

**PROCEEDINGS OF THE COUNTY BOARD
KNOX COUNTY, ILLINOIS
August 27, 2003**

STATE OF ILLINOIS)
) SS
COUNTY OF KNOX)

Proceedings of the regular meeting of the Knox County Board, held at the Courthouse, Galesburg, Illinois, on Wednesday, August 27, 2003, at 6:00 p.m.

The meeting was called to order by Chairman Sally Keener and on roll call the following members of the Board reported present:

- | | |
|------------|--------------------|
| District 2 | Gayle Keiser |
| District 3 | Dale Parsons |
| District 4 | Sally Keener |
| District 5 | Ricardo Sandoval |
| District 1 | Allen Pickrel |
| District 2 | Dana Shallenberger |
| District 4 | Lowell Mannhardt |
| District 5 | Gerald Link |
| District 1 | Linda Roberts |
| District 2 | William Abel |
| District 3 | Janet Occhi |
| District 4 | Wayne Saline |
| District 5 | Stephen Johnson |

and those absent: District 1 Carol Simpson

Sheriff Thompson delivered the proclamation, Chairman Keener led the members in the Pledge to the Flag and Rev. Tom Heather gave the invocation.

Chairman Keener asked if there were any changes or additions to the agenda. Zoning will be after consent agenda; Item 20 isn't necessary as the previous resolution of May, 1992 wouldn't have prevented construction of temporary walls in the Courthouse for the office of the Public Defender on the third floor. There was no objection so Item 20 is removed.

Chairman Keener asked if there was any public comment. There was none.

Chairman Keener presented the following consent agenda for approval: 1) Minutes of the County Board Meeting held July 23, 2003; 2) Claims against Knox County, Illinois, for the period of July 24 -

August 27, 2003 (ordering that invoices be accepted and approved and that the County Clerk and County Treasurer be authorized and directed to issue County Warrants in payment of the bills; 3) Claims by members for per diem and mileage for the meeting of August 27, 2003; 4) Financial Reports of Marc C. Wong, County Clerk; Robin E. Davis, Treasurer; Nancy J. McCune, Recorder; Kelly Cheesman, Circuit Clerk; and James K. Thompson, Sheriff for the month of July, 2003, filed with County Clerk; 5) Sales tax and various taxes for the month of May, 2003, in the amounts of \$87,581.98 and \$21,253.68 and public safety tax in the amount of \$70,642.09; 6) Appointment of Donald E. Smith as Trustee of the Williamsfield Fire Protection District for the remainder of the term of resigning member Charles M. Ingle. Motion to approve consent agenda by Dale Parsons seconded by William Abel and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (13); Noes - (0). Motion carried.

Corby Schmidt, Zoning Administrator, presented Zoning Case SU-03-03, Orange Township and Orange Township Road District request for a special conditional use permit to allow the construction of an equipment storage building and for open storage of rod materials in the R, Rural Residential zoning district, as provided for under Section 5.402(2), on two acres located at 705 Fulton Street, Delong, Il., in Orange Township. Motion to approve by Gerald Link seconded by Steve Johnson. Motion carried.

Motion by Janet Occhi seconded by Gayle Keiser to appoint Paul Hevland to District 3, a seat vacated by resigning member Jennifer Brown and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (13); Noes - (0). Motion carried. Chairman Keener administered the oath of office.

Chairman Keener presented a letter of resignation from Carol Simpson, member of District 1. Motion to accept by William Abel seconded by Dale Parsons. Motion carried.

Paul Mangieri, State's Attorney, reported on Knox County Law Enforcement Center update. Over the last thirty days the wall between Hope Head Start facility and Knox County Law Enforcement Center was completed. The wall has been touched up with no additional costs. Paul Mangieri has been in contact with Mr. Baber, attorney for Hope Head Start who advised he would be in contact with the Executive Director and no problems are anticipated; he will deliver the final order on the law suit as soon as he receives it. The Jail Building Committee is in the final stages of paying contractors. There are three out of sixteen still to be paid. There will be no more meetings of the Building Committee and Paul Mangieri will present the final report to the Executive Committee in September.

