

CLINTON COUNTY BOARD
January 20, 2004

The January meeting of the Clinton County Board was called or order on Tuesday, January 20, 2004, at 7:00 p.m.

Roll call: Present - Beckmann, Fix, Foppe, Hitpas, Holtgrave, Kloeckner, Lampe, Mensing, Murray, Pingsterhaus, Robbins, Craig Taylor and Jack Taylor.

MOTION by Lampe second by Mensing to approve the minutes of the previous meeting.
MOTION CARRIED.

All visitors and guests introduced themselves. The Pledge of Allegiance was recited.

MOTION by Mensing second by Holtgrave to appoint the appointment of Anthony Jansen as Commissioner of the Santa Fe Drainage & Levee District. **MOTION CARRIED.**

MOTION by Lampe second by Mensing to approve the appointment of Brian Hitpas and Mark Pingsterhaus as members of the Insurance Committee to serve with Ron Foppe, Committee Chairman. **MOTION CARRIED.**

MOTION by Jack Taylor second by Robbins to adopt an Ordinance Directing Residential and Commercial Property Owners to Post the Address or Street Number of Said Property on the Major Structures or Buildings. Roll call: Yes - Hitpas, Murray, Robbins, Pingsterhaus, Jack Taylor, Mensing, Fix, Holtgrave, Foppe, Beckmann and Lampe.
MOTION CARRIED.

MOTION by Holtgrave second by Pingsterhaus to adopt an Ordinance amending the Clinton County Zoning Ordinance, Article 40-3-2. Roll call: Yes - Hitpas, Murray, Robbins, Pingsterhaus, Jack Taylor, Mensing, Fix, Holtgrave, Foppe, Beckmann and Lampe.
MOTION CARRIED.

MOTION by Jack Taylor second by Fix to approve the semi-annual report of the County Clerk and Recorder's Office. **MOTION CARRIED.**

MOTION by Jack Taylor second by Lampe to approve the monthly report of the County Health Department. **MOTION CARRIED.**

The following committees had no reports: 911 Committee, Lake Task Force, 708 Mental Health Board, Law Enforcement, Personnel, Facilities, Agriculture, General Services/Judiciary,

INSURANCE TRUST - Foppe reported the property and casualty portion of the IL County Insurance Trust is going very well. The renewal for the county employee's health

insurance is coming up February 1st. We had initially been told there would be a 15% increase in premium. However, the county has had four claims that have exceeded the \$25,000 stop loss level. Our annual aggregate has been gone through this year, which is very unusual. Our risk was maxed out at \$368,000.00. We have now been informed there will a tremendous increase in premium. Currently, the cost of single coverage is \$349.20, and \$820.56 for single with dependents. The new rates will be \$535.18 for single and \$1,326.50 for single with dependents. Foppe called a meeting of the Finance and Negotiation Committees, Fred Becker of Glass & Shuffet and representatives of Spectrum. The consensus of the meeting was the recommendation the county go with Option 2 - Hartford renewal. **MOTION** by Foppe second by Holtgrave to proceed with the recommendation of the Finance Committee to go with Option 2 - Hartford, and give the Insurance Committee power to act and see if we can save money by putting it out for bids. **MOTION CARRIED.** Foppe wants to make this a public announcement that any agent who is interested in quoting on the insurance can get the information from the County Clerk's Office.

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - A meeting is scheduled for Thursday, January 22, 2004 at 7:00 p.m.

SAFETY COMMITTEE - The Committee has scheduled a meeting for Monday, February 9th at 9:00 a.m..

EDUCATION COMMITTEE - The Regional Office of Education is waiting to see ramifications from the Governor's State of the State Address pertaining to education reform. The Lieutenant Governor's Office sent out the results of a service evaluation survey and the overall rating of the Regional Office of Education was better compared to the Illinois State Board of Education.

RC&D COMMITTEE - At our last meeting the RC&D Council informed us the Band of America - St Louis is wanting to donate 16 acres of land in the Trenton Area on a conservancy basis to be used for wetlands, tree planting, etc. They are meeting this evening and needed to know if the county is interested. There being no negative issues involved, our committee told them we are in favor of this. The RC&D Council is still working very diligently getting an ethanol plant in Carbondale.

SOLID WASTE COMMITTEE - The next meeting is scheduled for January 26th at 6:00 p.m.

TOURISM COMMITTEE - The committee will meet Thursday, January 22nd at 7:00 p.m.

GIS COMMITTEE - The Committee is in the process of evaluating the proposals that have been submitted. The next meeting is January 26th at 6:00 p.m.

NEGOTIATION COMMITTEE - The Committee signed an agreement for one year for the

Court house and Health department full and part-time employees to receive a \$.65 an hour increase.

MOTION by Hitpas second by Lampe to approve a \$.65 an hour increase for the full-time and part-time employees of the Court House and the Health Department. **MOTION CARRIED.**

MOTION by Hitpas second by Fix to give a \$.65 an hour increase to the full-time and part-time Animal Control wardens retroactive to December 1, 2003. **MOTION CARRIED.**

MOTION by Hitpas second by Murray to give a \$10.00 a meeting increase to the Zoning Board of Appeals retroactive to December 1, 2003. **MOTION CARRIED.**

MOTION by Hitpas second by Holtgrave to increase the salary of the ESDA Director, Richard Crocker by 5%/\$50.00 a month retroactive to December 1, 2003. **MOTION CARRIED.**

MOTION by Hitpas second by Lampe to give a \$.65 an hour increase to Mary Ellen Hughes, an employee of the Regional Office of Education Office retroactive to December 1, 2003. **MOTION CARRIED.**

MOTION by Hitpas second by Holtgrave to approve a one-year Teamster Contract for the Court House and Health Department employees beginning December 1, 2003 through November 30, 2004. **MOTION CARRIED.**

MOTION by Foppe second by Fix to approve a \$.65 an hour increase for Ruth Collard, an employee in the Sheriff's Office retroactive to December 1, 2003. **MOTION CARRIED.**

Chairman Kloeckner presented a plaque to Carol Powers in appreciation for her 20 years of dedicated service to Clinton County. She retired from her position in the Supervisor of Assessments Office.

ZONING/SUBDIVISION COMMITTEE - Zoning Administrator Joyce Lucas reported that a study of the new homes constructed in the county last year shows an estimated increase in value of \$37 million dollar for the county. She also said she would give copies of the new ordinances the Board passed for 911 addresses to all building permit applicants.

ECONOMIC DEVELOPMENT COMMITTEE: Chairman Kloeckner received a letter from the IL Department of Transportation indicating Opportunity Returns Program included \$5 million to begin an engineering study for a new expanded US 50 corridor from I-64 east to Carlyle. Once the Phase 1 engineering has been approved, IDOT will begin the Phase 2 engineering for the 4-lane facility from Breese to Carlyle.

ROAD & BRIDGE COMMITTEE - MOTION by Mensing second by Hitpas to award the

bids for County Motor Fuel Tax rock to Keyesport Sand & Grave, Beelman Truck Co. and Quad County Ready Mix. **MOTION CARRIED.**

MOTION by Foppe second by Jack Taylor to award the bids for Township Motor Fuel Tax rock to Beelman Truck Co., Kohlbrecher Trucking, Ternton Co-op, Keyesport Sand & Gravel, and Dwain Forby Trucking. **MOTION CARRIED.**

Engineer Mitchell reported the new county bid requirements have been raised to \$20,000 for services and materials.

MOTION by Jack Taylor second by Hitpas to approve a joint agreement with IL Department of Transportation funding the CH#8 (Albers to I-64 resurfacing) and to appropriate \$125,000 from the matching fund for the 20% local matching. **MOTION CARRIED.**

Engineer Mitchell is proposing the County Highway #8 (Aviston Albers Road) project for federal Project for FY2007.

Wiedle Road Project - Ron proposes the County pay all bills on this project and then be reimbursed from the three townships involved, namely, Meridian, East Fork and Clement. **MOTION** by Jack Taylor second by Hitpas to approve the resolution. **MOTION CARRIED.**

MOTION by Jack Taylor second by Fix to authorize the Board Chairman sign the joint agreement with the IL Department of Transportation for funding the Wiedle Road Project. **MOTION CARRIED.**

FINANCE/HEALTH SERVICES COMMITTEE - MOTION by Robbins second by Mensing to approve the monthly Budget & Financial Report of the Treasurer's Office. **MOTION CARRIED.**

MOTION by Beckmann second by Jack Taylor to approve a submitted listing of the Clinton County banks the Treasurer's Office will be doing business with. **MOTION CARRIED.**

Treasurer Mueller presented the six-month report of the Revolving Loan Fund. The Senior Citizens Real Estate Tax Deferral Program is now being offered until March 1st. The Pearl Sand/Exxon audits have been completed.

LIQUOR COMMITTEE - The committee had a meeting in Keyesport that turned out very well and thanked the Sheriff's Department on their patrolling.

ENVIRONMENTAL CONCERNS COMMITTEE - The Committee recommends the dispersement of the remaining funds from Exxon be divided among the five entities, Albers, Damiansville, Carlyle S/W Public Water District, Germantown and New Memphis. Treasurer Mueller reported the contract says the county is supposed to hold this money for five years and any funds left after five years be given back to Exxon. Chairman

Kloeckner said the contract reads the funds need to be dispersed within five years. Chairman Kloeckner asked States Attorney Brandmeyer to look into this and report back at the February meeting.

