

COLES COUNTY BOARD
Regular Meeting
December 10, 2013

The regular meeting of the Coles County Board was called to order at 7.00 p.m. with the following members present Mark Degler, Jan Eads, Dick Goodrick, Dan Lawrence, Brian Marvin, Stan Metzger, Ron Osborne, Nancy Purdy, Cory Sanders, Mike ZuHone with Chairman Paul Daily presiding. Absent was member John Bell.

Following the Pledge to the Flag, the Invocation was given by Mike ZuHone.

APPROVAL OF MINUTES

Motion was made by Degler, seconded by ZuHone to approve the November 12, 2013 County Board minutes.

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

APPOINTMENT TO THE HOUSING AUTHORITY BOARD

Appointment was made by Daily to appoint Don French to serve on the Board of Commissioners for the Housing Authority Board until February 2017 with the consent of the Coles County Board.

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

RESOLUTION RE: MARRIAGE LICENSES FEES

(For a copy of Resolution see page 2393)

Upon motion by Degler, seconded by Metzger

AYES: Daily, Degler, Eads, Lawrence, Marvin, Metzger,
Osborne, Purdy, Sanders, Zuhone (10)
NAYS: Goodrick (1)
ABSENT: Bell (1)

RESOLUTION INCREASING THE CIRCUIT CLERK'S AUTOMATION FUND FEE

(For a copy of Resolution see page 2394)

Upon motion by Degler, seconded by Lawrence

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

RESOLUTION INCREASING THE CIRCUIT CLERK'S DOCUMENT STORAGE FEE

(For a copy of Resolution see page 2395)

Upon motion by Degler, seconded by Metzger

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

RESOLUTION RE: STATE'S ATTORNEYS APPELLATE PROSECUTOR

(For a copy of Resolution see page 2396)

Upon motion by Degler, seconded by Marvin

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

AMENDMENT RE: LEVY ORDINANCE - IMRF

(For a copy of Resolution see page 2397)

Upon motion by Metzger, seconded by Lawrence

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

RESOLUTION TO AMEND BUDGET - COURT SYSTEMS

(For a copy of Resolution see page 2398)

Upon motion by Metzger, seconded by Marvin

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

RESOLUTION TO AMEND BUDGET - REGIONAL OFFICE OF EDUCATION

(For a copy of Resolution see page 2399)

Upon motion by Metzger, seconded by Marvin

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

RESOLUTION - ABATE TAX LEVY - BUILDING COMMISSION

(For a copy of Resolution see page 2400)

Upon motion by Metzger, seconded by Marvin

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

RESOLUTION - ABATE TAX LEVY - GENERAL OBLIGATION BONDS

(For a copy of Resolution see pages 2401-2402)

Upon motion by Metzger, seconded by Marvin

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

**RESOLUTION TO APPROPRIATE FUNDS FOR SALARY AND EXPENSES OF THE
COLES COUNTY ENGINEER**

(For a copy of Resolution see pages 2403)

Upon motion by ZuHone, seconded by Degler

AYES: Daily, Degler, Eads, Lawrence, Marvin,
Metzger, Osborne, Purdy, Sanders, Zuhone (10)

ABSTAIN: Goodrick (1)

NAYS: None (0)

ABSENT: Bell (1)

COUNTY MAINTENANCE RESOLUTION - MOTOR FUEL TAX ALLOTMENT

(For a copy of Resolution see pages 2404)

Upon motion by ZuHone, seconded by Sanders

AYES: Daily, Degler, Eads, Goodrick, Lawrence, Marvin, Metzger,
Osborne, Purdy, Sanders, Zuhone (11)

NAYS: None (0)

ABSENT: Bell (1)

ANNOUNCEMENT OF APPOINTMENTS

None

ADJOURNED

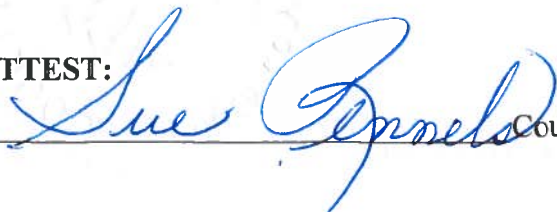
Motion by Degler, seconded by Marvin the Coles County Board was adjourned at 7:48 p.m..

AYES: Daily, Degler, Eads, Goodrick, Lawrence, Marvin, Metzger,
Osborne, Purdy, Sanders, Zuhone (11)

NAYS: None (0)

ABSENT: Bell (1)

ATTEST:


County Clerk

RESOLUTION RE:

WHEREAS, the County Board established the cost for marriage licenses at \$30.00 on May 1, 2002; and

WHEREAS, Public Act 095-0711, adopted June 1, 2008, created the Married Families Domestic Violence Fund by imposing a fee of \$5.00 for all marriage license bringing the cost for a marriage license to \$35.00; and

WHEREAS, 35 ILCS 5/4-4001 and 55ILCS 5/4-12003, as amended by Public Act 097-0003, authorizes the County Clerk to charge a fee not to exceed \$75.00, for issuing civil union and marriage licenses.