Motion by Steve Johnson seconded by Janet Occhi to go into executive session for litigation update of Abend, Singleton and Associates v. Knox County for settlement demand and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

6:23 p.m. return to open session.

Motion by Lowell Mannhardt to go into executive session for review of executive session minutes for 1995-1999 seconded by Gerald Link and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

6:27 p.m. return to open session.

Chairman Keener reported there was no action taken in the first executive session. In regards to the second executive session, the Chairman presented the following resolution:

**RESOLUTION 2003-0035
REVIEW OF EXECUTIVE SESSION MINUTES, 1995-1999**

WHEREAS, the Board of the County of Knox, State of Illinois have met from time to time in executive session for purposes authorized by the Illinois Open Meetings Act; and

WHEREAS, as required by the Act, the County Clerk has kept written minutes of all such executive sessions; and

WHEREAS, pursuant to the requirements of Illinois Compiled Statutes, 5 ILCS 120/2.06, the Board has met in closed session to review all closed session minutes; and

WHEREAS, they have determined that a need for confidentiality still exists as to the executive session minutes set forth on Schedule "A" attached hereto.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE COUNTY OF KNOX, STATE OF ILLINOIS, as follows:

SECTION 1: The Executive Session Minutes from those meetings set forth on Schedule "A" attached hereto are hereby confidential, Schedule "B" are no longer confidential.

SECTION 2: This Resolution shall be in full force and effect from and after its passage.

Executive Session Minutes
Confidential
Schedule A

August 18, 1999	Personnel
September 15, 1999	Personnel
October 12, 1999	Personnel

Executive Session Minutes
No Longer Confidential
Schedule B

January 18, 1995	Litigation
October 18, 1995	Litigation
November 15, 1995	Litigation
November 20, 1995	Litigation
December 18, 1996	Personnel; Litigation
January 15, 1997	Litigation
February 19, 1997	Litigation
March 19, 1997	Personnel
April 16, 1997	Personnel
June 18, 1997	Litigation
August 20, 1997	Litigation
October 15, 1997	Personnel
January 21, 1998	Personnel
July 15, 1998	Litigation
August 19, 1998	Personnel
October 21, 1998	Intergovernmental Agreement
June 16, 1999	Worker's Compensation
July 21, 1999	Worker's Compensation; Litigation
October 20, 1999	Intergovernmental Agreement; Personnel
November 17, 1999	Intergovernmental Agreement

Motion by Lowell Mannhardt seconded by Gerald Link to approve resolution and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

Wayne Saline, Finance/Insurance Committee, reported revenues and expenses should be at 66.7%; revenues are at 63.8% and expenses are at 68.4%. The projected budget for fiscal year 2003-2004 will be presented at the October meeting and shows \$6,600 surplus. Wayne Saline presented the following resolution:

RESOLUTION 2003-0036
RECONVEYANCE OF REAL PROPERTY, PERMANENT PARCEL NUMBER
2007229014

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

WHEREAS, Pursuant to this program, the County of Knox has acquired an interest in the following described real estate:

S D DEPOT GRD REV PLAT 1922SD ORIG LOT 1 & RE SD OF ORIG LOTS 8 & 9
LOT 24 VILLAGE OF DOUGLAS PERMANENT PARCEL NUMBER: 2007229014

As described in certificate(s): 99-0251
Sold on November 14,2000
Commonly known as: WESTERN

and it appearing to the Finance Committee that it would be to the best interest of the County to dispose of its interest in said property, by reconveyance, to the owner of a former interest in said property.

WHEREAS, STRUBAHR AND POPLETT, has paid \$526.21 for the full amount of taxes involved and a request for reconveyance has been presented to the Finance Committee and at the same time it having been determined that the County shall receive \$145.28 as a return for its Certificate(s) of Purchase. The County Clerk shall receive \$20.00 for cancellation of Certificate(s) and to reimburse the Revolving Account the charges advanced from this account, and the Recorder of Deeds shall receive \$25.00 for recording. The remainder being the monies due the Agent for his services. The total paid by Purchaser is \$551.21.

