a copy of the current CEDS and our annual audit.

The WCDC is requesting your assistance in accomplishing these goals and would appreciate any advice or information that you might be willing to share with us. Your cooperation will be greatly appreciated. If you have any questions please feel free to go to Michael Cavanaugh a call at 217-854-9642.

**Shelby County Board of Shelby County, Illinois**

2010-61

**Resolution of Support**

**Whereas**, we members, of the Shelby County Board would like to offer our support and endorsement to Christian County Generation. LLC and Tenaska in their efforts to move forward in completion of plans to build and operate one of the first integrated Gasification Combined-Cycle (IGCC) electric generation stations with carbon capture, and

**Whereas**, both national government and electric industry projections, state that Illinois needs additional reliable electric generating capacity, and

**Whereas**, central and southern Illinois possess large reserves of high-sulfur coal that would be valued as fuel in an IGCC power plant at a projected rate of \$75 million per year (a total of 1.5 million to 1.8 million tons annually), and

**Whereas**, the Taylorville Energy Center IGCC plant would be among the first power plants in the world to with the ability to remove fuel impurities associated with from coal-fueled power plants, including sulfur, mercury, and particulate matter. This plant would capture more than half of the carbon dioxide produced and prevent it from entering the atmosphere.

**Whereas**, central Illinois employment, would be increased by more than 5000 jobs during the construction phase of this project. With the electric power facility it would add another 155 permanent employees along with another 644 full time and part-time jobs created in the region as a result of electrical power generation operations, and

**Whereas**, an additional 238 long-term workers would be employed in coal mining operations and the plant's operations, which would create an additional 297 permanent indirect jobs, and

**Whereas**: area economic activity would increase by approximately \$126 million annually during commercial operation.

**Now Therefore**: we members of the Shelby County Board, further urge the State of Illinois and it's elected representatives to take appropriate and positive action to review the Facility Cost Report and approve it to advance this project.

Signed: Roger Pauley, Shelby County Board Chairman

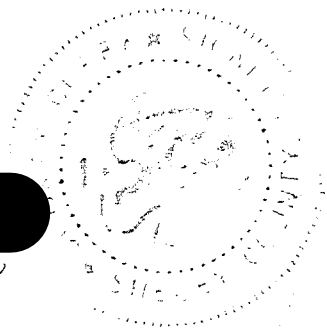
[Redacted Signature]

11/10/10

Attest:

[Redacted Signature]

County Clerk  
11/10/10



County of Shelby

Renewal Premium Summary

	2009		2010	
	Coverage	Premium	Coverage	Premium
Automobile - \$2M Auto Liability		\$ 21,617	Automobile - \$2M Auto Liability	\$ 23,133
Employee Benefits Liability - \$1M/\$1M		\$ 415	Employee Benefits Liability - \$1M/\$1M	\$ 415
Employment Practices Liability - \$1M/\$1M		\$ 4,754	Employment Practices Liability - \$1M/\$1M	\$ 2,928
Multi-Class Liability - \$5M/\$10M		\$ 63,112	Multi-Class Liability - \$5M/\$10M	\$ 61,805
<b>Ann Total with Changes</b>		<b>\$ 89,898</b>	<b>Total</b>	<b>\$ 88,281</b>
			<b>Bliss McKnight is offering a 2-year rate guarantee</b>	
Property		\$ 35,364	Property	\$ 34,974
Crime		\$ 4,263	Crime	\$ 4,263
Contractors Equipment		\$ 4,539	Contractors Equipment	\$ 4,307
Electronic Data Processing		\$ 4,070	Electronic Data Processing	\$ 4,070
General Floater		\$ 4,301	General Floater	\$ 4,301
Valuable Papers		\$ 310	Valuable Papers	\$ 310
Garage		\$ 270	Garage	\$ 270
TRIAD Liability \$1M		\$ 519	TRIAD Liability \$1M	\$ 537
			Watercraft Liab/Hull Coverage	\$ 750
Terrorism		\$ 376	Terrorism	\$ 376
<b>Ann Total with Changes</b>		<b>\$ 54,012</b>	<b>Sub-Total</b>	<b>\$ 54,158</b>
<b>starting 2nd yr of 3 year policy</b>			<b>starting 3rd yr of 3 year policy</b>	
<b>all premium change is due to endorsements</b>			<b>all premium change is due to endorsements</b>	
Workers' Compensation (audited)		\$ 80,442	Workers' Compensation	\$ 86,511
Qualifies for a \$4300 Safety Grant			Qualifies for a \$5500 Safety Grant	
			<b>\$5M Auto Option Accepted</b>	<b>\$ 2,746</b>
<b>Ann Total with Changes</b>		<b>\$ 224,352</b>	<b>Total with \$5M Auto Option</b>	<b>\$ 231,696</b>

ILLINOIS CITIZENS OPPOSED TO LONGWALL MINING, INC.

INFORMATION--LONGWALL MINING  
FOR  
SHELBY CO. HIGHWAY DEPARTMENT

Alan--Thank you for inviting us to your meeting and including the County Board Members also. I have put together a packet of materials that you can choose which you wish to copy and give to the elected officials and other people who are decision makers in Shelby County. I have placed a # on each item with a pencil so if you wish to give it to someone you can erase the number if you wish.

1). Figure 1 illustrates the coal fields of the USA. America has a lot of coal of different qualities. The Eastern Interior Bituminous Coal Basin (IL, IN, Western KY) contains a moderate BTU (energy) and moderate amounts of sulfur compounds. Our coal is utilized to create steam power and the sulfur content is so great that it contributes to acid rain. Thus, the Federal Government forced the power plants to attach "scrubbers" to their smoke stacks to remove the sulfur. When the law was passed IL was producing about 60M tons of coal. Mining shrunk considerably, in IL to about 16M tons several years ago. Many of the old coal companies, like Old Ben (BP) have closed all of their mines. High ash, low sulfur, low BTU sub-bituminous coal from the West--mainly WY, began to be mined and brought into the Midwest to generate electricity.

2). Figure 2 illustrates the high yield crop land in America. Notice that central Illinois is the largest area for high yield soils in the USA. The data is rather old now but most probably the same IL counties still have the highest yields per acre of corn, beans and wheat. The basis of this large yield are: parent material--loess, a wind blown glacial material, tall grass prairie and adequate rainfall. Considering the amount of coal that we have in our country some companies in the coal industry wish to basically destroy this flat prairie with longwall mining. There is considerable data from the U of I Agronomy Dept. that longwall mining in areas of high seasonal water tables greatly lowers crop yields. This agricultural crop yield data research was conducted in Southern Illinois in soils have high spring water tables due to near surface hardpans mainly developed as forest soils not prairie soils.

3). Figure 3 illustrates townships in IL which have underground coal resources with high development potential. The southwest corner of Shelby County has several townships with thick #6 coal seam (Herrin) and some townships in the county has a more thin #5 coal seam (Springfield). The Herrin Coal in Shelby County extends into a larger thick coal field in the counties to the west and south. There is a longwall mine, under construction in Hillsboro, Montgomery County that has coal near 7 to 8 feet in thickness.

4). Figure 4 illustrates room and pillar mining which removes about 50 to 60% of the coal. Most of the mineral estate is separate from the surface estate. The pillars are to support the surface estate. The separation of the mineral estate and surface estate, under English Common Law, and now American Law states if the owner of the mineral estate causes subsidence of a structure or land the mineral estate has to pay for the damage. Illinois has about 1,000,000 acres of room and pillar mining with only minor subsidence of the surface. In 1980, the State of IL created a Mine Subsidence Insurance Fund to protect

structures over room and pillar mining. The Fund does not have insurance for farm fields. The large mine under Pana was a room and pillar mine.

5). Figure 5 illustrates a longwall mine. This mine extracts about 80% of the coal and immediate subsidence occurs. The panels can be up to 1000 feet wide and 3 miles long. In between each mined out panel are "gates" of pillars to allow access to the mining face, fresh air and miners and equipment and exit of air that had moved in front of the mining face. The room and pillar areas perpendicular to the panels and gates are "mains". In Macoupin County, the land within the mined out panel dropped 5 to 6 feet deep. Thus, the longwall mine extracts only about 20% more coal and almost destroys the agricultural land. The land is devalued and in the tall grass prairie, with a high water table, the panels become long lakes. For a few more dollars, that quickly disappear into the owners hands, the land will not yield the crops that it had FOREVER! EVERY MINE MUST CLOSE—CROP LAND IS FOREVER.

6-7-8). Figures of the cross-sections of longwall panels.

9). Photo of a longwall panel filled with water. This lake may remain from 5 to 6 years until a huge ditch is dug to drain the lakes. Notice the condition of the township road.

10). Photo of a corn field in Macoupin Co. in 2009 which is close to the longwall mined area but not mined.

11). Photo of a drained (IDNR says that it is drained—notice the pools of water in the background) longwall panel. Corn in July, compared to corn in July in photo 10.

### THE LAW

In 1977, the Federal Government passed the Surface Mining Control and Reclamation Act of 1977 to reclaim many of the strip mines and old coal waste piles in America. In about 1979, the State of Illinois passed Surface Coal Mining Land Conservation and Reclamation Act. Notice that the Illinois Law includes the word "Conservation" in our act. The state law cannot be more stringent than the Federal Law. But, the Illinois Assembly took a different approach because Illinois has very productive land and considerable coal the Assembly tried to protect our agricultural land and to give county governments local authority. Because both laws state "Surface Mining" many people think that the laws do not protect the citizens from problems concerning underground mining. Our laws in IL **DO PROTECT THE PEOPLE FROM PREDATORY UNDERGROUND MINING IF AND ONLY IF THE LAWS ARE ENFORCED OR THE LANGUAGE IS NOT CHANGED TO CONFUSE THE PUBLIC.** Copies of our laws follow.

1). Illinois Statute-225 ILCS 720/1.02—Legislative Declaration.

2). 225 ILCS 720/Art. VII: PROHIBITION OF CERTAIN MINING (4 PAGES).

NOTE-This section of the Law outlines the criteria for Designating Lands Unsuitable for Mining Operations. This section is the LAW as demanded by the elected lawmakers of the Illinois Assembly and is supposed to be enforced by the Office of Mines and Minerals (OMM) in the IL Dept. of Natural

Resources (IDNR). Many of these laws **have not been enforced** by IDNR. WHY? QUESTION?--*could it be that IDNR receives 80% of a mining tax \$0.15 per ton for underground mined coal and \$0.25 for surface mined coal and the coal industry used to mine 60M tons a year and then fell to 16M tons?* Thus, the people of IL have a problem--a regulatory agency that is pro-coal and sometimes reads the law as they wish it to be. Quotes from the Illinois Attorney General follow.