MOTION by Mensing second by Pingsterhaus to approve payment of the Accounts Payable Claims. **MOTION CARRIED.**

MOTION by Robbins second by Mensing to adjourn the meeting. **MOTION CARRIED.**

Ray Kloeckner
County Board Chairman

Thomas LaCaze, County Clerk & Recorder

#01-04-01

AN ORDINANCE DIRECTING RESIDENTIAL AND COMMERCIAL PROPERTY OWNERS TO POST THE ADDRESS OR STREET NUMBER OF SAID PROPERTY ON BUILDINGS THEREON

WHEREAS, the Chairman and Board of Trustees of the County of Clinton have considered the cost, health and safety issues raised by the proposal requiring certain persons to post the address or street number of their residential or business property on said property; and

WHEREAS, the Chairman and Board of Trustees of the County of Clinton have determined said proposal to be desirable and in the best interests of the general public;

NOW THEREFORE BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE COUNTY OF CLINTON, ILLINOIS, as follows:

SECTION 1

The owners of residential or commercial property situated within the County of Clinton, be and they are hereby required to post, print, paint or otherwise affix the address or street number of said property on at least one building or major structure located thereon. Said address or street number is to be posted, printed, painted or affixed in such a way as to be easily visible from the closest thoroughfare or roadway which may pass in what may pass in what would be considered the front of said building or structure.

SECTION 2

Any such owner who shall knowingly fail to post, print, paint or otherwise affix the address or street number of said property on at least one building or major structure shall be subject to a fine of \$50.00.

SECTION 3

This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Voting Yes: Hitpas, Murray, Robbins, Pingsterhaus, Jack Taylor, Mensing, Fix, Holtgrave, Beckmann, Lampe. Absent- Robbins, Sullivan and Craig Taylor.

APPROVED by the Corporate Authorities of the County of Clinton, Illinois, this 20th day of January, 2004.

Attest: S/ Thomas LaCaze, County Clerk

S/ Ray Klockener, Board Chairman

#01-04-02

BE IT ORDAINED BY THE COUNTY OF CLINTON, ILLINOIS AS FOLLOWS:

Pursuant to Article 40-3-2 of the Clinton County Zoning Code, as amended the following described real estate shall be classified as "Commercial":

St. Rose Twp. Sec. 5 (Kohlbrecher 1st Sub - Lot 1), Sec 5 (PT SW SW, 1 acre), Sec 5 (PT SE SE, 1.34 acres), Sec 6 (PT SE SE .98 acre)

APPROVED. ORDAINED AND ADOPTED January 20, 2004, by a roll call vote of the Corporate Authorities of Clinton County, Illinois.

Voting Yes: Hitpas, Murray, Robbins, Pingsterhaus, Jack Taylor, Mensing, Fix, Holtgrave, Beckmann, Lampe. Absent - Robbins, Sullivan and Craig Taylor.

APPROVED by the Clinton County Board this 20th day of January, 2004.

Attest: S/ Thomas LaCaze, County Clerk S/ Ray Kloeckner, Board Chairman

#01-04-03

COUNTY MFT LETTING

WHEREAS, bids were received at a letting January 14, 2004, at 10:00 a.m. for the purchase of material required in the maintenance of Section 04-00000-00-GM

NOW, THEREFORE, BE IT RESOLVED that the following awards are made by the County Board subject to the approval of the Illinois Department of Transportation

- TO: BEELMAN TRUCK CO., ST. LIBORY, IL**
2500 ton Seal Coat Aggregate (CA16, CM16 or CM16L2-23) @ \$8.86 per ton.
2000 ton Seal Coat Aggregate (CA13, CM13, or CM132-22) @ \$12.50 per ton.

- TO: KEYESPORT SAND & GRAVEL, KEYESPORT, IL**
100 ton Seal Coat Aggregate (CA16 or CM16L2-23) @\$6.15 a ton.

- TO: QUAD COUNTY READY MIX, CARLYLE, IL 62231**
6000 ton Aggregate Surface Course (CA10 CM10) @ \$7.88 a ton.

I Thomas LaCaze, do hereby certify that this is a true and correct copy of a resolution approved and adopted at the regular meeting held January 20, 2004.

Seal

S/ Thomas LaCaze, County Clerk

#01-04-04

VARIOUS ROAD DISTRICT LETTING

WHEREAS, bids were received at a letting held January 14, 2004 at 10:00 a.m. for the purchase of materials required in the maintenance of Breese, Brookside, Carlyle, Clement, East Fork, Germantown, Irishtown, Lake, Lookingglass, Meridian, Santa Fe, St. Rose, Sugar Creek, Wade, and Wheatfield.

NOW, THEREFORE BE IT RESOLVED that the County Board, at their regular meeting held on January 20, 2004, make the following awards subject to the approval of the IL Department of Transportation:

- TO: BEELMAN TRUCK CO., ST. LIBORY, IL.**
Breese - 2200 ton seal coat aggregate @ \$8.68 per ton, 500 ton seal coat aggregate @ \$12.50 per ton.
Brookside - 1000 ton seal coat aggregate @ \$12.80, 500 ton aggregate surface course @ \$8.31 per ton, 300 ton seal coat aggregate @ \$9.46 per ton.
Carlyle - 700 ton seal coat aggregate @ \$12.50 per ton, 400 ton aggregate surface course @ \$8.11 per ton.
Clement - 600 ton seal coat aggregate @ \$12.80 per ton, 100 ton aggregate surface course @ \$8.33 per ton.
East Fork - 800 ton seal coat aggregate @ \$12.80 per ton, 250 ton aggregate surface course @ \$8.90 per ton, 410 aggregate surface course @ \$8.34 per ton, 1500 ton seal coat aggregate @ \$9.52 per ton.
Germantown - 700 ton seal coat aggregate \$8.77 per ton, 100 ton aggregate surface course @ \$7.62 per ton.
Irishtown - 1100 ton seal coat aggregate @ \$12.80 per ton, 200 ton aggregate surface course @ \$7.83 per ton.
Lake - 1850 ton seal coat aggregate @\$12.80 per ton, 700 ton aggregate surface course @ \$7.82 per ton.
Lookingglass - 2000 ton seal coat aggregate @ \$12.55 per ton.
Merician - 3000 ton seal coat aggregate @ \$12.80 per ton, 500 ton aggregate surface

course @ \$8.90 per ton, 200 ton aggregate surface course @ \$8.37 per ton, 1000 ton seal coat aggregate \$9.51 per ton.

Santa Fe - 400 ton aggregate surface course @ \$7.94 per ton, 500 ton seal coat aggregate @ \$9.09 per ton.

St Rose - 2000 ton seal coat aggregate @ \$12.80 per ton, 800 ton seal coat aggregate @ \$8.74 per ton.

Sugar Creek - 1500 ton seal coat aggregate @ \$12.80 per ton.

Wheatfield - 800 ton aggregate surface course @ \$7.82 per ton..

TO: DWAIN FORBY TRUCKING, MAKANDA, IL

Clement - 100 ton aggregate surface course @ \$9.83 per ton.

Lake - 20 ton stone rip rap Class A-3 @ \$11.90 per ton, 800 ton aggregate surface repair @ \$9.05 per ton.

Lookingglass - 600 ton aggregate surface course @ \$7.28 per ton.

Santa Fe - 300 ton aggregate surface course @ \$9.05 per ton.

Sugar Creek - 400 ton aggregate surface course @ \$7.28 per ton.

Wade - 1000 ton seal coat aggregate @ \$7.87 per ton.

TO: KEYESPORT SAND & GRAVEL, KEYESPORT, IL

Wheatfield - 1300 ton seal coat aggregate @ \$4.75 per ton.

TO: KOHLBRECHER TRUCK SERVICE, ST. ROSE, IL

Wheatfield - 1400 ton seal coat aggregate @ \$9.13 per ton.

TO: TRENTON CO-OP, TRENTON, IL

Breese - 500 ton aggregate surface course @ \$7.61 per ton.

St. Rose - 300 ton aggregate surface course @ \$7.58 per ton.

Sugar Creek - 1400 ton seal coat aggregate @ \$8.54 per ton.

#01-04-05

BE IT RESOLVED by the County Board of Clinton County, Illinois, that the following described county highway be improved under the IL Highway Code:

County Highway #8 (Albers Road, beginning at a point near the edge of Illinois Route 161 at Albers Station 206+40 and extending along said route in a south direction to a point near interstate 64 at station 68+15, a distance of approximately 2.618 miles; and

BE IT FURTHER RESOLVED that the type of improvement shall be resurface the roadway with + 2 3/4 inches of bituminous concrete and add 2 foot wide stabilized shoulders on each side of the road and shall be designated as Section 00-00076-00-RS and,

BE IT FURTHER RESOLVED that the improvement shall be constructed by contract; and

BE IT FURTHER RESOLVED that there is hereby appropriated the sum of One Hundred and Twenty-Five Thousand dollars (\$125,000.00) from the County's Bridge Fund for the construction of this improvement and,

BE IT FURTHER RESOLVED that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Dept of Transportation.