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

BE IT RESOLVED BY THE COUNTY BOARD OF KNOX COUNTY, ILLINOIS, that the Chairman of the Board of Knox County, Illinois, be authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of \$145.28 to be paid to the Treasurer of Knox County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

Motion to approve resolution by Wayne Saline seconded by Allen Pickrel and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sanodval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

Wayne Saline presented the following resolution:

RESOLUTION 2003-0037
SETTING AMOUNTS OF CERTAIN FEES COLLECTED BY THE
KNOX COUNTY CLERK OF THE CIRCUIT COURT

WHEREAS, the Illinois General Assembly has provided in 705 ILCS 105/27.1a for the Clerk's fee for filing a complaint to finance the court system; and,

WHEREAS, 705 ILCS 105/27.1a was enacted with an effective date of July 1, 2003; and,

WHEREAS, the Illinois General Assembly has provided in 705 ILCS 105/27.1a that the fees of the Clerk's of the Circuit Court in all counties having a population of less than 500,000 inhabitants shall be as provided in this section; and,

WHEREAS, the Illinois General Assembly has provided in 705 ILCS 105/27.1a that in those instances where a minimum fee is stated, the Clerk of the Circuit Court must charge the minimum fee listed and may charge up to the maximum fee if the County Board has by resolution increased the fee; and,

WHEREAS, the purpose of this provision is to provide fees to finance the court system, by Clerk's fees going directly into the General County fund, to fund the Circuit

Clerk's office, and for courthouse operations and for annual expenses of the Judicial Branch of Government; and,

WHEREAS, the types and kinds of expenditures often paid with proceeds of these funds, such as paying the costs of salaries and benefits for employees in the Clerks office, providing for office space and upkeep, and the purchase of equipment and supplies, require accumulation of more funds than may be collected from these fees in a given year; and,

WHEREAS, with the filing fees authorized as set forth below, by permitting funds to be accumulated for the benefit of the County General fund by this resolution to offset increased costs and expenses and assist the County in meeting its financial obligations; and,

WHEREAS, all fees shall be assessed at an amount not less than the minimum fee listed, nor more than the maximum fee as permitted by 705 ILCS 105/27.1a; and,

WHEREAS, the additional revenue which could be provided by the fees authorized herein will be beneficial to government of Knox County:

BE IT THEREFORE RESOLVED by the County Board of Knox County, Illinois, in open meeting this 27th day of August, A.D. 2003, as follows:

1. Pursuant to the authority set forth in 705 ILCS 105/27.1a that filing fees that shall be imposed by the Clerk of the Circuit Court of Knox County, Illinois, as follows: (*See resolution for listing of all fees.*)
2. That the funds generated by these fees shall be transferred to the to the Knox County General Fund for use at the discretion of the Knox County Board.
- 3 That this resolution shall become effective on October 1, 2003, and certified copies hereof shall be provided to the Clerk of the Circuit Court and the Knox County Treasurer.

Motion to approve by Wayne Saline seconded by Rick Sandoval and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

William Abel, Social Services Committee, reported the Nursing Home has \$57,878.05 in the general fund and the Landfill has been reimbursed as of August 22, 2003. The facility has increased IDPA patients to \$92.99 effective July 1, 2003, and received \$225,723.48 from the State. Census at the facility is 178 with 3 in the hospital. The handicapped bathrooms will be completed next week. September 1st all 204 beds will be certified for Medicare. The adult day care service was approved by Illinois Department of Public Health. The committee received notice on union wage reopener. Motion to go into executive session to discuss Nursing Home Administrator's contract by William Abel seconded by Lowell Mannhardt and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

8:10 p.m. return to open session.

After discussion of the contract of Knox County Nursing Home Administrator, Ben Perkins, motion by William Abel to accept contract for 4 years with wage increases of 4% the first year, 3% second year, 3% third year and 2% fourth year, five weeks of vacation with mandatory two weeks off and other three with possible buy-back and option that contract be reopened if additional responsibilities develop seconded by Dale Parsons and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Johnson - (10); Noes - Sandoval, Pickrel, Shallenberger, Saline - (4). Motion carried.