CALM, or Citizens Against Longwall Mining is a citizen group who are largely farmers in Montgomery County who fought the present day longwall mine that is under construction inside of the City limits of Hillsboro, IL. For your information, they are still fighting the mining industry outside of the existing permit area. A CALM member, Ms. Catherine Edminston of Abingdon, IL turned in a proposal for lands unsuitable for longwall mining in Montgomery County. IDNR refused the proposal. IDNR stated to her by letter and signed the following: *"an area shall be designated as unsuitable for certain types of surface coal mining operations* (emphasis added) if the Department determines that reclamation is not technologically and economically feasible *under* the Surface Coal Mining Land Conservation Act and these regulations". They did not tell the truth. The law reads: "An area shall be designated as unsuitable for all or certain types of mining operations". SURFACE COAL is not included in the Law and someone in IDNR also omitted ALL. Office of Mines and Minerals did not even write the name of the Illinois law correctly--it reads: Surface Coal Mining Land Conservation and Reclamation Act. IDNR also wrote and signed the following statement to CALM: *The Department is not authorized to review lands unsuitable of mining petitions that do not relate to surface coal mining operations*"--NUTS--This monkey business is what the CITIZENS have to put up with.

### **THE IDNR WILL HAVE TO CHANGE!!!**

The Illinois Attorney General (AG) has entered the coal mining game of IDNR and their OMM. OMM issued a surface mining permit for a mine next to the Illinois River in Fulton County. The people in Fulton began to REVIEW the permit and found that much of the permit was simply not true. The citizens went to the AG with papers showing what was incorrect about the permit. The AG told IDNR to pull the permit they had issued and gave them a list of corrections that would have to be a part of the permit so it would be accurate. Several months passed and IDNR reissued the permit without many of the required environmental corrections. The AG called for an Administrative Hearing. The Hearing took place in front of a Judge hired and paid by IDNR. On July 13, 2009 the AG issued a 224 page document concerning the Hearing and demanded a judicial hearing in front of a circuit court judge in Fulton Co. It took IDNR nearly one year to give the judge a rebuttal document. Every thing is now in front of the Circuit Court Judge. Following are some quotes in the AG Hearing document. Mr. Thomas Davis, Chief Environmental Bureau and Assistant Attorney General conducted the AG part of the Hearing.

A). "Because of the agency's preference of its rules over the statutes, the validity of its actions is suspect where the rules conflict with the statutes or are employed to manipulate the ability of the citizens to exercise their legal rights".

B). Concerning a Lands Unsuitable petition in Fulton Co.--the AG said: "The real potential for harm here is the Department's misinterpretation of the statutory provision regarding unsuitability".

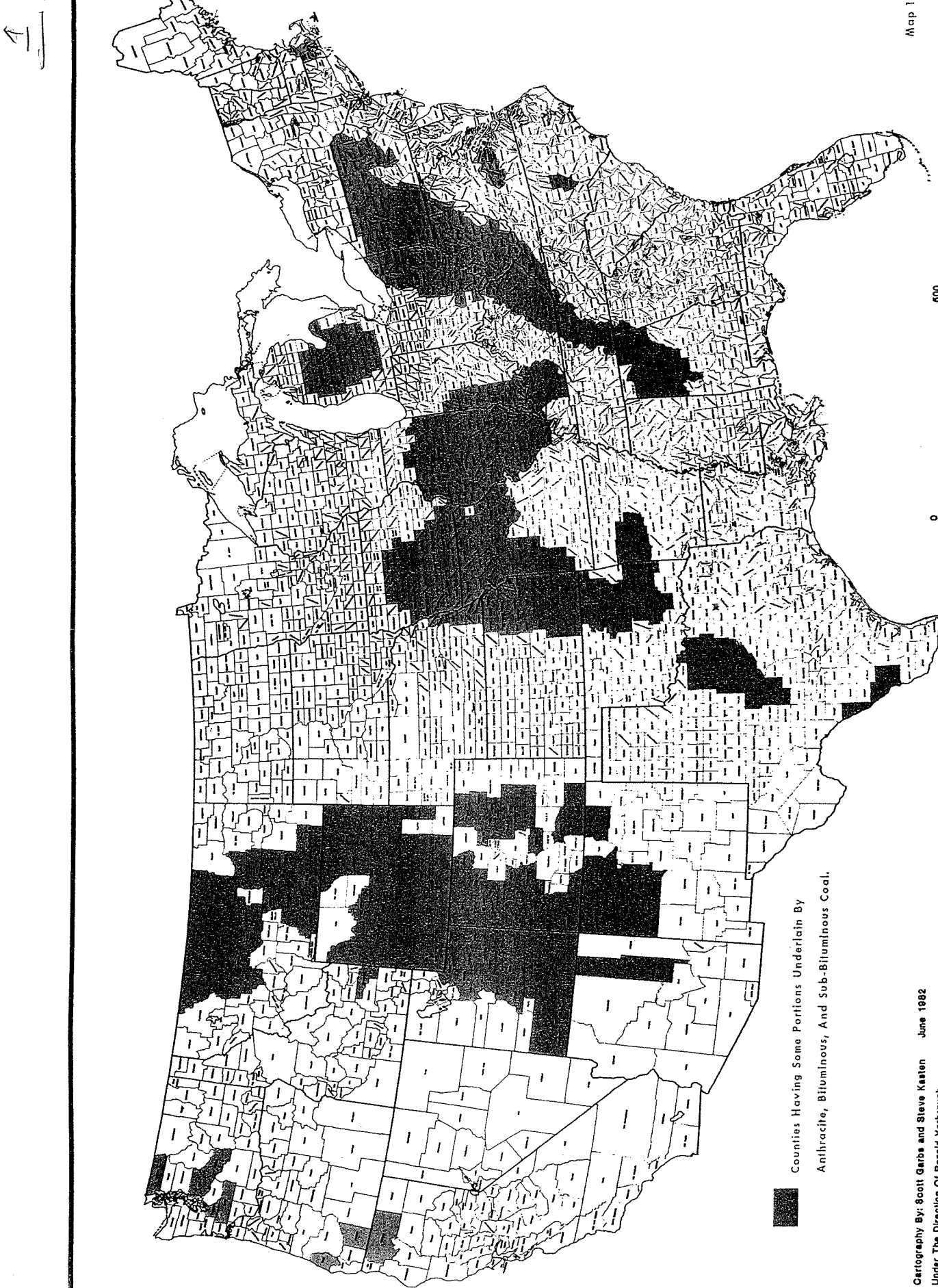
C). "The accountability mandated by the Surface Coal Mining Land Conservation and Reclamation Act may either be accepted by the agency as its rightful obligation or imposed by the court as a necessary remedy".

The above tongue lashings by the AG staff of IDNR and their attitude is just a part of the many objections that the AG had about how IDNR treats the public and makes their decisions about the IL LAW. The Judicial Review is on going and we are hoping to have the judge's decision soon. This review makes law to be followed as it is supposed to be. We are sure that the Review will be appealed.

#### **COAL WASTE**

Coal waste (gob--moved by truck, slurry--removed by pipeline--both are moved to a storage area). There is a federal law created after a number of people were killed in the 1980s by the failure of a gob dam. This law applies when the mine is abandoned the waste must be removed and placed safely in another area or the pile must be drained of all fluids and sealed. This law is not enforced in the State of Illinois. ExxonMobile left a huge gob and slurry pile in Clinton County after Monterey Coal Company Mine No.2 was abandoned. The pile sits on top of a huge upland aquifer that the waste poisoned and the water became undrinkable. This story could go on and the battle against OMM and IEPA has been going on for 9 years. We (one of the writers here was involved) just won in Appellate Court. We are sure that the oil giant will appeal to the IL Supreme Court and we hope that ExxonMobile loses. Estimated costs to remove the waste, move it, dry it and seal will be between \$500M and \$1,000,000,000 and maybe 10 years of work. The citizens of Illinois do not give up--now that we have the AG on our side we have a chance against NON-ENFORCEMENT OF OUR ENVIRONMENTAL LAWS.





Counties Having Some Portions Underlain By Anthracite, Bituminous, And Sub-Bituminous Coal.

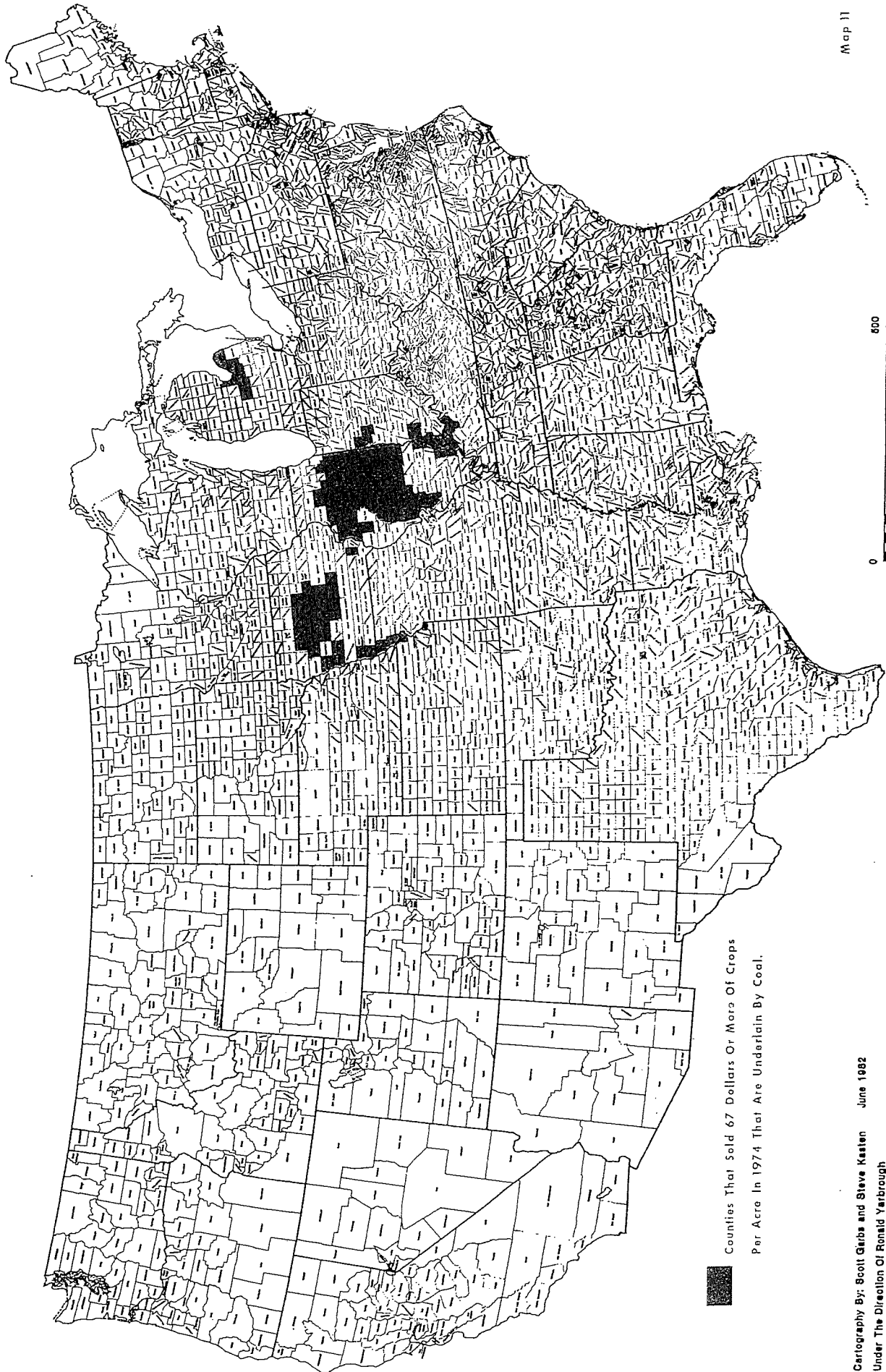
Cartography By: Scott Garbs and Steve Kaslen June 1982  
 Under The Direction Of Ronald Yarbrough  
 For The Coal Extraction And Utilization Center, Southern Illinois University At Carbondale