SEAL

S/ Thomas LaCaze, County Clerk

#01-04-06

WHEREAS, Federal Highway Administration funds from the National Corridor Planning and Development (N.C.P.D.) Program have been appropriated to rebuild approximately one mile of Wiedle Road from County Highway 3 (Boulder Road) west to Coles Creek Road and approximately one-quarter of a mile of Coles Creek Road from Wiedle Road north to the entrance to the U.S. Army Corps of Engineers Coles Creek Recreation Area; and

WHEREAS, the rebuilding of Wiedle Road will require the replacement of an existing drainage structure with a two cell 9 foot wide by 4 foot high concrete box culvert which is eligible for eighty percent funding under the IL Dept of Transportation's Township Bridge Program with 10 percent county funds and 10 percent road district funds; and

WHEREAS, this project will be divided into two funding programs with construction of the box culvert and approximately 800 feet of transition roadway at the culvert will be paid for using IL Dept of Transportation Township Bridge Program funds (80% State, 10% County, 10% Road Districts) and the remainder of the project will use Federal Highway Administration Funds (80%) and the road districts will be responsible for the 20% local match; and

WHEREAS, the Illinois Department of Transportation Township Bridge Program funds will also be part of the local match for the Federal Highway Administration funds; and

BE IT RESOLVED THAT if the Federal Highway Administration reimburses the Clinton County Highway Department for any of the design and construction engineering costs for this project, some or all of these reimbursement funds may be used as part of the local match for the road districts for this project subject to the approval of the Road and Bridge Committee;

AND, BE IT FURTHER RESOLVED, that the Clinton Co Highway Department will provide all the engineering including surveying, plans and engineering supervision during construction for this improvement, and to provide or cause to be provided all of the initial local funding and services necessary to complete this project; and

BE IT ALSO RESOLVED that the Clinton Co Board hereby appropriates \$125,000.00 from the County Bridge Fund for all the local matching funds for construction, for right of way, and utility relocation for this project with the county to be reimbursed for all costs where no county match is required by Federal Highway Funds, the IL Dept of Transportation, East Fork Road District, Clement Road District and Meridian Road District;

AND BE IT FURTHER RESOLVED, that the approval of this resolution by the Clinton County Board, East Fork Road District, Clement Road District, and Meridian Road District shall be considered as their concurrence in and acceptance of the terms contained herein, and that this agreement shall be binding upon and inure to the benefits of the parties hereto, their successors, and assigns.

Given under my hand and seal this 20th day of January, 2004.

S/ Thomas LaCaze, County Clerk

Approved this January 20, 2004

S/ Chester Lyons, Highway Commissioner, East Fork Road District

S/ Junior Wilken, Highway Commissioner, Clement Road District

S/ Robert Kannall, Highway Commissioner, Meridian Road District

CLINTON COUNTY DISTRICT BOARD
February 17, 2004

The February meeting of the Clinton County Board was called to order Monday, February 17, 2004, at 7:00 p.m.

Roll call: Present - Beckmann, Fix, Foppe, Guthrie, Holtgrave, Kloeckner, Lampe, Mensing, Murray, Pingsterhaus, Robbins, Sullivan, Craig Taylor, and Jack Taylor.

The Pledge of Allegiance was recited.

County Clerk Thomas LaCaze requested the minutes of the January meeting be corrected to read the motion made by Foppe and second by Holtgrave to proceed with the recommendation of the Finance Committee to go with Option 2 - Hartford and give the Insurance Committee the power to act and see if we can save money by putting it out for bids. **MOTION** by Mensing second by Craig Taylor to approve the minutes of the January meeting. **MOTION CARRIED.**

GIS COMMITTEE - Beckmann thanked all committee members for their work on the committee and doing what they think is best for the county. **MOTION** by Beckmann to have the Map Research partnering with Image America for \$50,244.00 and Schnieder partnering with GEOComm for \$65,662.00. A lot of research and lots of hours has been spent on this. Image America submitted a bid of \$50,244.00 for the base map using digital orthophotography and the county's existing elevation models, whereas Surdex submitted a bid of \$150,695.00 for the base map using traditional orthophotography and calculated DEM (digital elevation models). The 911 Committee has agreed to pay \$125,000 towards the cost. Supervisor of Assessments Linda Mensing said the county needs a good DEM in order to achieve a good base map that will be needed rather than using the existing DEMs as provided by the US Geological Survey. She doesn't feel Image America can provide that. Beckmann said the bid specifications were written up to meet the requirements of the county. He said that after doing research, Image America is capable of doing what is required. Image America guarantees accuracy before accepting any payment. Lampe moves that with the two proposals that we have a roll call vote of the board members to determine which one they want to accept. There is a motion on the floor. **MOTION** by Beckmann to have committee enter contract with Map Research partnering with Image America for imagery for \$50,244.00, and Schnieder Group partnering with GEOComm for the street center line for \$65,662.00. The motion died for lack of a second.

MOTION by Beckmann second by Sullivan to enter into a contract with Map Research partnering with Image America for imagery for \$52,244.00. Second by Jim Sullivan. Roll call vote: Yes - Beckmann, Foppe, Holtgrave, Murray, Pingsterhaus, Sullivan, Craig Taylor and Jack Taylor. No - Fix, Guthrie, Lampe, Mensing and Robbins. **MOTION CARRIED.**

MOTION by Beckmann to enter into a contract with Schnieder Group partnering with GEOComm for street center line data for \$65,662.00. Second by Sullivan. Roll call: Yes -

Beckmann, Fix, Foppe, Guthrie, Holtgrave, Lampe, Mensing, Murray, Pingsterhaus, Robbins, Sullivan, Craig Taylor and Jack Taylor. **MOTION CARRIED.**

LAKE TASK FORCE/INDUSTRIAL PARK COMMITTEE - Chairman Craig Taylor reported KMK Manufacturing had decided not to build on the 6.6 acres they purchased from the county at the Industrial Park. **MOTION** by Craig Taylor second by Pingsterhaus to buy back the property from KMK Manufacturing for \$27,993.00. **MOTION CARRIED.**

MOTION by Craig Taylor second by Mensing to approve a record search on the above property at the Industrial Park as a cost of \$90.00. **MOTION CARRIED.**

MOTION by Craig Taylor second by Lampe to approve selling the 6.6 acres at the Industrial Park to Steve Wintermann for \$27,933.00. **MOTION CARRIED.**

INSURANCE TRUST - At last month's meeting the County Board appointed an Insurance Committee and gave them the power to act on getting bids for a commercial health carrier. The Committee decided to stay with Spectrum for one more month because we couldn't get the commercial insurance bids together in time. The committee met on February 11th to go over the bids that the bidders had transferred to spreadsheets that had been provided to them. After reviewing the bids the Committee decided to go with the combination of Blue Cross/Blue Shield and Delta Dental as of March 1, 2004, which would save the county approximately \$147,000.00 this year. The Committee decided to accept the bid of Ronald C. Foppe of Foppe Insurance Agency who had submitted the lowest bid.. (Foppe abstained from the vote because Ronald C. Foppe is his son). The commercial insurance will not be providing the same coverage that our current plan now offers. The County will be absorbing the additional amount over the current co-pays allowed by the union contracts. The question of a possible conflict of interest was raised and Foppe said he had conferred with States Attorney Brandmeyer on this. Brandmeyer stated Foppe has authority to be on the committee and conduct it. Since he has no personal financial interest in the company there is no conflict of interest per se. Dan Imming of Aviston asked the board if Foppe Insurance had bid Delta Dental on their January bid. He was informed that Foppe had done so. Imming said noted two brokers submitted bids for both Blue Cross/Blue Shield and Delta Dental. Both companies assured Imming that both proposals would be identical in the rates. Imming asked if the difference was with the life insurance amount and was told it was not. Foppe said that in looking over the bids closer, the difference was the two year guarantee on the dental. The contract is for one year. A lot of discussion followed. **MOTION** by Foppe second by Mensing to accept the actions of the committee. **MOTION CARRIED.**

MOTION by Guthrie second by Mensing to approve a resolution for Carlyle Community Unit School District Lady Indians basketball team on winning first place in state competition in the Southern Illinois Junior High School Athletic Association Class "L". **MOTION CARRIED.**

MOTION by Fix second by Holtgrave to approve a resolution for the Bartelso School District #57 Bartelso Braves girls basketball team on winning first place in state competition in the

Southern Illinois Junior High School athletic Association Class "S". **MOTION CARRIED.**

MOTION by Lampe second by Guthrie to have the States Attorney review all the bids submitted for the health insurance. **MOTION CARRIED.**

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - a meeting is scheduled for Thursday evening.

The following committees had no reports: Safety, Education, Mental Health, RC&D, Zoning, Personnel, Facilities, Agriculture, General Services, Liquor and Environmental Concerns.

EDUCATION COMMITTEE - The Committee changed their meeting from March 4th to March 11th.

TOURISM COMMITTEE - the next meeting will be February 27th.

911 COMMITTEE - Several people have asked the Committee to amend the ordinance passed last month regarding numbering on houses and mail boxes to require the size of the numbers meet the state regulations. The Committee is working on this with the Zoning Administrator.

NEGOTIATION COMMITTEE - a meeting is scheduled for February 25th at 7:00 p.m.

LAW ENFORCEMENT/ESDA/WELFARE COMMITTEE - Bids are out on the jail extension, 16 plans have been picked up. Bids will be opened March 24th at 1:00 p.m. Sheriff Kreke asked if the phone system could be moved around. He would like to see all the phone lines compacted in one room instead of being spread out in three different areas. out of the existing room upstairs. The cost would not exceed \$5,000.00. Discussion followed on the extension project. Jack Taylor thought the project was on hold until after the budget process, union contracts, etc., were completed. Lampe asked if the board members could get a copy of the prints. Sullivan will get a copy of the plan for the board members. The Public Building Commission has given their okay for the project. Work will begin March 1, 2004, on repairs to the heating & cooling system at the court house.

ECONOMIC DEVELOPMENT COMMITTEE - a meeting is scheduled for March 22nd at 7:00 p.m.