WHEREAS, a fee of \$55.00 is hereby imposed, to be collected by the County Clerk of Coles County, for the issuance of all civil union and marriage licenses. \$5.00 of each fee is to be remitted to the State for deposit into the Domestic Violence Fund as directed by statutes of the State of Illinois.

WHEREAS, the fee increase would be to partially defray expenses associated with the application, issuance and record maintenance of both civil union and marriages.

NOW, THEREFORE BE IT RESOLVED by the County Board of Coles County, Illinois, to establish the cost of civil unions and marriage licenses at \$55.00 effective January 1, 2014.

DATED this _____

State of Illinois)
)ss.
County of Coles)

RESOLUTION INCREASING THE CIRCUIT CLERK'S AUTOMATION FUND FEE

WHEREAS, ILCS, Ch. 705, Sec. 105/27.3a has been enacted to authorize a fee to defray the expense of establishing and maintaining an automated record keeping system in the Office of the Circuit Clerk; and

WHEREAS, on July 8, 2008, the Coles County Board established the Automation Fund Fee at \$8.00; and

WHEREAS, pursuant to P.A. 94-595, the maximum amount to be collected was increased to \$15.00.

NOW, THEREFORE BE IT RESOLVED by the County Board of Coles County, that the Automation Fund Fee be increased to \$15.00 effective January 1, 2014.

DATED this ____ day of December, 2013.

Clerk

State of Illinois)
)ss.
County of Coles)

RESOLUTION INCREASING THE CIRCUIT CLERK'S DOCUMENT STORAGE FEE

WHEREAS, ILCS, Ch. 705, Sec. 105/27.3c, has been enacted to authorize a fee to defray the expense of a document storage system and to convert the records of the Circuit Clerk to electronic storage; and

WHEREAS, on July 8, 2008, the Coles County Board established the Document Storage Fund Fee at \$8.00; and

WHEREAS, pursuant to P.A. 94-596, the maximum amount to be collected was increased to \$15.00.

NOW, THEREFORE BE IT RESOLVED by the County Board of Coles County, that the Document Storage Fund Fee be increased to \$15.00 effective January 1, 2014.

DATED this ____ day of _____, 2013.

ATTEST:

Clerk

RESOLUTION

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Counties 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 Appellate Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives approval and support from the respective Counties 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 and the Illinois General Assembly have reviewed and approved a budget for Fiscal Year 2014, 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 Coles County Board, in regular session, this ____ day of _____, 20____ 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 Attorney 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 Office of the State's Attorneys Appellate Prosecutor will offer Continuing Legal Education training programs to the State's Attorneys and Assistant State's Attorneys.

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 Coles County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2014, commencing December 1, 2013, and ending November 30, 2014, by hereby appropriating the sum of \$15,000.00 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 2014.

Passed and adopted by the County Board of Coles County, Illinois, this
_____ day of _____ 20_____.

Chairman _____

ATTEST: _____
County Clerk

AMENDMENT RE: LEVY ORDINANCE

An ordinance amending levying taxes for Illinois Municipal Retirement purposes for the COUNTY OF COLES, ILLINOIS, for the fiscal year commencing on the 1st day of December, AD, 2013, and ending on the 30th day of November, AD, 2014.

BE IT ORDAINED BY THE COUNTY BOARD, COLES COUNTY, ILLINOIS:

SECTION 1: That the amounts hereinafter set forth, or so much thereof as may be authorized by law, and the same is hereby levied for such purpose of Illinois Municipal Retirement Tax for the fiscal year of the said COUNTY OF COLES, ILLINOIS, beginning the 1st day of December, 2013, and ending the 30th day of November, 2014 are as follows:

	<u>Total</u> <u>Budgeted</u>	<u>To Be Paid</u> <u>By Sources</u> <u>Other Than</u> <u>Taxation</u>	<u>Amounts To</u> <u>Be Paid</u> <u>By Taxation</u>
Illinois Municipal Retirement	<u>1,983,672</u>	<u>585,650</u>	<u>1,398,022*</u>

* Said amount is hereby levied as the Illinois Municipal Retirement Tax (40 ILCS 5/7-171, 5/7-132 – no maximum)

SECTION 3: That the County Clerk of said COUNTY OF COLES is hereby directed to extend the aforesaid tax in the amount above set forth for the fiscal year of COUNTY OF COLES beginning December 1, 2013 and ending November 30, 2014.