Source: Keystone Coal Industry Manual, 1979 and Coal Mines In Illinois, I.S.G.S., 1975.

Base Map From The U. S. Department Of Commerce

Map 1

0 600 Miles



Countries That Sold 67 Dollars Or More Of Crops  
Per Acre In 1974 That Are Underlain By Coal.

Cartography By: Scott Garba and Steve Kasten June 1982  
Under The Direction Of Ronald Yarbrough  
For The Coal Extraction And Utilization Center, Southern Illinois University At Carbondale

Map II

0 800  
Miles

Source: Agricultural Survey, 1974.  
Base Map From The U. S. Department Of Commerce

3/

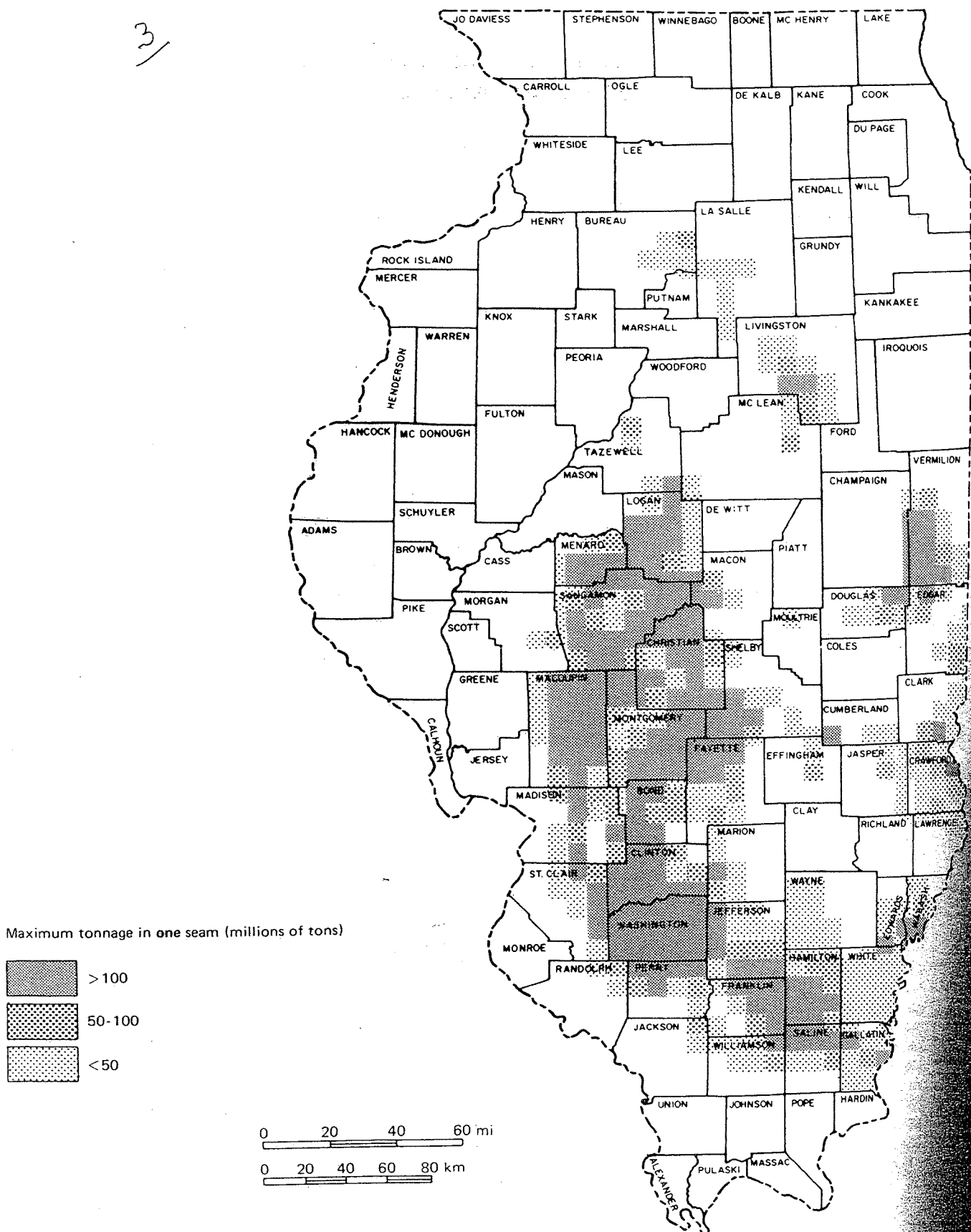


Figure 6-10. Townships containing underground mineable coal resources with high development potential. (From Treworgy and Bargh, in preparation.)

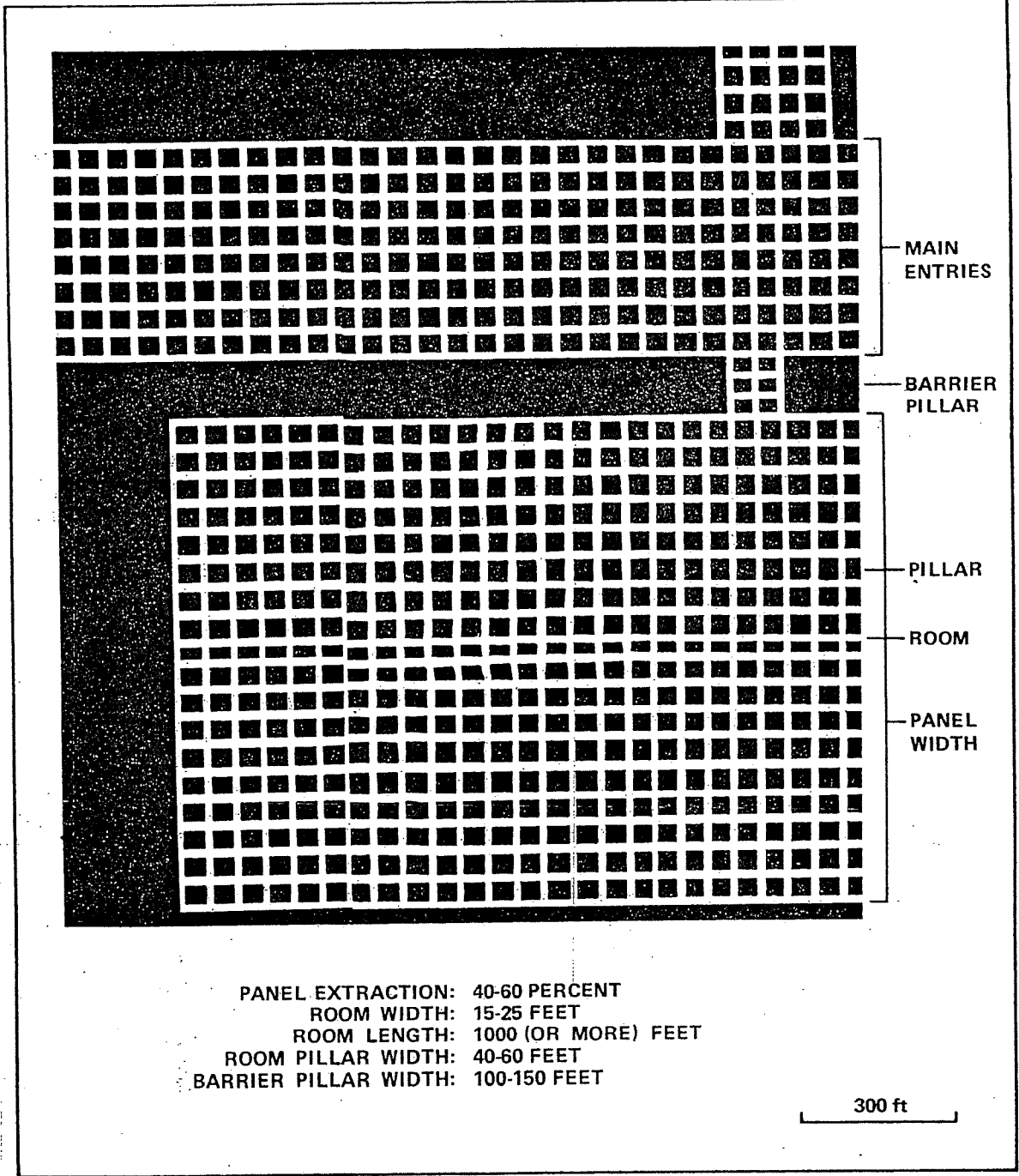
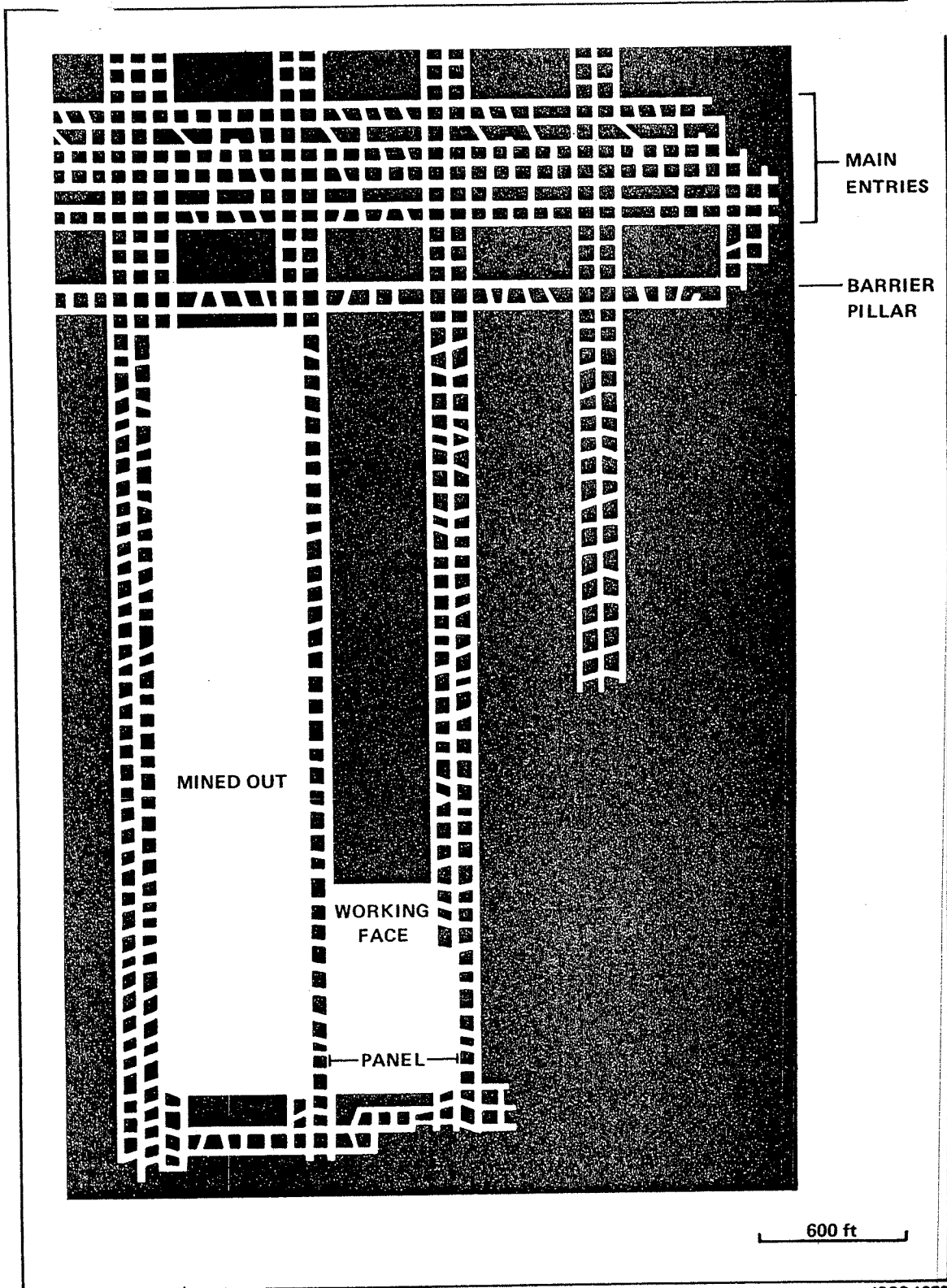