Chairman Kloeckner read a letter from Kaskaskia College on the coordination and organization of an Economic Alliance. The Alliance consists of Marion, Clinton, Bond, Fayette and Washington Counties. Sullivan is our member on this committee. A meeting is scheduled for February 24th at 5:30 p.m. at the KC Crisp Technology Center in Centralia.

ROAD & BRIDGE COMMITTEE - **MOTION** by Fix second by Holtgrave to adopt a resolution approving the request of the Breese Fire Protection District to increase the width of

their entrance to 100 feet on County Highway #7. **MOTION CARRIED.**

Wiedle Road Project is scheduled for state letting April 23, 2004. **MOTION** by Jack Taylor second by Mensing to adopt a resolution approving an agreement with Clinton County East Public Water District for the relocation of a portion of waterline along Wiedle Road. **MOTION CARRIED.**

MOTION by Holtgrave second by Murray to approve a petition from East Fork Township for 50% of the local match for the township bridge section (double culvert and 800 feet of road), **MOTION CARRIED.**

CH#8, (Aviston Road) resurfacing project from Aviston to Albers has been programmed for FY2007. Engineer Mitchell will include CH#8 (Albers Road) from IL 161 south to Heimann Road in the resurfacing CH#8 project for FY2007.

The GIS Committee will take care of the ground control points at their next meeting. The cost will be between \$5,000.00 and \$7,500.00. **MOTION** by Foppe second by Sullivan to give the GIS Committee the power to proceed with awarding the cost for the ground control points because time is of the essence to have the markers placed as needed. **MOTION CARRIED.**

FINANCE COMMITTEE - MOTION by Jack Taylor second by Mensing to approve payment of \$123,304.00 to Fidlar Election (will receive reimbursement from the State of Illinois), Bettere Newspapers - 219.28, Breese Journal - 197.51, Centralia Sentinel - 169.20, Datamax - 321.89, Fidlar - 81.40, Puritan Springs - 47.50, Trenton Sun - 290.25 and Office Environments - 1058.00. **MOTION CARRIED.**

MOTION by Robbins second by Guthrie to approve the monthly financial and budget report of the County Treasurer's Office. **MOTION CARRIED.**

Treasurer Mueller reported oil checks in the amounts of \$5,955.75 and \$24,111.50 have been received. He also reported he has distributed the 2003 mobile home tax money in the amount of \$100,021.34 to the taxing bodies.

The Pearl Sand Account audit has been completed and set to the Exxon office in Houston, the IL Environmental Protection Agency and Jack Rickner at Albers. States Attorney Stan Brandmeyer told the board he had contacted Exxon's legal department about the surplus funds. Mueller asked for a letter signed by Exxon and Brandmeyer on how to handle the \$68,000.00 that is left in the account.

MOTION by Mensing second by Jack Taylor to approve the 2003 Financial Report of the Treasurer's Office for publication. **MOTION CARRIED.**

MOTION by Jack Taylor second by Fix to waive thirty day reading of the contract proposal with

Manatron, Inc. **MOTION CARRIED.**

MOTION by Jack Taylor second by Lampe to approve the four year contract with Manatron at a cost of \$56,550.00 each year and an initial payment of \$69,071.00. **MOTION CARRIED.** \$70,000 of this cost has been budgeted from the S of A's Office, Zoning, Treasurer and County Clerk's Offices. The remainder of \$55,621.00 will be paid from the 075 Fund.

First reading - Arnold Huegen as Trustee of the Albers Sanitary District.

MOTION by Robbins second by Jack Taylor to approve the Accounts Payable Claims.
MOTION CARRIED.

MOTION by Robbins second by Holtgrave to adjourn the meeting. **MOTION CARRIED.**

Ray Kloeckner
Board Chairman

Thomas LaCaze, County Clerk

#02-04-01

WHEREAS, the Clinton County Board of Clinton County, Illinois, has a policy of recognizing excellence in any field of endeavor by Clinton County residents; and

WHEREAS, the Clinton County Board desires to recognize the athletic achievement of students in Clinton County; and

WHEREAS, Carlyle CUSD #1, "Lady Indians" Basketball Team has distinguished itself by winning first place in the state competition of the Southern Illinois Junior High School Athletic Association, Class "L", in the State of Illinois;

NOW, THEREFORE, BE IT RESOLVED by the Clinton County Board at their regular meeting, February 17, 2004, that the Carlyle Lady Indians Basketball Team be recognized for its outstanding achievement.

DATED this 17th day of February, 2004.

Attest: S/ Thomas LaCaze, County Clerk

S/ Ray Kloeckner, Board Chairman

#02-04-03

WHEREAS, the Clinton County Board of Clinton County, Illinois, has a policy of recognizing excellence in any field of endeavor by Clinton County residents; and

WHEREAS, the Clinton County Board desires to recognize the athletic achievement of students in Clinton County; and

WHEREAS, Bartelso Elementary School District #57 "Bartelso Braves" Girls Basketball Team has distinguished itself by winning first place in the state competition of the Southern Illinois Junior High School Athletic Association, Class "S", in the State of Illinois;

NOW, THEREFORE, BE IT RESOLVED by the Clinton County Board at their

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regular meeting, February 17, 2004, that the Carlyle Lady Indians Basketball Team be recognized for its outstanding achievement.

DATED this 17th day of February, 2004.

Attest: S/ Thomas LaCaze, County Clerk

S/ Ray Kloeckner, Board Chairman

CLINTON COUNTY BOARD SPECIAL MEETING
February 23, 2004

The Special Meeting of the Clinton County Board was called to order on Monday, February 23, 2004, at 7:00 p.m.

ROLL CALL: Present: Beckmann, Foppe, Guthrie, Hitpas, Holtgrave, Kloeckner, Lampe, Mensing, Murray, Pingsterhaus, Robbins, Sullivan, Craig Taylor and Jack Taylor.

The Pledge of Allegiance was recited. All visitors and guests introduced themselves.

Scott Rensing, representing employees of the Vandalia Correctional Center asked the Board for their support in opposing the closing of the Vandalia Correctional Center. **MOTION** Jack Taylor second by Holtgrave to approve the resolution and send copies to the state legislators who represent Clinton County. **MOTION CARRIED.**

There has been some misunderstanding concerning the pay increases approved at the January meeting. The increase did not include part-time employees of the Sheriff's Department which includes the Bailiffs, Court Security and one custodian at the Court House. **MOTION** by Hitpas second by Craig Taylor to approve the above. **MOTION CARRIED.**

Health Insurance - Chairman Kloeckner stated he would have States Attorney Brandmeyer read a memo Brandmeyer had prepared for the County Board concerning a possible conflict of interest concerning the Chairman of the Insurance Committee, Ronald L. Foppe. All insurance brokers who are present will have an opportunity to address the Board after the memo is read..

Brandmeyer said the question asked was if a chairman of an Insurance Committee who recuses himself from the competitive bidding process be involved in the committee that ultimately selects insurance for the county and then the bid goes to a family member. And what is the nature of the relationship between the chairman of the committee and the family member, is there a direct pecuniary interest. Brandmeyer stated that the County Board had approved the Insurance Committee's report given at the last meeting. The report stated that Ronald C. Foppe and the Foppe Insurance Agency was the successful bidder on the health plans and was approved as the Agent of Record for the Blue Cross Blue Shield and Delta Dental plans for the County. At the same meeting a motion was later made and approved to have States Attorney Brandmeyer investigate a possible conflict of interest by the chairman of the committee. Brandmeyer said that Ronald L. Foppe did not bid himself. Ronald C. Foppe appears to be an employee of the Foppe Insurance Agency of which Ronald L. Foppe has divested himself of day to day interest. Ronald L. Foppe does not receive any profit from the agency. At this point there does not appear to be any direct financial or pecuniary benefit to Ronald L. Foppe.

After States Attorney Brandmeyer reviewed the bids, it appears that the bids submitted by Foppe Insurance Agency and Imming Insurance Agency were both flawed. Foppe Insurance Agency on the deductibles and Imming on the dental. The County Board has the right to reconsider and rescind its previous action. The County Board has the option of revisiting the entire issue and

completely reopen the bid process, maintain status quo or designate one or more agents of record.

The following insurance agents addressed the board: Dan Imming of Imming Insurance Agency, , Bill Foppe of Foppe Insurance Agency, Christine Johnson-Olster, and Gene Huels of Country Companies.

MOTION by Lampe second by Mensing not to accept any of the bids and start the bidding process over. Roll call vote. Yes - Beckmann, Guthrie, Hitpas, Lampe, Mensing, Murray, Pingsterhaus, Robbins, Craig Taylor and Jack Taylor. No - Holtgrave and Sullivan, Abstain - Foppe. Absent - Fix. **MOTION CARRIED.**

MOTION by Jack Taylor second by Guthrie to appoint Mark Robbins as a member of the Insurance Committee. **MOTION CARRIED.**

MOTION by Robbins second by Lampe to advertise for bids to be submitted by March 11, 2004, and with the bids that are equal and responsible, draw the name of the successful bidder out of a hat. **MOTION CARRIED.**

MOTION by Mensing second by Sullivan to have the two lowest bidders (Imming and Foppe) split the split the agent of record for next month or until this is resolved. **MOTION CARRIED.** Foppe abstains.