Allen Pickrel, Public Safety Committee, reported the Mary Davis Home's population is at capacity with 11 from Knox County. Their budget has \$400,000 deficit. The Knox County Law Enforcement Center has 86 inmates with 15 federal prisoners being housed. Court Security at the Courthouse checked in 20,121 individuals during July. The panel that controls heating and cooling at the Courthouse is failing

and that part has not been made since 1984. The approximate cost is \$8,000 to replace. Motion by Allen Pickrel the committee be given permission to bid and bring back estimate to replace control panel seconded by Rick Sandoval. Motion carried.

Gerald Link, Highway, Landfill & Zoning Committee, reported CH-37 has been blacktopped and is completed except for striping. The committee opened three bids for bridge replacement and low bid was from Hillyer Construction of \$93,877.60. Motion by Gerald Link to accept bid seconded by Rick Sandoval and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

Gerald Link, Highway, Landfill & Zoning Committee, reported the Landfill is busy working on cells 9 and 10, getting ready for the plastic liner. The committee's next meeting will be at the Landfill with a tour at 5:00 p.m. The committee opened bids on new trash compactor and the low bid was from Altorfer of \$265,174.00 which includes trade-in of \$155,000. Motion by Gerald Link to accept bid seconded by Rick Sandoval and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried. Motion by Gerald Link authority be given to borrow up to \$800,000.00 at 2.275% interest for 3-year period from First Midwest Bank for purchase of new equipment and to pay off a portion of current loan seconded by Rick Sandoval and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

Janet Occhi, Planning and Space Allocation Committee, presented remodeling bid from Advantage Plus Builders, Mangieri Electric, Office Specialists and CommNet for Public Defender's move in the amount of \$24,506.91 which includes new heating and air conditioning unit for third floor office. Motion to approve bids by Janet Occhi seconded by Dana Shallenberger and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

Alan Hallberg, County Administrator, presented the following resolution:

RESOLUTION 2003-0038
SETTING FORTH DISTRIBUTION AMOUNTS TO LOCAL UNITS OF
GOVERNMENT
FROM THE IDNR CDAP GRANT

WHEREAS, pursuant to 525 ILCS 33/35, the Illinois Department of Natural Resources (IDNR) has the authority to make grants to units of local government in an amount equal to 7% of the purchase price paid by the IDNR for open space land located within the jurisdiction of the governmental unit and acquired pursuant to the Illinois Open Land Trust Act; and

WHEREAS, the County of Knox and the IDNR have entered into a Community Allowance Planning Allowance Grant Agreement under which the IDNR has provided a grant totaling \$154,350.00 to the County of Knox under the terms and conditions contained within the Agreement; and

WHEREAS, the County of Knox desires bringing about an equitable distribution to all affected units of local government of the proceeds received from the receipt of a Community Planning Allowance Grant Agreement; and

WHEREAS, the units of government affected by the IDNR's purchase of private lands are: The County of Knox, Persifer Township, Truro Township, Williamsfield Community Unit School District 210, Carl Sandburg Junior College, Williamsfield Fire Protection District, Multitwp. Assessment Ofc., and the Williamsfield Library District;

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF KNOX COUNTY, that:

1. The below listed units of local government shall receive from the County of Knox an equitable distribution of grant funds received from the IDNR, of the following amounts:

County of Knox	\$23,569.24
Truro Township	\$24,989.27
Williamsfield CUSD 210	\$82,885.95
Carl Sandburg Jr. College	\$11,483.64
Williamsfield FPD	\$8,026.20
Multitownship Assessment	\$1,080.45
Williamsfield Library District	<u>\$2,315.25</u>
	\$154,350.00

2. The Knox County Treasurer shall disburse the monies outlined above to the appropriate entities to be used for the projects and purposes as outlined in the attached documents as approved by the IDNR.

Motion to approve and authorize Treasurer to disburse monies by Steve Johnson seconded by Janet Occhi and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

Motion to go into executive session to discuss union matter by Dale Parsons seconded by Dana Shallenberger and vote by roll call as follows: Ayes - Keiser, Parsons, Keener, Sandoval, Pickrel, Shallenberger, Hevland, Mannhardt, Link, Roberts, Abel, Occhi, Saline, Johnson - (14); Noes - (0). Motion carried.

8:35 p.m. return to open session.

Chairman Keener reported there was no action taken in executive session.

Motion to adjourn by Steve Johnson seconded by Linda Roberts. Motion carried.