Figure 3.8. A checkerboard mine plan showing the wide and uniform panel development (after Hunt, 1980).

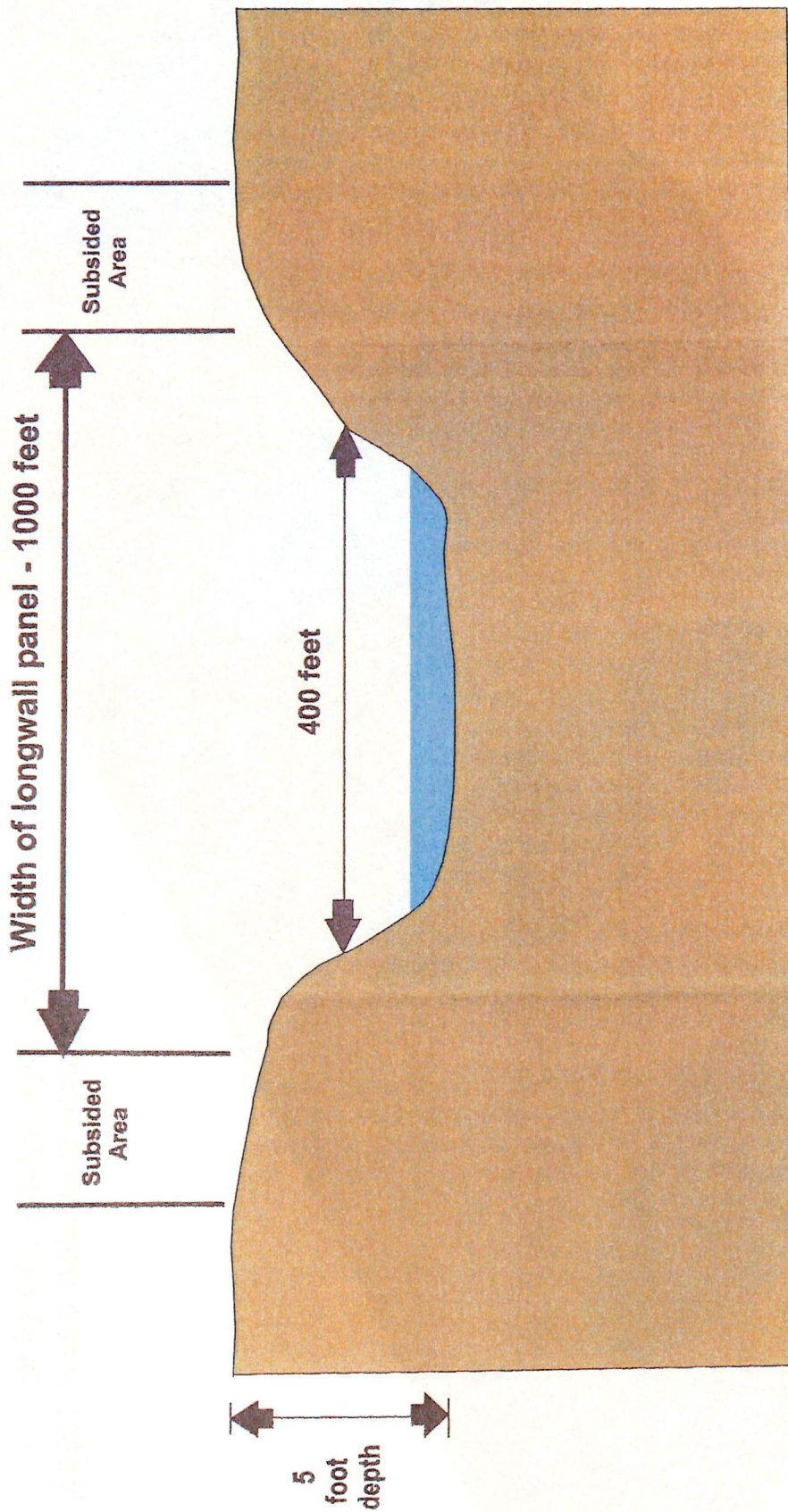


ISGS 1979

Figure 3.9. General development plan for retreat and long-wall mining; see figures 3.10 and 3.11 for details of the working face (after Hunt, 1980).



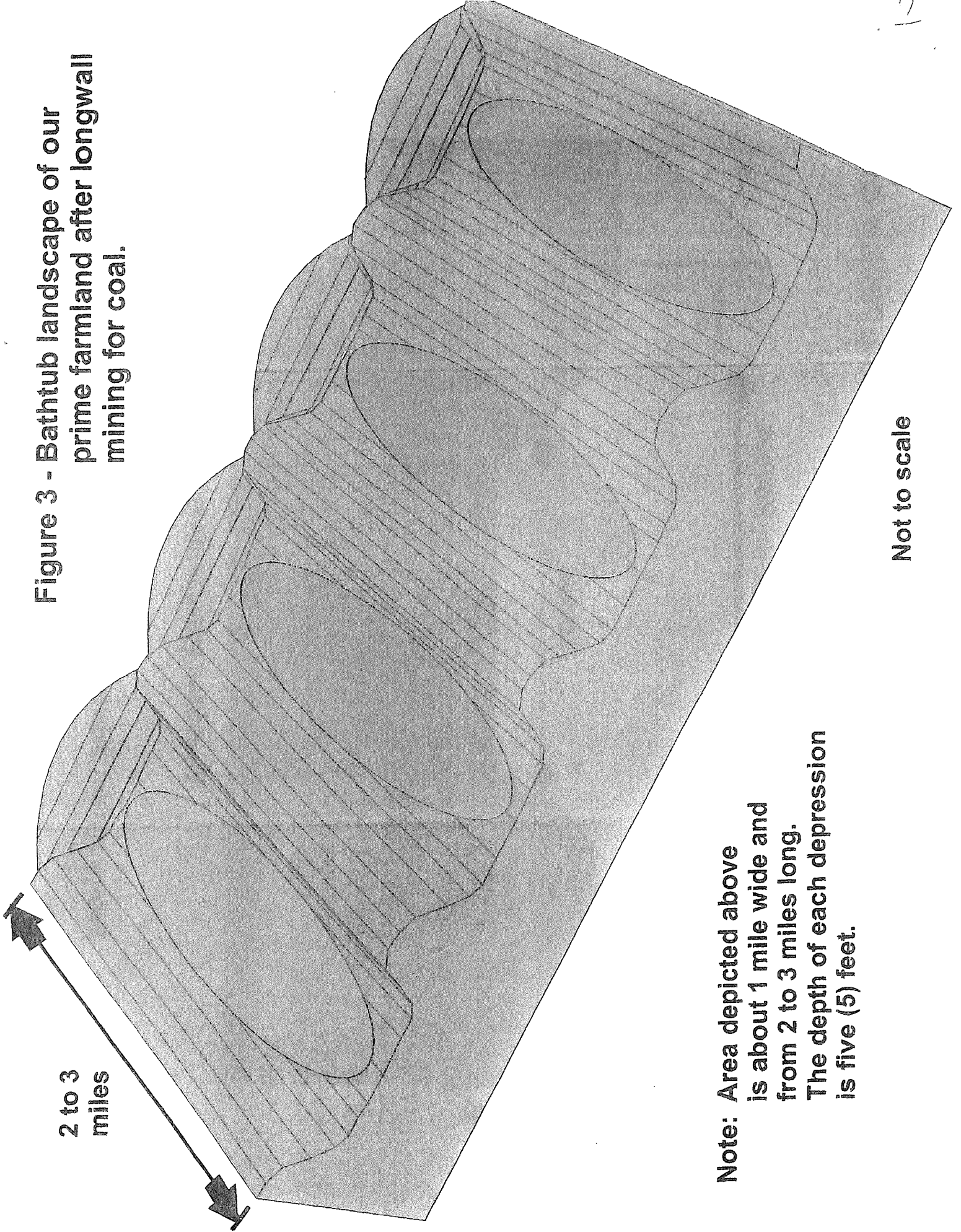
**Figure 1 - Profile of a completed longwall panel - mined 700 feet deep**