MOTION by Lampe to rescind his first motion and Robbins to rescind the second on the motion not to accept any of the bids and start the process over. Second by Mensing. **MOTION CARRIED.**

MOTION by Robbins to go with two responsible lowest bidders that we have and split for one year second by Mensing. Imming & Foppe Insurance. **MOTION CARRIED.**

MOTION by Robbins second by Holtgrave to adjourn the meeting. **MOTION CARRIED.**

Ray Kloeckner
Board Chairman

Thomas LaCaze, County Clerk & Recorder

CLINTON COUNTY BOARD
March 15, 2004

The March meeting of the Clinton County District Board was called to order by Sheriff Mike Kreke on Monday, March 15, 2004, at 7:00 p.m.

Roll call: Present: Beckmann, Fix, Foppe, Guthrie, Hitpas, Holtgrave, Kloeckner, Lampe, Mensing, Murray, Pingsterhaus, Robbins, Sullivan, Craig Taylor and Jack Taylor.

The Pledge of Allegiance was recited. All visitors and guests were asked to introduce themselves.

MOTION by Lampe second by Mensing to approve the minutes of the February 17, 2004 meeting. **MOTION CARRIED.**

MOTION by Lampe second by Mensing to approve the minutes of the special meeting held February 23, 2004. **MOTION CARRIED.**

First reading of appointments: Ron Rolfingsmeyer - Carlyle Fire Protection District; Larry Hanke and John White - Clinton County East Public Water District; and Steve Tonnie - Clin-Clair Fire Protection District.

MOTION by Lampe second by Beckmann to approve the appointment of Arnold Huegen as Trustee of the Albers Sanitary District for a three year term. **MOTION CARRIED.**

Wade Township sent a letter notifying the Board of the appointment of Virgil Holthaus as Trustee of the Wade Township Fire Protection District for a three year term.

MOTION by Robbins second by Holtgrave to approve the annual report of the Coroner's Office. **MOTION CARRIED**

MOTION by Robbins second by Hitpas to approve the annual report of the Probation Office. **MOTION CARRIED.**

MOTION by Foppe second by Robbins to allow the Carlyle Street Fair use of the court house lawn and parking lot on September 10 & 11th. The County should be named on the certificate of insurance and the grounds will need to be returned to the same condition they were in before the fair. **MOTION CARRIED.**

MOTION by Jack Taylor second by Hitpas to approve the monthly report of the Clinton County Health Department. This monthly report is a state law requirement. **MOTION CARRIED.**

Chairman Kloeckner reported the county received an answer on the law suit involving Ruth Collard. States Attorney Brandmeyer reported the county is not held in contempt of court for not following the order. There was no requirement in the order to place her back in a

union position with the county. The County had requested the order be set aside in its entirety, but the court did not order that to be so. Now the county can go ahead with the malpractice suit. The cost of the malpractice suit will be on a contingency basis. The attorney would receive 40% of anything the county would receive. **MOTION** by Hitpas second by Sullivan to move forward with the malpractice suit with Ripplinger & Associates at no cost to the county. **MOTION CARRIED.**

MOTION by Craig Taylor second by Sullivan to approve a resolution from the Public Building Commission allowing the county to hire an engineer for the jail expansion and to hold the PBC harmless for any construction costs, claims, etc., involved with the expansion. **MOTION CARRIED.**

The following committees had no report: Lake Task Force, Safety, Education, Solid Waste, 911, Agriculture, Environmental Concerns, Liquor, and General Services.

IL COUNTY INSURANCE TRUST- The ICIT audit for last year has been received. The next meeting will be Wednesday @ 10:00 a.m.

INSURANCE COMMITTEE - The Committee held an emergency meeting on March 10, 2004, to sign off on the contractual rates with Blue Cross/Blue Shield. Hitpas reported that employees have been paying 100% of the prescription drug costs because they are not in the Blue Cross/Blue Shield system yet. He asked if the county would be willing to reimburse the employees for that cost until they would receive payment from the company. Dan Imming reported that by tomorrow the entire alphabet should be on-line. The employees could go back to the pharmacy to see if they could get reimbursed for their costs. For those who have already paid, the only option is to file a claim form for reimbursement from Blue Cross/Blue Shield. The County has to maintain the level of benefits that the employees have had. After the special meeting the county had, the rates came in a little less than initially quoted.

MOTION by Hitpas second by Robbins to approve a bill from Spectrum Group for administration of the three month claim run out in the amount of \$4,725.00. **MOTION CARRIED.**

Hitpas reported an employee is wanting clarification on the increased cost of the dental insurance per month. The family cost of coverage is not under the union contract. The county is obligated to pay the employees cost, not the dependent coverage.

Ron C. Foppe asked about the life insurance portion of the coverage. Blue Cross/Blue Shield wants clarification on coverage for persons over age 65. The current life insurance contract we have reduces death benefits at 65. Hitpas said we need to match up what we currently have and will check if there would be an additional cost to maintain the 100% level.

MOTION by Hitpas second by Holtgrave to reimburse the county employees for the difference in their cost of prescription drug co-pays. **MOTION CARRIED.** The employees

will need to submit their receipts for payment to the County Clerk's Office. Payments will be made once a month after approval from the County Board.

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - Monthly meetings will be held on the third Thursday of each month at 6:00 p.m. beginning this month

708 MENTAL HEALTH BOARD - The committee's first meeting of this year will be held on April 27, 2004.

Southwestern IL Area Agency on Aging - Public hearings regarding the three year plan will be held March 18, 2004, at 1:00 p.m. at Shiloh and March 23, 2004, at 1:00 p.m. at Chester.

GIS COMMITTEE – Finalized contract with Image-America. A meeting is scheduled for March 16, 2004 at 7:00 p.m.

RC&D COUNCIL - A meeting is scheduled for tomorrow night in Mascoutah.

TOURISM COMMITTEE - A letter was received from Jo Kaufman requesting the county continue to recognize the Southwestern Illinois Tourism Bureau as the county's representative for tourism.

MOTION by Craig Taylor second by Jack Taylor to approve the Teamsters Union Local #50 contract with the Jail employees with a \$.65 an hour increase retroactive to December 1, 2003. It is a one year contract. **MOTION CARRIED.**

MOTION by Jack Taylor second by Mensing to have Chairman Kloeckner set up a meeting with the Clinton County Farm Bureau. Chairman Kloeckner will notify the board members of the time and location. **MOTION CARRIED.**

ZONING/SUBDIVISION COMMITTEE - MOTION Craig Taylor second by Mensing to waive the first reading of Frank Santel's Subdivision. **MOTION CARRIED.**

MOTION by Mensing second by Pingsterhaus to approve the subdivision plat of Frank Santel's Subdivision. **MOTION CARRIED.**

The county has been included in a law suit with the City of Centralia concerning an adult entertainment location in Centralia. States Attorney Brandmeyer passed around two sample ordinances the board can consider action on regarding nudity and unlawful entertainment. The county can regulate these types of business. **MOTION** by Jack Taylor second by Holtgrave to put this on the agenda for the meeting with Farm Bureau. **MOTION CARRIED.**

LAW ENFORCEMENT/ESDA/WELFARE COMMITTEE - The opening of bids on the jail expansion will be March 24,2004, at 1:00 p.m.

ECONOMIC DEVELOPMENT COMMITTEE - The next meeting is scheduled for March 22 at 7:00 p.m.

PERSONNEL COMMITTEE - A meeting is scheduled for March 17, 2004, at 7:00 p.m.

ROAD & BRIDGE COMMITTEE - MOTION by Murray second by Jack Taylor to approve a resolution awarding the bid for the county's metal culverts to Energy Culvert Co. for \$17,627.67. **MOTION CARRIED.**

MOTION by Mensing second by Craig Taylor to approve a resolution awarding the bid for township metal culverts to Energy Culver Co. for \$47,022.10. **MOTION CARRIED.**

MOTION by Sullivan second by Pingsterhaus to approve a permit for the Village of Damiansville to bore under CH#8 (Albers Road). **MOTION CARRIED.**

The Village of Damiansville has submitted a resolution requesting storm sewers and curb and gutter on CH#8 (Damiansville Road).

The IL Department of Transportation opened bids on March 5 for resurfacing CH#8 from Albers to I-64 (Albers Road). The low bid of \$420,023.88 was submitted by Howell Paving & General Contractors of Centralia.

Engineer Mitchell reported he is working on plans for resurfacing CH#7 from Breese to Germantown (Germantown Road). The Wiedle Road project in on the April 23, 2004 letting in Springfield.

FINANCE/HEALTH SERVICES - Fred Becker of Glass & Shuffet presented the annual audit of Clinton County and the Circuit Clerk's office. He presented a Management Discussion and Analysis report as well as a Statement of Net Assets. **MOTION** by Holtgrave second by Guthrie to approve the annual audit reports. **MOTION CARRIED.**

MOTION by Jack Taylor second by Robbins to approve payment of \$2,628.60 to Trenton Sun for assessment notices. **MOTION CARRIED.**

MOTION by Mensing second by Craig Taylor to approve the monthly Budget and Financial Report of the Treasurer's Office. **MOTION CARRIED.**

MOTION by Hitpas second by Murray to approve the annual Animal Control report. **MOTION CARRIED.** There were no claims this past year.

MOTION by Jack Taylor second by Guthrie to approve the Coroner's salary be set at 60% of the salary of the elected officials (County Clerk, Treasurer, etc.). The Coroner will also receive an annual increase equivalent to 60% of the increase the elected officials receive. **MOTION CARRIED.**

MOTION by Craig Taylor second by Sullivan to approve requests from Western Clinton

County Senior Services (Trenton Center) and Clinton County Senior Services (Carlyle Center) for a donation of \$1500.00 each for this fiscal year. **MOTION CARRIED.**

FACILITIES - The Public Building Commission is getting an engineering firm to take care of the heating & cooling problems at the court house.