SECTION 4: Partial invalidity. That if any section, subdivision, sentence or word of this Ordinance is for any reason held void or invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval and recording, according to Law.

ADOPTED this ____ day of _____, 2013.

Chairman
Coles County Board

ATTEST:

County Clerk

State of Illinois)
)ss.
County of Coles)

RESOLUTION TO AMEND BUDGET

WHEREAS, jury trials during 2013 have exceeded the anticipated amount budgeted for this year; and

WHEREAS, the 2013 budget for the Court System will need to be amended to reflect the shortage.

NOW, THEREFORE BE IT RESOLVED by the County Board of Coles County, Illinois to amend the 2013 budget for the Court System as follows:

Increase line item 01-7171-11	Juror fees	\$6,000.00
Decrease line item 01-7500-05	Contingency	\$6,000.00

DATED this ___ day of _____, 2013.

ATTEST:

_____ County Clerk

State of Illinois)
)ss.
County of Coles)

RESOLUTION TO AMEND BUDGET

WHEREAS, the Regional Office of Education is funded by counties based on assessed valuation; and

WHEREAS, the assessed valuation was determined after the County's 2013 budget was approved;
and

WHEREAS, the 2013 budget will need to be amended to reflect the actual amount paid to the
Regional Office of Education.

THEREFORE BE IT RESOLVED by the County Board of Coles County, Illinois to amend the 2013
budget as follows:

Increase line item 01-7520-13	Regional Office of Education	\$3,500.00
Decrease line item 01-7500-05	Contingency	\$3,500.00

DATED this ____ day of _____, 2013.

ATTEST:

_____ County Clerk

State of Illinois)
)
 County of Coles)

RESOLUTION TO ABATE TAX LEVY

WHEREAS, the Coles County Public Building Commission did on December 6, 1996 issue public building revenue bonds totaling \$600,000 denomination of \$5,000 due serially on December 1 in each of the years in the amount and bearing interest as follows:

<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>	<u>RATE</u>	<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>	<u>RATE</u>
1998	\$10,000	5.75%	2010	\$ 25,000	5.75%
1999	10,000	5.75	2011	25,000	5.75
2000	15,000	5.75	2012	25,000	5.75
2001	15,000	5.75	2013	30,000	5.75
2002	15,000	5.75	2014	30,000	5.75
2003	15,000	5.75	2015	30,000	5.75
2004	15,000	5.75	2016	35,000	5.75
2005	20,000	5.75	2017	35,000	5.75
2006	20,000	5.75	2018	40,000	5.75
2007	20,000	5.75	2019	40,000	5.75
2008	20,000	5.75	2020	45,000	5.75
2009	20,000	5.75	2021	45,000	5.75

WHEREAS, said bonds were issued and sold in order for said Commission to gain revenue for the construction, acquisition and installation of the Office of the Regional Superintendent of Schools, and

WHEREAS, a copy of the Ordinance as passed by the Coles County Board was duly filed with the County Clerk of Coles County, Illinois, for the purpose of a tax being levied to produce sufficient revenue for the redemption of said bonds as they mature, all in accordance with the provisions of the statutes of Illinois applicable thereto, and

WHEREAS, said Commission will have funds arising from other sources of revenue, particularly from the income derived from an intergovernmental agreement among the Counties of Clark, Coles, Cumberland, Douglas, Moultrie and Shelby, which may lawfully be used for the retirement of said bonds, issued December 6, 1996, maturing in 2014, together with interest thereon all bonds of said issue of December 6, 1996, due and payable during the year 2014.

NOW, THEREFORE BE IT RESOLVED by the Coles County Board that the County Clerk of Coles County, Illinois, shall abate the levy for the payment of said public revenue bonds of December 6, 1996, for the year 2014.

DATED this ___ day of _____, 2013.

ATTEST: _____ Clerk

State of Illinois)
)
 County of Coles)

RESOLUTION TO ABATE TAX LEVY

WHEREAS, the Coles County Board did on October 12, 2010 issue general obligation (sales tax alternative revenue source) bonds totaling \$1,275,000 denomination of \$5,000 due serially on December 1 in each of the years in the amount and bearing interest as follows:

Date	Principal	Interest Rate	Interest Due	Fiscal Total And Levy	Levy Year
12/01/2011	80,000	3.550	56,568.75		
06/01/2012			22,823.75	159,392.50	2010
12/01/2012	115,000	3.550	22,823.75		
06/01/2013			20,782.50	158,606.25	2011
12/01/2013	120,000	3.750	20,782.50		
06/01/2014			18,532.50	159,315.00	2012
12/01/2014	125,000	3.750	18,532.50		
06/01/2015			16,188.75	159,721.25	2013
12/01/2015	125,000	3.750	16,188.75		
06/01/2016			13,845.00	155,033.75	2014
12/01/2016	130,000	3.900	13,845.00		
06/01/2017			11,310.00	155,155.00	2015
12/01/2017	135,000	3.900	11,310.00		
06/01/2018			8,677.50	154,987.50	2016
12/01/2018	140,000	3.900	8,677.50		
06/01/2019			5,947.50	154,625.00	2017
12/01/2019	150,000	3.900	5,947.50		
06/01/2020			3,022.50	158,970.00	2018
12/01/2020	155,000	3.900	3,022.50	158,022.50	2019

WHEREAS, said bonds were issued and sold in order for said County Board to gain revenue for the purpose of altering, repairing and equipping County buildings, and

WHEREAS, a copy of the Ordinance as passed by the Coles County Board was duly filed with the County Clerk of Coles County, Illinois, for the purpose of a tax being levied to produce sufficient revenue for the redemption of said bonds as they mature, all in accordance with the provisions of the statutes of Illinois applicable thereto, and

WHEREAS, said County Board will have funds arising from other sources of revenue, particularly from receipts of general sales taxes as the alternate revenue source, which may lawfully be used for the retirement of said bonds, issued October 12, 2010, maturing in 2014, together with interest thereon all bonds of said issue of October 12, 2010, due and payable during the year 2014.

NOW, THEREFORE BE IT RESOLVED by the Coles County Board that the County Clerk of Coles County, Illinois, shall abate the levy for the payment of said general obligation bonds of October 12, 2010, for the year 2014.

DATED this ____ day of _____, 2013.

ATTEST:

_____ Clerk

**RESOLUTION TO APPROPRIATE FUNDS FOR SALARY AND EXPENSES
OF THE COLES COUNTY ENGINEER**

14-00000-00-CS

WHEREAS, the County Board of Coles County has adopted a resolution establishing the salary of the County Engineer to be ninety-eight (98%) percent of the recommended salary for the County Engineer as determined annually by the Illinois Department of Transportation, and

WHEREAS, the County Board of Coles County has entered into an agreement with the Illinois Department of Transportation for transfer of federal funds to pay one-half of the salary paid to the County Engineer.

THEREFORE, BE IT RESOLVED, by the Coles County Board, that the sum of One hundred thousand six hundred six dollars and zero cents (\$ 102,606.00) for salary, and the sum of Three thousand dollars and zero cents (\$ 3,000.00) for estimated expenses of the County Engineer, and it is hereby appropriated from Motor Fuel Tax funds for the period beginning January 1, 2014 and ending December 31, 2014 and,

BE IT FURTHER RESOLVED, that the County hereby authorizes the sum of Fifty-one thousand three hundred three dollars and zero cents (\$ 51,303.00) of their Surface Transportation Program Funds to be made available to the Department of Transportation, State of Illinois for the State's use in exchange for an equal amount of State funds. The State funds shall not exceed fifty percent (50%) of the County Engineer's annual salary.

APPROVED;

_____, 20____
Region Four Engineer/District 7
Department of Transportation

STATE OF ILLINOIS
COUNTY OF COLES

I, Sue Rennels, County Clerk in and for said County of Coles in the State of Illinois, and a keeper of the records and files thereof, as provided by statute, do hereby certify the forgoing to be a true, perfect and complete copy of a resolution adopted by the County Board of Coles County, at its adjourned meeting held at the Coles County Courthouse on December 10, 2013.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in _____, in said County, this _____ day of _____.

COLES COUNTY CLERK (SEAL)

**I certify that the correct TIN for Coles County is 37-6000640
Legal Status: Governmental**



County Maintenance Resolution

RESOLVED, by the County board of Coles County, that \$600,000.00 is appropriated from the Motor Fuel Tax allotment for the maintenance on county or State highways and meeting the requirements of the Illinois Highway Code, and be it further

RESOLVED, that maintenance sections or patrols be maintained under the provision of said Illinois Highway Code beginning January 1, 2014 and ending December 31, 2014, and be it further

RESOLVED, that the County Engineer/County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

STATE OF ILLINOIS

Coles County, } ss.

I, Sue Rennels County Clerk, in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the County Board of

Coles County, at its regular monthly

meeting held at the Coles County Courthouse, 651 Jackson Street, Charleston, IL 61920

on December 10, 2013
Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Charleston, Illinois in said County, this 10th day of December A.D. 2013

(SEAL)

County Clerk

Approved

Regional Engineer
Department of Transportation

Date