(Illustration above is not to scale)

Source of data: Several Geological Engineering Publications

**Figure 3 - Bathtub landscape of our prime farmland after longwall mining for coal.**

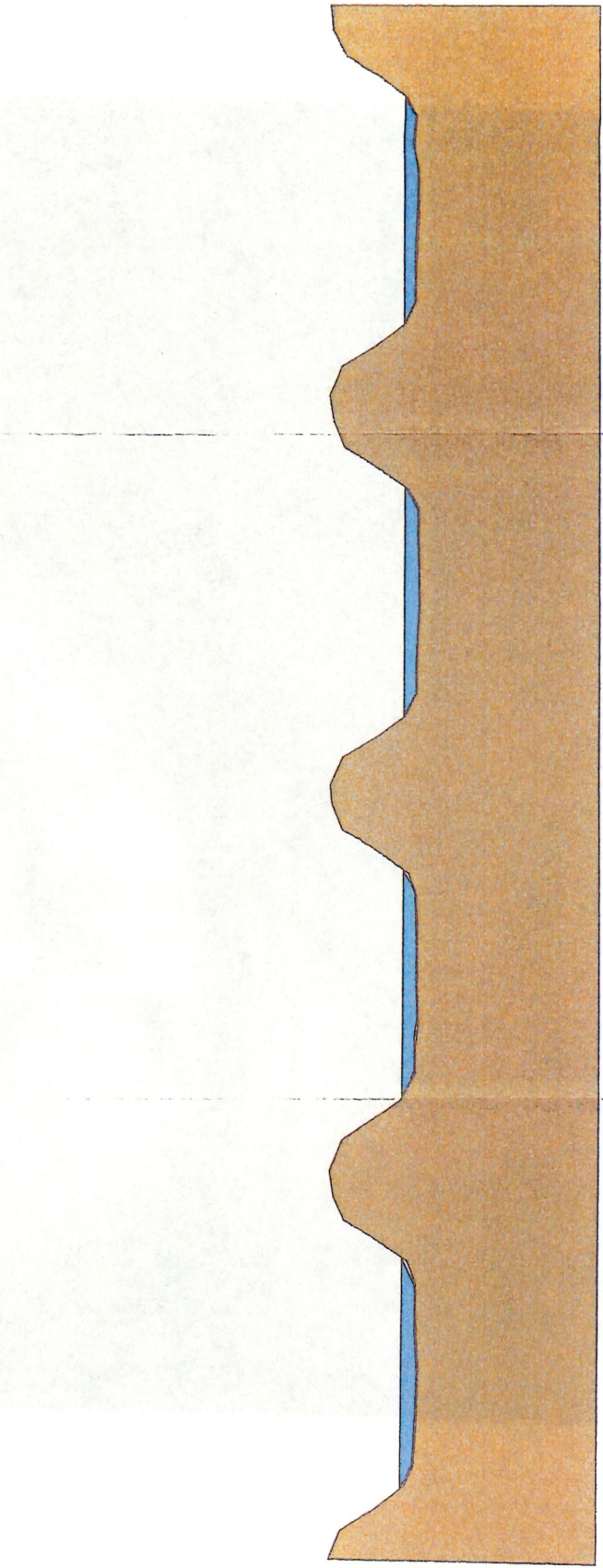


**Note: Area depicted above is about 1 mile wide and from 2 to 3 miles long. The depth of each depression is five (5) feet.**

**Not to scale**



**Figure 2 - Cross sectional view of landscape change due to four longwall panels**



**Uplands are room and pillar access areas that only partially subside.**

100





**FLOODED LONGWALL TROUGH-TWP  
ROAD-MACCOUPIN CO IL**





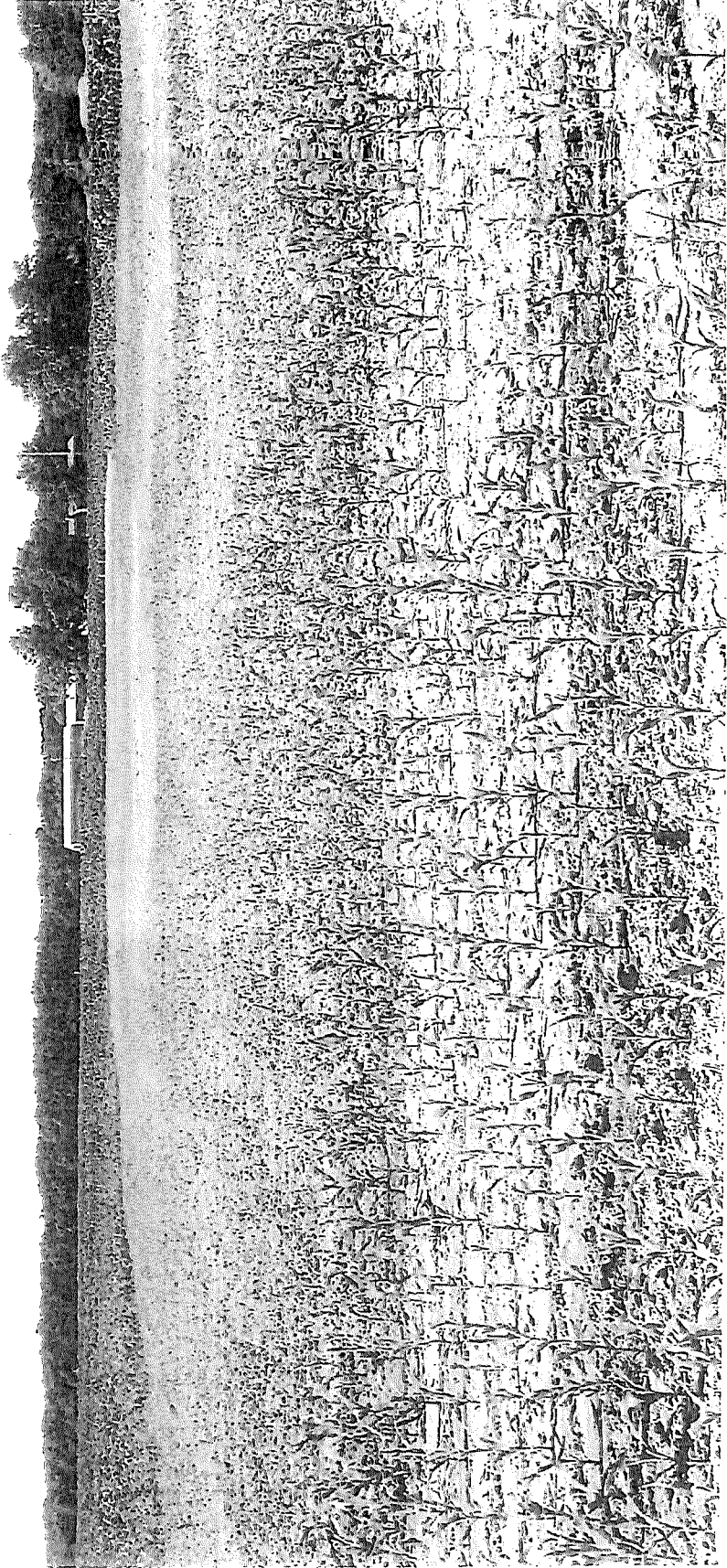
**JULY 19, 2009 MACOUPIN COUNTY, ILLINOIS**

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101

101





**LONGWALL TROUGH-MACCOUPIN CO IL 7-19-09**

## MISCELLANEOUS MATERIALS

### A). Cartoon--The State Journal-Register---COAL SLURRY INJECTIONS IN ILLINOIS

Cline (the owner of many companies) bought the Monterey #1 mine in Macoupin County formerly owned by ExxonMobile. Cline used to own mines in WVA. According to a person in their State Coal Office they are glad they are gone. For many years Cline Mines (he used to work for Massey Coal where 29 miners were killed) had pumped their poison slurry into abandoned underground mines. It is now outlawed by the state of WVA. Cline decided to do the same thing in Illinois and IDNR said "go ahead" and pump away. There was an uproar in Macoupin Co. and they backed down. It has been the authors' experience that if an abandoned room and pillar mine is stable--**LEAVE IT ALONE--DO NOT DISTURB--DO NOT PUMP ANYTHING IN THE MINE AND DO NOT PUMP ANYTHING OUT OF THE MINE.**

### B). Illinois Laws

### C). Letter to IL Dept. of Agriculture

### D).Letter from Mr. Dennis Slightom--Honey Point Road Commissioner, Macoupin Co.

We have had a conversation with Mr. Slightom on 24 Oct. 2010 and he stated that he still has not received any money to fix his roads. It has been 9 years since many of the township roads went under water and today still cannot be utilized.

See attached letter from IDNR which states that the roads have been repaired.

ⓑ

III COMP STAT § 1\_02 : Illinois Statute - Section 1\_02

http://codes.lp.findlaw.com/ilstatutes/225/720/1/1\_02

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SURFACE COAL MINING, LAND CONSERVATION AND RECLAMATION ACT Article 1 Section 1\_02

III COMP STAT § 1\_02 : Illinois Statute - Section 1\_02

Search III COMP STAT § 1\_02 : Illinois Statute - Section 1\_02



(225 ILCS 720/1.02) (from Ch. 96 1/2, par. 7901.02)

Sec. 1.02. Legislative Declaration. (a) It is declared to be the policy of this State to provide for conservation and reclamation of lands affected by surface and underground coal mining in order to restore them to optimum future productive use and to provide for their return to productive use including but not limited to: the planting of forests; the seeding of grasses and legumes for grazing purposes; the planting of crops for harvest; the enhancement of wildlife and aquatic resources; the establishment of recreational, residential and industrial sites; the establishment of new bodies of water for recreational, agricultural, and wildlife conservation purposes; and for the conservation, development, management, and appropriate use of all the natural resources of such areas for compatible multiple purposes, to aid in maintaining or improving the tax base; and protecting the health, safety and general welfare of the people, the natural beauty and aesthetic values, and enhancement of the environment in the affected areas of the State; to prevent erosion, stream pollution, water, air and land pollution and other injurious effects to persons, property, wildlife and natural resources; to assure that the coal supply essential to the Nation's and State's energy requirements, and to their economic well-being is provided; to strike a balance between protection of the environment and agricultural productivity, and the Nation's need for coal as a source of energy; and to assure that land conservation and reclamation plans for all mining operations are available for the prior consideration of the public, and of county governments within whose jurisdiction such lands will be affected by coal mining.