MOTION by Guthrie second by Sullivan to send a letter to our representatives asking them to oppose SB3954 which would remove snack & soda machines from schools. **MOTION CARRIED.**

MOTION by Mensing second by Craig Taylor to approve payment of Accounts Payable Claims. **MOTION CARRIED.**

Sullivan gave a report on the meeting he attended regarding legislation pertaining to county government.

MOTION by Robbins second by Holtgrave to adjourn the meeting. **MOTION CARRIED.**

Ray Kloeckner
Board Chairman

Thomas LaCaze, County Clerk & Recorder

CLINTON COUNTY BOARD
April 19, 2004

The April meeting of the Clinton County Board was called to order on Monday, April 19, 2004, at 7:00 p.m.

Roll call: Present - Beckmann, Fix, Foppe, Guthrie, Hitpas, Holtgrave, Kloeckner, Lampe, Murray, Pingsterhaus, Robbins, Sullivan, and Craig Taylor.

MOTION by Lampe second by Holtgrave to approve the minutes of the previous meeting.
MOTION CARRIED.

The Pledge of Allegiance was recited. All visitors and guests introduced themselves.

MOTION by Fix second by Holtgrave to approve a resolution recognizing the All Saints Academy Girls Basketball Team on winning first place in Southern IL Junior High School Athletic Association Class "M" Division. **MOTION CARRIED.**

MOTION by Guthrie second by Pingsterhaus to approve a resolution recognizing the Bartelso Elementary S/D #57 Girls Volleyball Team on winning first place in Southern IL Junior High School Athletic Association Class "S" Division. **MOTION CARRIED.**

Chairman Kloeckner read a letter from the City of Trenton thanking the County for the \$1,500.00 donation for the Western Clinton County Senior Services.

First readings of appointments: Jeff Schulte - Carlyle S/W Public Water District, Michael Gall and Greg Rehkemper - St. Rose Public Water District, Maurice Spihlmann - Germantown Fire Protection District, Kevin Litteken - Aviston Fire Protection District, Gary Prorise - Hoffman Fire Protection District, Neil Nothaus - Huey-Ferrin-Boulder Fire Protection District, Al Brueggemann- Clinton County Board of Review.

Wheatfield Township has informed the county that Robert Beckemeyer has been appointed Trustee of the Wheatfield Township Fire Protection District for a three year term.

MOTION by Guthrie second by Pingsterhuas to approve the appointment of Ron Rolfingsmeyer as Trustee of the Carlyle Fire Protection District for a three year term. **MOTION CARRIED.**

MOTION by Guthrie second by Pingsterhaus to approve the appointment of Larry Hanke as Trustee of the Clinton County East Public Water District for a five year term. **MOTION CARRIED.**

MOTION by Sullivan second by Lampe to approve the appointment of John White as Trustee of the Clinton County East Public Water District for a five year term. **MOTION CARRIED.**

MOTION by Lampe second by Craig Taylor to approve the appointment of Steve Tonnies as

Trustee of the Clin-Clair Fire Protection District for a three year term. **MOTION CARRIED.**

LaDean Sheurer and Catherine Barkley of the Clinton Co Extension Service gave a report on the various services provided to county residents. A copy of the 2004/05 budget was passed out to all board members.

County Clerk Thomas LaCaze informed the Board that the State of IL has reimbursed the county \$121,304.36 for costs to replace the punch card voting equipment in the County.

MOTION by Sullivan second by Craig Taylor to approve a resolution opposing the Governor's War on Agriculture. **MOTION CARRIED.**

MOTION by Craig Taylor second by Holtgrave to approve payment of \$175.00 to Lawrence and Marie Ward for cleaning up property in Harbor Light Bay. **MOTION CARRIED.**

An Ordinance to License Public Accommodations which would amend Chapter 7 of the Revised Code of Ordinances was read. After discussion of possible changes it was decided to give it back to the Committee. **MOTION** by Craig Taylor second by Lampe to have the Committee review the ordinance and bring it back at next month's meeting with their recommendation. **MOTION CARRIED.**

MOTION by Sullivan second by Craig Taylor to approve a Map Change Ordinance amending the Clinton County Zoning Code to classify 10 acres in Section 4, Santa Fe Township as "AR" (minimum 3 acre lot size). Roll call vote: Yes - Hitpas, Murray, Robbins, Guthrie, Pingsterhaus, Fix, Holtgrave, Foppe, Sullivan, Craig Taylor, Beckmann, and Lampe. Absent - Jack Taylor and Mensing. **MOTION CARRIED.**

MOTION by Holtgrave second by Sullivan to approve a resolution urging State Senators and Representatives to vote against any measure which would decrease funding for the tourism industry in southern Illinois. **MOTION CARRIED.**

Chairman Kloeckner reported Joseph Heiligenstein submitted his resignation from the Mid America Investment Board and Brian Hitpas has agreed to replace him. **MOTION** by Lampe second by Sullivan to approve the appointment of Hitpas. **MOTION CARRIED.** Hitpas abstained.

LAKE TASK FORCE COMMITTEE - MOTION by Craig Taylor second by Hitpas to keep the money the county has for development at the County Farm/Industrial Park in that account. The money is to be used for improvements such as infrastructure, etc. **MOTION** by Foppe second by Fix to have a roll call vote. Voting yes: Beckmann, Guthrie, Hitpas, Holtgrave, Murray, Pingsterhaus, Robbins and Craig Taylor. Voting no: Fix, Foppe, Lampe and Sullivan. Absent: Mensing and Jack Taylor. **MOTION CARRIED.**

INSURANCE TRUST - Foppe reported ICIT has a library of safety tapes that the Safety Committee would be interested in. ICIT is also setting up a web site that can be used for

reporting claims.

INSURANCE COMMITTEE - The Committee met with Dan Imming on coverages for retirees. Retirees are not included in reimbursement on prescription drugs. **MOTION** by Hitpas second by Fix to approve payments of \$1,202.00 to county employees for the difference in the co-pay for prescription drugs. **MOTION CARRIED.**

The Insurance Committee was asked to look into the possibility of reimbursing employees for the differences in co-pays as they submit their claims. The Committee will take it under advisement.

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - A meeting is scheduled for Thursday, April 22, at 7:00 p.m.

SAFETY COMMITTEE - A meeting will be set in May at which time they will look over the safety tapes from the IL County Insurance Trust.

EDUCATION COMMITTEE - The next meeting is scheduled for May 6, at 4:30 p.m.

708 MENTAL HEALTH BOARD - The meetings for this year are scheduled as follows: April 27, and May 25 in the county board room, and June 22 at the Health department. The grants will be awarded at the June meeting.

Southwestern Illinois Area Agency on Aging - The Advisory Committee has approved the fiscal year plan for 2005/07 and have recommended the plan to their Finance Committee.

GIS COMMITTEE - The committee selected 30 points around the county that will be used for ground control. The Committee has contracted with Shawnee Survey to do the reading of these points.

RC&D COUNCIL - The Council is looking for donors for the land conservancy. The next meeting will be May 18, 2004.

The following committees had no report: Solid Waste, Negotiation, Zoning, Personnel, Facilities, Agriculture and Environmental Concerns.

TOURISM COMMITTEE - The Committee is going to Springfield to lobby for the petition that was passed earlier concerning funding cuts for tourism. The Committee has scheduled a meeting for Thursday, April 22 at 5:30 p.m. with the county mayors and village presidents.

Germantown Business Professionals will hold a meeting May 5 at 7:30 p.m. at the Germantown Legion in regard to keeping Scott Air Force Base open. The meeting is open to the public.

911 COMMITTEE - The committee has been working on house numbers in New Memphis.

LAW ENFORCEMENT COMMITTEE - Sullivan reported the bids were opened for the Jail expansion project. The bid price is for the base floor plan and does not include flooring, furniture and other items. **MOTION** by Sullivan second by Fix to accept the low bid of \$618,617.00. **MOTION CARRIED.** Robbins and Craig Taylor voted no.

ECONOMIC DEVELOPMENT COMMITTEE - Meeting at Fairview Heights and will be meeting with Mary Lamie of IL Department of Transportation on Route 409..

ROAD & BRIDGE COMMITTEE - **MOTION** by Craig Taylor second by Murray to award the low bids for townships for materials to be purchased with Motor Fuel Tax funds. **MOTION CARRIED.**

MOTION by Hitpas second by Beckmann to award the low bids for materials for the County to be purchased with County funds. **MOTION CARRIED.**

MOTION by Robbins second by Guthrie to approve a petition from Meridian Township for 50% county match to replace a culvert on Sand Ridge Road. **MOTION CARRIED.**

MOTION by Hitpas second by Robbins to approve a petition from Lake Township for 50% county match to replace a culvert on Vogel Road. **MOTION CARRIED.**

MOTION by Craig Taylor second by Beckmann to pay salary of County Engineer out of Motor Fuel Tax Funds. **MOTION CARRIED.**

MOTION by Craig Taylor second by Sullivan to approve a permit for St Rose Water District to bore under CH#18 for a new water line crossing. **MOTION CARRIED.**

Engineer Mitchell gave reports on the following projects: CH#7 (Germantown Road) working on plans from Henry Street in Germantown to Old Route 50 south; Wiedle Road Project - State will open bids on Friday; Albers south to I-64 - IDOT has awarded the bid and work should begin in May; CH#8 (Damiansville Road) the contractor has resumed work.