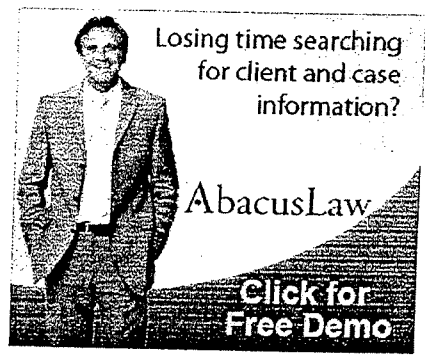
(b) It is the purpose of this Act to implement these policies through methods and standards that fully comply with the requirements established by the United States Congress in the Surface Mining Control and Reclamation Act of 1977.

(c) It is also the purpose of this Act to establish requirements that are no more stringent than those required to meet the Federal Surface Mining Control and Reclamation Act of 1977 (PL 95-87).  
(Source: P.A. 81-1015.)

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**PROFESSIONS AND OCCUPATIONS**  
**(225 ILCS 720/) Surface Coal Mining Land Conservation and Reclamation Act.**

(225 ILCS 720/Art. VII heading)

**ARTICLE VII: PROHIBITION OF  
CERTAIN MINING**

(225 ILCS 720/7.01) (from Ch. 96 1/2, par. 7907.01)

Sec. 7.01. Prohibited Mining. (a) No person shall cause or allow any mining operations which will adversely affect any publicly owned park or places included in the National Register of Historic Sites unless approved by both the Department, in accordance with procedures of Article III of this Act, and the Federal, State, or local agency with jurisdiction over the park or the historic site.

(b) No person shall cause or allow any surface mining operations or any surface impact of underground mining operations within 100 horizontal feet of the outside right-of-way line of any public road, except where mine access roads or haulage roads join such right-of-way line. The Department may permit such roads to be relocated, or the area affected to lie within 100 horizontal feet of such road, if after public notice and opportunity for public hearing in the locality a written finding is made that the interests of the public and the landowners affected thereby will be protected.

(c) No person shall cause or allow any surface mining operations or any surface impact of underground mining operations within 300 horizontal feet from any occupied dwelling, unless waived by the owner thereof, nor within 300 horizontal feet of any public building, school, church, community, or institutional building, public park, or within 100 horizontal feet of a cemetery.

(d) No person shall cause or allow any mining operations on any land included within an area designated unsuitable for mining operations under this Article.

(e) The prohibitions of this Section do not apply to mining operations which existed on August 3, 1977.

(Source: P.A. 81-1015.)

3/18/2010

(225 ILCS 720/7.02) (from Ch. 96 1/2, par. 7907.02)

Sec. 7.02. Criteria for Designating Lands Unsuitable for Mining Operations. (a) An area shall be designated as unsuitable for all or certain types of mining operations if the Department determines that reclamation in accordance with the requirements of this Act is not technologically and economically feasible.

(b) An area may be designated unsuitable for all or certain types of mining operations if such operations would:

(1) be incompatible with existing state or local land use plans; or

(2) affect fragile or historic lands on which such operations could result in significant damage to important historic, cultural, scientific, and esthetic values and natural systems; or

(3) affect renewable resource lands in which such operations could result in a substantial loss or reduction of long-range productivity of water supply or of food or fiber products; or

(4) affect natural hazard lands in which such operations could substantially endanger life and property, such lands to include areas subject to frequent flooding and areas of unstable geology.

(c) Designation of any area as unsuitable for all or certain types of mining operations does not of itself prohibit mineral exploration of such area. Exploration on lands designated unsuitable for mining must be approved by the Department to ensure that exploration does not interfere with any value for which the area has been designated unsuitable for mining operations. The Department shall by rule prescribe procedures for such determinations.

(d) The Department shall adopt rules which define terms used in this Section, which establish criteria for the designation of lands under this Section to accomplish the purposes of this Act, and which provide for determinations under this Section to be integrated as closely as possible with present and future governmental land use planning and regulation processes.

(e) The requirements of this Section, and of Sections 7.03 and 7.04, do not apply to lands on which mining operations were being conducted on August 3, 1977, or under a permit issued pursuant to this Act, or where substantial legal and financial commitments in such operation were in existence prior to January 4, 1977.

(Source: P.A. 81-1015.)

(225 ILCS 720/7.03) (from Ch. 96 1/2, par. 7907.03)

Sec. 7.03. Procedure for designation.

(a) Any person having an interest which is or may be adversely affected shall have the right to petition the Department to have an area designated as unsuitable for all or certain types of mining operations, or to have such a designation terminated. Such a petition shall contain allegations of facts with supporting evidence which would tend to establish the allegations.

(b) Immediately after a petition under this Section is received, the Department shall prepare a land report in

accordance with Section 7.04, unless the petition is rejected by the Department as incomplete, frivolous, or submitted by a person lacking an interest which is or may be adversely affected by surface coal mining operations.

(c) Within 10 months after receipt of the petition, the Department shall hold a public hearing in the locality of the affected area, after appropriate notice and publication of the date, time, and location of such hearing. Such notice and publication shall state that a Land Report is available for public inspection and the locations at which it may be inspected. Such a hearing shall be held not less than 30 days after the Land Report has been prepared by the Department in accordance with Section 7.04. After petition is filed under this Section and before the hearing, any person may intervene by filing allegations of facts with supporting evidence which would tend to establish the allegations.

(d) Within 60 days after such hearing, the Department shall issue and furnish to the petitioner and all other parties to the hearing, a written decision regarding the petition, and the reasons therefor.

(e) In the event that all the petitioners stipulate agreement prior to the requested hearing, and withdraw their request, such hearing need not be held.

(f) The Department may by rule adopt additional procedures for designation of lands under this Article. The Department shall adopt rules to prevent the filing of repetitive or frivolous petitions with respect to particular lands, and prescribing procedures for expediting decisions on repetitive or frivolous petitions.

(Source: P.A. 89-445, eff. 2-7-96; 90-490, eff. 8-17-97.)

(225 ILCS 720/7.04) (from Ch. 96 1/2, par. 7907.04)  
Sec. 7.04. Land Report.

(a) The Department shall prepare a Land Report with respect to each petition filed with the Department under Section 7.03. Each Land Report shall evaluate whether mining operations on the land which is the subject of the petition would have any or all of the effects described in subsection (b) of Section 7.02. Each Land Report shall also contain a detailed statement on (1) the potential coal resources of the area, (2) the demand for coal resources, and (3) the impact of a designation of such lands as unsuitable for mining on the environment, the economy, and the supply of coal. The Land Report shall state objectively the information which the Department has, but shall not contain a recommendation with respect to whether the petition should be granted or denied. Each Land Report shall be completed not later than eight months after receipt of the petition filed under Section 7.03.

(b) Each Land Report shall be made available to the public by the Department at least 30 days before the Department holds a public hearing under Section 7.03.

(Source: P.A. 89-445, eff. 2-7-96; 90-490, eff. 8-17-97.)

(225 ILCS 720/7.05) (from Ch. 96 1/2, par. 7907.05)  
Sec. 7.05. Construction. The provisions of this Article,



including the provisions of subsection (e) of Section 7.01 and subsection (e) of Section 7.02, shall be construed in a manner consistent with the provisions of Section 522 of the Federal Act, as amended.

(Source: P.A. 81-1015.)



## Illinois Citizens Opposed to Longwall Mining, Inc.

A NOT FOR PROFIT CORPORATION

P.O. Box 343, Litchfield, IL 62056

[www.ilcolm.com](http://www.ilcolm.com)

30 July 2009

Mr. Thomas E. Jennings  
Director, IL Dept. of Agriculture  
State Fair Grounds  
P.O. Box 19281  
Springfield, IL 62794-9281  
Dear Mr. Jennings:

We are sending this letter to place before you our collective technical and professional opinion that the flat prime farmland of Central Illinois will become an **agriculture sacrifice zone** due to longwall mining for coal. We also wish to convey that we are not against coal mining--room and pillar mining is not destructive if subsidence occurs, the sag can be successfully mitigated. The longwall method of mining coal will cause permanent damage that will occur to some of the finest and most productive land in the world. In Central Illinois the method has already occurred in Macoupin Co., IL by ExxonMobile's Monterey Coal Company # 1 mine--now closed (purchased by Cline. Longwall mining, in IL, was first utilized, as an experiment, at the Old Ben Coal Company Mine # 24 located below Rend Lake Dam near Benton, IL. The equipment was purchased by the U.S. Bureau of Mines (no longer in existence) to learn if longwall mining with higher extraction of the coal, could be utilized in the Illinois Basin Coal Field. Since that time there have been many successful longwall panels in the Southern Counties in IL. The area is in the Mount Vernon Hill Country which is rolling and has adequate slope to allow drainage of the longwall panels. The method removes about 80 percent of the coal and subsidence of the land surface occurs almost immediately. The land subsides about 80 percent of seam height or about 5.6 feet for a seven foot seam.

The level Springfield Plain is an entirely different story as to drainage and agricultural production. We have inserted several photos of the results of longwall mining in Macoupin County by Monterey Coal Company # 1 Mine. Another company has bought the mine and plans to conduct room and pillar mining north and west of the former workings of Monterey. The reclamation of the longwall subsided land is complete in the eyes of the Office of Mines and Minerals (OMM) of the Illinois Dept. of Natural Resources.

In the late 1980s and early 1990s a mine subsidence research program was initiated in IL through the Illinois State Geological Survey (ISGS). The program was jointly funded by the U.S. Bureau of Mines in Twin-Cities, MN, the State of IL and the IL Mine Subsidence Insurance Fund. Some funding was received from the agricultural community. There was a good funding base and many aspects of subsidence were

studied. Gerald Marino, Ph.D., PE wrote a statement in a publication of the Society of Mining Engineers (1986) entitled Mine Subsidence/ "Long-Term Stability of Overburden Above Room and Pillar Mines" which says much about subsidence subjacent to level ground.

"In Illinois, flat farmlands with subjacent coal reserves cover vast areas. In some of these areas, high extraction of the underlying coal layer may not be possible since the resulting surface subsidence combined with a pre-existing shallow water table would make the land too wet. Thus, recovery of this coal might only be accomplished by room and pillar mining, where the ground surface does not subside and the hydraulics of the overburden are not significantly affected."