FINANCE COMMITTEE - **MOTION** by Holtgrave second by Fix to pay Jim Hummert, Public Administrator, \$75.00 a month to cover his expenses. This will be handled through payroll and will be retroactive to June, 2003. **MOTION CARRIED.**

MOTION by Hitpas second by Robbins to approve the Monthly Budget and Financial Report of the Treasurer's Office. **MOTION CARRIED.**

MOTION by Lampe second by Beckmann to approve Germantown Egg Company collateral releases (1986 S-10 pick-up and 1993 Ford LN8000). **MOTION CARRIED.**

MOTION by Craig Taylor second by Beckmann to approve Germantown Egg Company paying off the loan they have through the County's Revolving Loan Fund. **MOTION CARRIED.**

GENERAL SERVICES COMMITTEE - A meeting is scheduled for May 13 at Centralia concerning the Greater Centralia Enterprise Zone.

LIQUOR COMMITTEE - The next meeting will be May 5th at 5:30 p.m. at Hoffman House in Hoffman.

Don Murray gave a report on the Southern Central Illinois Growth Alliance. The Alliance, which consists of Bond, Fayette, Marion, Clinton and Washington Counties, is working through Kaskaskia College. The next meeting is April 28, 2004 at the college.

MOTION by Craig Taylor second by Foppe to approve payment of the Accounts Payable Claims. **MOTION CARRIED.**

MOTION by Robbins second by Pingsterhaus to adjourn the meeting. **MOTION CARRIED.**

Ray Kloeckner
Board Chairman

Thomas LaCaze, County Clerk

CLINTON COUNTY BOARD
JUNE 21, 2004

The June meeting of the Clinton County Board was called to order by Sheriff Mike Kreke on Monday, June 21, 2004, at 7:00 p.m.

Roll call: Present - Beckmann, Fix, Foppe, Hitpas, Holtgrave, Kloeckner, Lampe, Murray , Pingsterhaus, Robbiins, Sullivan, Craig Taylor and Jack Taylor.

The Pledge of Allegiance was recited. Recognition of visitors and guests.

First reading of appointments: Andrew Flood, Trustee for New Memphis Sanitary District; William Simonton, Lester Thouvenin, David Cahoon and James Taylor, Members for Posey Cemetery Association.

MOTION by Lampe second by Sullivan to approve the appointment of Ray Westpahl as Trustee of the Sugar Creek Township Fire Protection District. **MOTION CARRIED.**

MOTION by Lampe second by Holtgrave to approve the appointment of Maurice Diekemper as Trustee of the Tri-Township Water District. **MOTION CARRIED.**

MOTION by Beckmann second by Fix to approve the appointments of Chris Rivera, Steven Stone and Chris Dixon to the Clinton County Health Board. **MOTION CARRIED.**

MOTION by Hitpas second by Lampe to approve the appointment of Dan Gilbreth as Trustee of the Santa Fe Fire Protection District. **MOTION CARRIED.**

MOTION by Jack Taylor second by Beckmann to approved the minutes of the previous meeting. **MOTION CARRIED.**

MOTION by Jack Taylor second by Sullivan to accept an ordinance, as presented, which amends the Clinton County Code of Ordinances regulating the ethical conduct, political activities, solicitation and acceptance of gifts by employees. **MOTION CARRIED.**

MOTION by Craig Taylor second by Beckmann to adopt an ordinance amending the Clinton County Zoning Code classifying 1.99 acres of real estate in Wade Township as "Commercial" Roll call vote: Yes - Hitpas, Murray, Robbins, Pingsterhaus, Jack Taylor, Fix, Holtgrave, Foppe, Sullivan, Craig Taylor, Beckmann, and Lampe. Absent - Mensing and Guthrie. **MOTION CARRIED.**

MOTION by Jack Taylor second by Holtgrave to accept the two ordinances as requested by the Sheriff's Office. The first ordinance amends the Clinton County Motor Vehicle Code to include (M) Schedule "G" listing "No Parking" areas; the second ordinance amends Schedule "G" to include Walcott Road to Emerald Road on IL Rte127. **MOTION CARRIED.**

Chairman Kloeckner gave a coal bed methane update. BPI Industries reached an agreement with

Christian County similar to ours. All the information is being sent to the 15 companies that had responded to the original advertisement. A company from Australia has spent three days at BPI's office in Marian evaluating the project.

The following committees had no reports: Lake Task Force, General Services and Agriculture.

INSURANCE TRUST - Foppe reported the Insurance Trust is in the process of reviewing the contracts for property and casualty insurance and are expecting to save quite a bit on money. Foppe mentioned he was supposed to have received a letter concerning the old Health Insurance Trust but it hasn't come in yet.

HEALTH INSURANCE COMMITTEE - Hitpas stated the committee had met and reviewed the claims and they were accepted.

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - Robbins reported the property in New Memphis has been cleaned up. The next meeting is Thursday evening.

SAFETY COMMITTEE - Pingsterhaus reported the committee had met on June 7th with some of the department heads and J. P. Penet of the Insurance Trust and went through safety issues.

EDUCATION COMMITTEE - Beckmann reported the next meeting will be July 1, 2004, at 4:30p.m.

708 MENTAL HEALTH BOARD/SWIAAAA COMMITTEE - Foppe stated the next meeting will be June 30, 2004, to award the grants and will give a full report at next month's meeting..

GIS COMMITTEE - Beckmann reported the committee is working on finalizing a certified photogrammetist. The Committee is also trying to negotiate payment terms for the street centerline data.

RC&D COUNCIL - Lampe informed the board that Evansville is the proposed site for a 30 million gallon ethanol plant. The next meeting is scheduled for July 20th.

SOLID WASTE COMMITTEE - Holtgrave said all the county mayors have been invited to next week's meeting at which there will be a guest speaker.

TOURISM COMMITTEE - Holtgrave reported "Show Me St. Louis" program aired on June 9th and the towns were happy with it.

9-1-1 COMMITTEE - Jack Taylor announced they are waiting for the construction to begin on the jail extension.

NEGOTIATION COMMITTEE - Craig Taylor reported the committee went over the contract with the Supervisor of Assessments which is due July 1, 2004. The contract will be for a 4 year term

with a \$2,500.00 increase each year for 4 years. **MOTION** by Craig Taylor second by Lampe to accept the contract. **MOTION CARRIED.**

ZONING/SUBDIVISION COMMITTEE - MOTION by Sullivan second by Hitpas to approve "The Lakes" Subdivision located in Section 22, Sugar Creek Township. **MOTION CARRIED.**

LAW ENFORCEMENT COMMITTEE - Sullivan reported they started preliminary work on the jail extension. Sheriff Kreke said the line was marked from the Court House to the Jail. Hitpas reported ESDA will receive a \$62,085.00 grant for radio equipment.

ECONOMIC DEVELOPMENT/SWIDA - Sullivan reported SWIDA is trying to find a replacement for their Board Chairman. The new director will be spending 25% of his time on Clinton County business.

PERSONNEL COMMITTEE - Holtgrave reported there is a discrepancy with Pam Sheathelm wages and Mike McMillan was advised to wait until the contract is up.

ROAD & BRIDGE COMMITTEE - Engineer Mitchell reported the bridge over new US Route 50 on CH14 St. Rose Road is an IDOT project and the letting will be July 30th.

MOTION by Jack Taylor second by Sullivan to approve a petition from Santa Fe Township for 50% county match to replace a drainage structure at the intersection of Pelican and Pollman Roads. **MOTION CARRIED.**

MOTION by Holtgrave second by Fix to accept a resolution to approve an 80,000 lb. Truck Access Road Program with IDOT on CH#7 (Germantown Road). **MOTION CARRIED.**

Wiedle Road project has been awarded and work should begin the first week of July. CH#8 (Albers Road) project is almost completed. The subcontractors have not yet finished the work on CH#8 (Damiansville Road) from Damiansville west across Sugar Creek. Mitchell reported one of his trucks was involved in an accident.

FINANCE/HEALTH SERVICES COMMITTEE - Jack Taylor passed around the monthly report of the Health Department.

Fred Becker of Glass & Shuffett was present with the budget amendments. The amendments include the Jail addition transfers, the Teamsters salary increases and health insurances. A copy of the amended budget is available for inspection at the County Clerk's Office. The public hearing on the amended budget will be held at 6:00 p.m. on July 13th and the budget approval will be at the July board meeting.

MOTION by Craig Taylor second by Robbins to approve the Six Month's and the Monthly Budget and Financial Report of the County Treasurer. **MOTION CARRIED.**

The oil check received was for \$12,449.81. Treasurer Mueller reported the State Treasurer will be in his office on June 23rd with the Dash for Cash program.

MOTION by Jack Taylor second by Holtgrave to change the county board meeting from Monday night to Tuesday night, July 20th because of the Clinton County Fair Parade. **MOTION CARRIED.**

The Supervisor of Assessment's turned over the real estate books to the County Clerk's Office today and she requests that the board approve the Board of Review adjournment. **MOTION** by Foppe second by Lampe to approve the adjournment of the Board of Review. **MOTION CARRIED.**

FACILITIES COMMITTEE - Last month a motion was made to pay Netemeyer Engineering as per his contract for work on the jail extension. We have a bill for \$9,500.00 for payment that was referred to the Law Enforcement Committee, who in turn sent it to the Facilities Committee. Jack Taylor presented a bill for \$5,268.00 from John Brooks of Breese to clean up the property at New Memphis. **MOTION** by Robbins second by Jack Taylor to approve payment to John Brooks. **MOTION CARRIED.**

MOTION by Jack Taylor second by Foppe to approve payment of Jim Sullivan's per diem-\$2,400.00 and mileage-\$736.56. **MOTION CARRIED.**

LIQUOR COMMITTEE - Holtgrave reported the committee will meet July 5th at the Crossroads Restaurant near Keyesport..