The researchers working on the ISGS study on mine subsidence felt the same way and the mining engineering department at SIU-Carbondale worked on mining design of pillars to allow more coal to be removed. They settled on a maximum room and pillar extraction and design of the pillars to allow for 60 percent extraction and to enable more coal to be removed and still protect the surface estate.

Monterey Coal Company was the first coal company to utilize longwall mining subjacent to level prime farm land in Central Illinois. The company bought the surface land and when the longwall mining was completed they left the State, County and Townships with a huge mess behind them. They left farm land subsided with damaged homes and out buildings, almost worthless land, drainage problems and angry citizens. The torn up Township roads will have to be repaired by the citizens in the Township since a representative of ExxonMobile at the Carlinville, IL headquarters said that "they did not have the money" to perform the needed repairs. No one has even thought about the destruction of the many agricultural tiles and the original drainage.

The Universities and public organizations that conducted the research for coal mining subsidence recognized the above observation and many did not think that longwall mining would occur under our prime farm land. But it did, and now there is a demand for IL medium sulfur coal when electric power plants install scrubbers. Many of the mines in Europe have closed due to depth, instability of the mine due to the depth or the accessible coal has basically been mined out or is economically not feasible to mine. IL has a good location for the mining of coal for foreign consumption--adequate rail facilities and good water transportation on the Illinois, Ohio and Mississippi Rivers and the Great Lakes. Most of the coal mined here will be for foreign consumption. What a sacrifice for our State and the farmer and their families. Many of them are third and fourth generation farmers and all are looking forward to being able to pass on to their children the treasure of a high production family farm. If the coal goes overseas no one in Illinois receives sales tax!

The good news is that Bond and Madison County officials and farmers were warned about this invasion of the destructive method of mining and what would happen to their livelihood, the long term tax base (every mine must close--short term gain and long term

loss). The Bond County Board refused to sell the Cline Group coal and the Madison Co. Board has let it be known that a non-polluting room and pillar mine (one that takes care of the toxic coal waste) is OK but no longwall mining in the County. Most farmers have no problem with room and pillar mining. Illinois has about 1,000,000 acres undermined with random and minimal subsidence that can be cheaply repaired on the land and the IL Mine Subsidence Insurance Fund will insure homes and farm buildings. We have been unable to inform many farmers in other counties about destructive longwall mining and if your agency can assist us we would be most appreciative. We have a power point presentation that we have given in several locations to farmers and elected officials.

A coal company from West Virginia, along with a financing firm in Houston have invaded Illinois. They already have 2 mines in Southern IL and are starting 2 more. They have accumulated about 200,000 acres of coal rights under the flat fertile prime farm land in Montgomery County. The mining company has multiple layers of LLCs, LLPs and MLLPs below the Deer Run Mine supposedly owned by Hillsboro Energy, LLC which is owned by Colt Coal Company, LLC. It was recently discovered that Patton Construction and Mining and Artemis Energy, LLC will be the operators of the mine.

Drummond coal company (of Alabama) owns the coal rights beneath approximately 300,000 acres of flat prime farm land in the eastern portion of Montgomery County and neighboring Christian Co. In addition, a company originally was planning to bleed methane from the coal seams by injecting water into the seam. It appears that they had problems getting permission to drill and to place pumps/injection/recovery on private property. Drummond has expressed to the County Board that if they mine the coal they will utilize the longwall method.

Average yields of corn in the previously longwalled mined area of Macoupin County have been greatly reduced. If a typical acre of prime land in Montgomery County produces about 160 bu. of corn this is about 200,000 acres X 160=48,000,000 bu of corn a year. If the yields are cut about 80 percent in the longwall field, production would only be about 32 bu per acre or less.

We have attached for your observation several publications concerning longwall mining and photos of longwall mining in Macoupin County:

- 1). Photo of 6 foot deep lake prior to reclamation. Please note the Township Road.
- 2). Reclamation drainage ditch, yes, that is it. The Office of Mines and Minerals state it is economically impossible to restore the land to its original contour.
- 3). Normal corn field outside mined area--July 19, 2009
- 4). Corn in a longwall trough--taken on the same date as photo 3. Note: the end of the trough, with buildings and bean fields on left/right/end of the longwall trough.
- 5). Publication by ISGS concerning surveying of a longwall panel.
- 6). Publication by the Univ. of IL Agronomy Dept. on 3 year study of crop production in an area of longwall mining.
- 7). A letter from the former Director to the Office of Mines and Minerals

We know that your agency does not have regulatory authority over coal mining. However, you represent the farmers of our state and consequently have the right to object to the destruction of our farmland for a few tons of coal. Our wish for the future is that there will be no permanently destructive mining under flat fertile farm land of Central Illinois. There are statutes that require repairing the damage caused by longwall mining. The problem is enforcement. The IDNR's Office of Mines and Minerals has repeatedly stated that it is too expensive to repair the damage. However, they do support a crude form of drainage to remove the huge lakes that are formed. Also, please note that coal mining has a time honored alternative method known as room and pillar mining with 50 to 60 percent extraction of the coal seam. The bottom line is that for only 20 percent more coal the flat fertile prime land will be destroyed.

We are very willing to meet with you or members of your staff in your office or in the field in you so desire. For further information, please look at our web site--[www.ilcolm.com](http://www.ilcolm.com).

Respectively submitted

Ronald E. Yarbrough, Ph.D., PG  
ryarbrough02@charter.net

Michael D. Maccanelli, PE  
mdmeng@consolidated.net

17 May 2010

Memo to: Mr. Thomas Jennings  
Topic: IDNR letter to ILCOLM

Our letter to you on 30 July 2009 was passed on to Mr. Joe Angleton of IDNR. He stated that we were incorrect concerning the township roads in Macoupin Co. Also, in this package is a letter from Mr. Dennis Slightom, Honey Point (Township) Road Commissioner saying that some of his roads are still closed after 7 years.

Also included is another letter to Mr. Joe Angleton concerning this error in his letter. We have also included a letter from a gentlemen in Williamson Co. who is in great need of some help with the WVA coal company who has destroyed his farm and his home.

WE will keep you posted as to how this battle with the predatory coal mining companies in our state. Thank you for your kind attention.

0  
January 11, 2010


To whom it may concern:

I am the road commissioner in Honey Point Township, Macoupin County Illinois.

I was elected to this position and have acted in this capacity for the past nine years.

I have been shown a letter, addressed to the Illinois Citizens Opposed to Longwall Mining that was written by Mr. Joseph Angleton, Director of the IDNR's Office of Mines and Minerals. Among other things in this letter, Mr. Angleton states that Exxon/Mobil has completely compensated all road commissioners for damages to township roads caused by their longwall coal mining activities at the Monterey #1 coal mine.

For the record, I wish to make known that Mr. Angleton's statement is not entirely correct. My township has received very little compensation for road repair. The money I requested was for road repair that I had to do myself. If you wanted funds from Monterey, their response was "we don't have any money at this time for that particular project, or it is not due to long wall mining." I still have several miles of roads closed going on seven years.

  
Dennis Slightom  
Honey Point Road Commissioner



## Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

Date: September 30, 2009

Mr. Ronald E. Yarbrough, Ph.D, PG  
Mr. Michael D. Maccanelli, PE  
Illinois Citizens Opposed to Longwall Mining, Inc.  
P.O. Box 343  
Litchfield, Illinois 62056

Re: Monterey Coal Company - Macoupin County, Illinois

Dear Sirs:

The Department of Natural Resources has been forwarded a copy of your letter to the Department of Agriculture dated July 31, 2009, in which you express concerns related to coal mines implementing the longwall method of coal extraction. The issues raised have been reviewed for comment by the IDNR Office of Mines and Minerals which is authorized by law to regulate coal mining operations within the State of Illinois. Such comments are provided below.

The letter states that "The reclamation of the land, [impacted by longwall mining in Macoupin County by Monterey Coal Company #1 Mine], is completed in the eyes of the Office of Mines and Minerals, (OMM)..." ~~This statement is incorrect.~~ Drainage mitigation work, although delayed by this year's unusually wet weather, is ongoing and will continue until completed as required by the regulations. In addition, if work already accomplished proves to be inadequate, additional repairs will be required in the future.

Your letter also states that township roads will have to be repaired by the citizens in the Township and allege that a representative of ExxonMobil did not have the money to perform the needed repairs. ~~This statement is not accurate.~~ The regulations at 62 Ill. Adm. Code 1817.121©(2) require as follows:

"The permittee must promptly repair or compensate the owner for material damage resulting from subsidence caused to any structure or facility that existed at the time of the coal extraction under or adjacent to the materially damaged structure. If repair option is selected, the permittee must fully rehabilitate, restore or replace the damaged structure. If compensation is selected, the permittee must compensate the owner of the damaged structure for the full amount of the decrease in value resulting from the subsidence related damage."

The IDNR Office of Mines and Minerals views township roads as such "structures." The approved permit required execution of cooperative agreements with all road authorities in advance of subsidence impacts. These agreements were required to assure protection of the public and to assure compliance with the above cited regulation. Such cooperative agreements were executed and ~~to date all road~~ authorities have been appropriately compensated by Monterey Coal Company for the material damage to roads.

A statement is also made in this letter that the average corn yields in areas of Macoupin County impacted by longwall mining have been greatly reduced. It is true that unmitigated subsidence will reduce crop production due to impeded drainage and standing water. Subsidence over the Monterey No. 1 mine has indeed temporarily reduced production where drainage flow was impeded. However, this impact is temporary until drainage restoration is executed. In the interim, the approved mining permit requires the coal company to compensate owners of privately held fields for crop loss while fields await completion of mitigation. Progress toward drainage restoration has been made at Monterey No. 1: The work is on going. The IDNR Office of Mines and Minerals will continue to monitor the work through completion.

In its twenty-six years of experience in regulating longwall mining mitigation, the IDNR Office of Mines and Minerals has not witnessed the magnitude of crop yield reductions post-mitigation as alluded to in your letter. Current mining regulations do not specifically address crop yields; however, additional information on this issue and documentable yield losses of the magnitude mentioned in your letter would be of interest to the IDNR Office of Mines and Minerals. If such losses are occurring, it is likely an indicator that further drainage mitigation is necessary. In such situations, the IDNR Office of Mines and Minerals will investigate to determine any additional mitigation work necessary to achieve positive drainage.

Finally, your letter states that "The Office of Mines and Minerals state [sic] it is economically impossible to restore the land to its [sic] original contour," and "There are no statutes that require repairing the damage caused by longwall mining. The IDNR's Office of Mines and Minerals has repeatedly stated that it is too expensive to repair the damage." Both of these statements are inaccurate. The regulations promulgated under the Illinois Surface Coal Mining Land Conservation and Reclamation Act (225 ILCS 720), clearly require the repair of damage resulting from subsidence, specifically at Section 1817.121©. In addition, the IDNR Office of Mines and Minerals has never taken the position that repair of subsidence damage is "economically impossible" or "too expensive." The IDNR Office of Mines and Minerals notes, in fact, that thousands of acres of land impacted by planned subsidence mining have been mitigated and returned to crop production since the IDNR Office of Mines and Minerals began regulating subsidence mitigation in 1983.

I trust that you will find this information helpful. Please realize that the Department and its Office of Mines and Minerals stand ready to implement the regulatory requirements imposed on the coal mining industry for the protection of the rights of all involved.

Sincerely,



Joe Angleton  
Director, Office of Mines and Minerals  
Illinois Department of Natural Resources

ja:dp:ca

CC: Director Marc Miller, IDNR  
Director Thomas Jennings, IDOA  
Scott Fowler, OMM



## Ron Yarbrough

**From:** Ron Yarbrough [ryarbrough02@charter.net]  
**Sent:** Tuesday, January 13, 2009 11:41 AM  
**To:** mhawthorne@tribune.com  
**Cc:** Robert L Johnson; Ron E. Yarbrough; Mike Maccanelli; ruansch7@wamusa.com  
**Subject:** Coal Waste Article

I read your article concerning power plant fly ash and bottom ash waste disposal and storage in IL. I wish to alert you to the other end of the "coal chain"—the storage of coal waste at the coal mines. IL has many piles of gob (solid coal waste) and slurry ponds (fine coal waste) from past mining. Prior to about 1970, the coal waste was separated and the gob was moved by truck to the surface piles and the slurry was pumped to pits. During the 1970's, mining companies began to create high hazard dams of gob and pumping the slurry behind the dams. The IL Dept. of Natural Resources, Office of Water Resources had responsibility to "watch" these high hazard dams to see if they were safe. Other coal mining states had the same procedure. Then in the Appalachians, where companies utilized gob across steam valleys and pumped the liquid slurry behind the gob "dam" there were several failures of the gob dams. At Buffalo Creek (look it up on the web) three dams failed at once and a 30 foot wall swept down the valley and killed many people and left 5,000 people without homes. Congress acted with a very low level law as they normally do.

In 1977, Congress enacted the Surface Mining Act for coal mining. Coal waste again was barely mentioned. The writer is not aware of what caused Congress to act again and they passed a rule to regulate coal mining waste in 1983. See Federal Register: 48 FR 44006 (Dept. of Interior-Office of Surface Mining Reclamation and Enforcement) in 30 CFR parts 701, 816 and 817—"Surface Coal Mining and Reclamation Operations: Permanent Regulatory Program: Coal Mine Waste. ACTION: Final Rule. Section 816.84(b).

"This provision also explicitly recognizes that impounding structures constructed or impounding coal mine waste may not be retained permanently as part of the approved postmining land use".

### RULE:

#### Sec. 817.84 COAL WASTE IMPOUNDING STRUCTURES

(b) (1) Each impounding structure constructed of coal mine waste or intended to impound coal mine waste shall be designed, constructed and maintained in accordance with Sec. 817.49 (a) and (c). Such structures may not be retained permanently as part of the approved postmining land use.

In 1992, the Dept. of Interior, Office of Surface Mining Reclamation and Enforcement (OSM) was asked to review the above RULE. The National Coal Association and the American Mining Council Committees on Surface Mining Regulations requested the review.

Dates: On March 2, 1992, the director denied the petition.

Yet, in Illinois, the IL Dept. of Natural Resources, Office of Mines and Minerals continue to issue "final reclamation plans for mines" and leave the impoundments in place—ignoring the federal law. OSM has done nothing!

The worst impoundment is in Clinton County near Albers and Germantown, IL. It is about 300 acres in size and 40 to 60 feet high, is leaking and was partially undermined by Monterey Coal Co. Mine # 2 owned by ExxonMobile. (see Google Earth for view of the pile at 38 degrees 32.29 02 min. 29 sec. North and 89 degrees 35.23 min.35 sec West.)

Coal slurry is much more toxic than coal burned waste. We have another disaster waiting here in IL and no one is talking about it. There are several more of these impoundments near abandoned mines in our State. Somewhere, Somehow someone needs to bring this problem to the dawn of light—AN ABANDONED MINE CANNOT BE LEFT STANDING AS AN IMPOUNDMENT CONSTRUCTED OF GOB AND FULL OF FLOWABLE SLURRY—IT IS AGAINST FEDERAL LAW AND YET THERE IT IS—WAITING TO FAIL AND CREATE ANOTHER MESS.

**Illinois Citizens Opposed to Longwall Mining, Inc.**

*A NOT FOR PROFIT CORPORATION*  
P.O. Box 343, Litchfield, IL 62056  
[www.ilcolm.com](http://www.ilcolm.com)

**Michael D. Maccanelli, P.E.**  
[mdmeng@consolidated.net](mailto:mdmeng@consolidated.net)

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**Ronald E. Yarbrough, Ph.D., PG**  
[ryarbrough02@charter.net](mailto:ryarbrough02@charter.net)

Monte McElroy  
2402 N 1000 E Rd  
Moweaqua, IL 62550

October 15, 2010

Shelby County Board and  
State's Attorney, Gina Vonderheide  
Shelbyville, Illinois

To whom it may concern,

Effectively immediately, I am resigning my position on the Shelby County Airport Commission.

Sincerely,

  
Monte McElroy 

Shelby County Treasurer  
 Monthly Report of Investments  
 1-Nov-10  
 Bank Balance: \$15,141,971.61

Passbooks, Money Markets,  
& Certificates of Deposits

Checking & Cash

\$ 636,815.82	MMD		
\$ 2,303,332.52	MMD	General Fund	\$ 2,000.00
\$ -		County Payroll Clearing	\$ 23,605.65
\$ -		Section 105 Claims	\$ 2,000.00
\$ -			
\$ 262,300.29	PB	County Health Fund	\$ -
\$ 123,941.44	CD		
\$ 16,478.33	MMD	County Health-TB	\$ -
\$ 37,501.22	MMD		
\$ 42,553.61	MMD	Animal Control Fund	\$ -
\$ 23,344.98	MMD		
\$ 127,470.73	PB	Ambulance Fund	\$ -
\$ 151,742.35	MMD		
\$ 1,181,357.86	MMD	Mental Health Fund	\$ -
\$ -			
\$ 1,515,325.01	PB	IMRF Fund	\$ -
\$ -			
\$ 360,615.59	PB	Social Security Fund	\$ -
\$ 54,556.45	CD & MMD		
\$ 29,163.57	PB	Indemnity Fund	\$ -
\$ -			
\$ 48.07	PB	Court Security Fund	\$ -
\$ -			
\$ 364,022.25	MMD	County Bridge Fund	\$ -
\$ -			
\$ 221,729.07	PB	County Highway Fund	\$ -
\$ -			
\$ 145,011.17	MMD	FASM Fund	\$ -
\$ -			
\$ 512,489.18	MMD	County Motor Fuel Tax Fund	\$ -
\$ -			
\$ 17,040.04	PB	Tourism Fund	\$ -
\$ 96,912.04	CD & MMD		
\$ 198,075.78	PB	Probation Fund	\$ -
\$ 55,222.67	CD & MMD		
\$ 62,229.16	PB	Assist Court Fund	\$ -
\$ -			
\$ 8,095.62	PB	Law Library Fund	\$ -
\$ -			
\$ 95,325.20	PB	Automation Fund	\$ -
\$ -			
\$ 96,057.11	PB	Recording Fund	\$ -
\$ -			
\$ 18,367.37	PB	Drug Traffic Fund	\$ -
\$ 60,000.00	CD		
\$ 30,723.59	MMD	Airport Fund	\$ 35.50
\$ 241,724.93	CD & MMD		
\$ 525,005.10	MMD	Home Nursing Fund	\$ -
\$ -			
\$ -		W.I.C. Fund	\$ 31,791.18
\$ -			
\$ 237,099.99	MMD	Local Bridge Fund	\$ -
\$ -			
\$ -		Township Bridge Fund	\$ 37,374.92
\$ -			
\$ -		Township Construction Fund	\$ 4,033.66



CERTIFICATE OF DEPOSITS  
October 1, 2010

General Fund(001) Community Banks of Shelby County-MMD# 390	
.25% Interest	<u>\$ 636,815.82</u>
Animal Control Fund(003) Community Banks of Shelby County-MMD# 390	
.25% Interest	<u>\$ 37,501.22</u>
Ambulance Fund(004) Community Banks of Shelby County-MMD# 390	
.25% Interest	<u>\$ 23,344.98</u>
Mental Health Fund(005) Community Banks of Shelby County-MMD# 390	
.25% Interest	<u>\$ 151,742.35</u>
Indemnity Fund(008) Community Banks of Shelby County-MMD# 390	
.25% Interest	<u>\$ 9,556.45</u>
Probation Fund(016) Community Banks of Shelby County-MMD# 390	
.25% Interest	<u>\$ 96,912.04</u>
Assist Court(017) Community Banks of Shelby County-MMD# 390	
.25% Interest	<u>\$ 222.67</u>
Home Nursing Fund(024) Community Banks of Shelby County-MMD# 390	
.25% Interest	<u>\$ 116,724.93</u>
Township Motor Fuel Tax Fund(029) Community Banks of Shelby County-MMD# 390	
.25% Interest	<u>\$ 291,812.31</u>
Miscellaneous County Health Fund(043) Community Banks of Shelby County-MMD# 390	
.25% Interest	<u>\$ 81,707.44</u>
County Health Fund-TB(002) Ayars State Bank-CD# 3162 Matures 1/30/2011 1.30% Interest	<u>\$ 123,941.44</u>

CERTIFICATE OF DEPOSITS  
October 1, 2010

Indemnity Fund(008) Shelby County State Bank-CD# 14065 Matures 2/11/2011 .65% Interest	<u>\$ 45,000.00</u>
Assist Court Fund(017) Shelby County State Bank-CD# 14794 Matures 4/19/2011 .65% Interest	<u>\$ 55,000.00</u>
Home Nursing Fund(024) Prairie National Bank-CD# 14288 Matures 2/17/2011 1.15% Interest	<u>\$ 125,000.00</u>
Revolving Loan Fund(045) Community Banks of Shelby County-MMD# 720151  .10% Interest	<u>\$ 208,017.13</u>
Capital Improvement(054) First Federal Savings & Loan-CD# 20555 Matures 10/16/2011 1.25% Interest	<u>\$ 1,000,000.00</u>
Airport(022)	<u>\$ 60,000.00</u>
TOTAL	<u>\$ 3,063,298.78</u>