ENVIRONMENTAL CONCERNS COMMITTEE - Lampe reported he had gone to Springfield to attend a pre-hearing meeting with the Department of Mines and Minerals. The meeting was canceled because the hearing officer was in another hearing. It would have been on the final permit concerning the slag pile.

MOTION by Robbins second by Craig Taylor to approve payment of the Accounts Payable Claims. **MOTION CARRIED.**

MOTION by Hitpas second by Beckmann to approve semi-annual report of the County Clerk and Recorder's Office. **MOTION CARRIED.**

Sullivan asked about the bill from Netemeyer Engineering. According to the contract he needs to bill in increments as the work progresses. Netemeyer needs to resubmit a billing that will reflect that.

MOTION by Robbins second by Holtgrave to adjourn the meeting. **MOTION CARRIED.**

Ray Kloeckner
Board Chairman

Thomas LaCaze, County Clerk & Recorder

#06-04-01

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY OF CLINTON AS FOLLOWS:

SECTION 1: The Code of Ordinances of Clinton County is hereby amended by the addition of the following provisions:

1

**ARTICLE 1
DEFINITIONS**

Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (I) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

"Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

"Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

"Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

"Employee" means a person employed by Clinton County, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

"Employer" means the County of Clinton.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

"Leave of absence" means any period during which an employee does not receive (I) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

"Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

"Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (I) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Prohibited political activity" means:

(1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

(2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fund-raiser, political meeting, or other political event.

(3) Soliciting, planning the solicitation of, or preparing any document or

report regarding anything of value intended as a campaign contribution.

(4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.

(7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

(8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

(9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.

(10) Preparing or reviewing responses to candidate questionnaires.

(11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.

(12) Campaigning for any elective office or for or against any referendum question.

(13) Managing or working on a campaign for elective office or for or against any referendum question.

(14) Serving as a delegate, alternate, or proxy to a political party convention.

(15) Participating in any recount or challenge to the outcome of any election.
"Prohibited source" means any person or entity who:

(1) is seeking official action (I) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;

(2) does business or seeks to do business (I) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;

(3) conducts activities regulated (I) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or

(4) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

ARTICLE 5

PROHIBITED POLITICAL ACTIVITIES

Section 5-1. Prohibited political activities. (a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of Clinton County in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or

employee to perform any prohibited political activity (I) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.

(e) No person either (I) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

5

ARTICLE 10

GIFT BAN

Section 10-1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 10-2. Exceptions. Section 10-1 is not applicable to the following:

- (1) Opportunities, benefits, and services that are available on the same conditions as for the general public.
- (2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any (I) contribution that is lawfully made under the Election Code or (ii) activities associated with a fund-raising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business.
- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on

the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (I) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

(8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (I) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

(9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Section 10-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

ARTICLE 15 ETHICS ADVISOR

Section 15-1. The County Board Chairman, with the advice and consent of the Clinton County Board shall designate an Ethics Advisor for the County of Clinton. The duties of the Ethics Advisor may be delegated to an officer or employee of the County of Clinton unless the position has been created as an office by the County of Clinton.

Section 15-2. The Ethics Advisor shall provide guidance to the officers and employees of Clinton County concerning the interpretation of and compliance with the provisions of this Ordinance and State ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the Clinton County Board.

ARTICLE 20 ETHICS COMMISSION

Section 20-1. There is hereby created a commission to be known as the Ethics Commission of Clinton County. The Commission shall be comprised of three members

appointed by the County Board Chairman with the advice and consent of the Clinton County Board. No person shall be appointed as a member of the Commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of Clinton County. No more than two members of the Commission shall belong to the same political party at the time such appointments are made. Party affiliation shall be determined by affidavit of the person appointed.

Section 20-2. At the first meeting of the Commission, the initial appointees shall draw lots to determine their initial terms. Two commissioners shall serve 2-year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to 2-year terms. Commissioners may be reappointed to serve subsequent terms.

At the first meeting of the Commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any 2 commissioners. A quorum shall consist two commissioners, and official action by the commission shall require the affirmative vote of two members.

Section 20-3. The County Board Chairman, with the advice and consent of the Clinton County Board, may remove a commissioner in case of incompetency, neglect of duty or malfeasance in office after service on the commissioner by certified mail, return receipt requested, of a copy of the written charges against the commissioner and after providing an opportunity to be heard in person or by counsel upon not less than 10 days' notice. Vacancies shall be filled in the same manner as original appointments.

Section 20-4. The Commission shall have the following powers and duties:

(1) To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.

(2) Upon receipt of a signed, notarized, written complaint, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 25-1(c) of this Ordinance and refer violations of Article 5 or Article 10 of this Ordinance to the appropriate attorney for prosecution. The Commission shall, however act only upon the receipt of a written complaint alleging a violation of this Ordinance and not upon its own prerogative.

(3) To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Ordinance.

(4) To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of Clinton County to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.

(5) The powers and duties of the Commission are limited to matters clearly within the purview of this Ordinance.

Section 20-5. (a) Complaints alleging a violation of this Ordinance shall be filed with the Ethics Commission.

(b) Within 3 business days after the receipt of a complaint, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within 3 business days after receipt by the commission. The notices to the respondent and the

complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.

(c) Upon not less than 48 hours' public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this Ordinance, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within 7 business days after receiving the complaint.

If the complaint is deemed sufficient to allege a violation of Article 10 of this Ordinance and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within 4 weeks after the complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the corporate authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

If the complaint is deemed sufficient to allege a violation of Article 5 of this Ordinance, then the Commission shall notify in writing the attorney designated by the corporate authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

(d) On the scheduled date and upon at least 48 hours' public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.

(e) Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a recommendation for discipline to the alleged violator and to the County Board Chairman, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.

(f) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within 7 business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within 7 days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the County Board Chairman or impose a fine upon the violator, or both.

(g) If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection (e) within 7 days after the complaint is filed, and during the 7 days preceding that election, the Commission shall render such decision before the date of that election, if possible.

(h) The Commission may fine any person who intentionally violates any provision of Article 10 of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may fine any person who knowingly files a frivolous complaint alleging a violation of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The

Commission may recommend any appropriate discipline up to and including discharge.

(I) A complaint alleging the violation of this Act must be filed within one year after the alleged violation.

ARTICLE 25 PENALTIES

Section 25-1. Penalties. (a) A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(b) A person who intentionally violates any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(d) A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by an attorney for the County of Clinton by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

A violation of Article 10 of this Ordinance may be prosecuted as a quasi-criminal offense by an attorney for the County of Clinton, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge.

SECTION 2: This Ordinance shall be in effect upon its passage and approval and publication as provided by law.

#06-04-02

BE IT ORDAINED by the County of Clinton, Illinois as follows:

Pursuant to Article 40-3-2 of the Clinton County Zoning Code, as amended the following described real estate shall be classified as "Commercial":

Property location: Wade Township, commencing at the northwest corner of said Quarter; thence easterly along the north line of said Quarter having an assumed bearing of North 88 degrees 38 minutes 46 seconds East 679.76 feet; thence South 01 degrees 49 minutes 19 seconds East 22.66 feet to a point on the southerly right-of-way line of Old U.S. Route 50 being the point of beginning; thence North 89 degrees 24 minutes 41 seconds East along said right-of-way line 255.00 feet to the northwest corner of an existing 2.04 Acre Tract; thence South 01 degrees 49 minutes 19 seconds East along the west line of said 2.04 acre tract 275.00 feet to the southwest corner of said Tract; thence North 89 degrees 24 minutes 41 seconds East along the south line of said Tract 100.00 feet; thence South 60 degrees 19 minutes 02 seconds West 113.09 feet; thence South 89 degrees 24

minutes 41 seconds West 255.00; thence North 01 degrees 49 minutes 19 seconds West 330.00 feet to the point of beginning. Containing 1.99 acre, more or less and is contiguous to an existing commercial property.

ADOPTED, ORDAINED AND APPROVED June 21, 2004, by a roll call vote of the Corporate Authorities of the County of Clinton, Illinois this 21st day of June, 2004.

Voting yes: Hitpas, Murray, Robbins, Pingsterhaus, Taylor, Fix, Holtgrave, Foppe, Sullivan, Taylor, Beckmann, and Lampe. Absent: Guthrie and Mensing.

DATED at Carlyle this 21st day of June, 2004.

S/ Thomas LaCaze, County Clerk

S/ Ray Kloeckner, Board Chairman

#06-04-03

BE IT ORDAINED by the County of Clinton, Illinois, as follows:

Article 24-6-3 of the Clinton County Motor Vehicle Code, as amended, shall be amended to include as follows:

(M) Schedule "G" shall list specifically, but without limitation to the remainder of this section, all "NO PARKING" areas.

ADOPTED, ORDAINED, AND APPROVED June 21, 2004, by a roll call vote of the Corporate Authorities of the County of Clinton, this 21st day of June, 2004.

Voting yes: Hitpas, Murray, Robbins, Pingsterhaus, Taylor, Fix, Holtgrave, Foppe, Sullivan, Taylor, Beckmann and Lampe.

DATED at Carlyle this 21st day of June, 2004.

S/ Thomas LaCaze, County Clerk

S/ Ray Kloeckner, Board Chairman

#06-04-04

BE IT ORDAINED BY THE COUNTY OF CLINTON, ILLINOIS, AS FOLLOWS:

Article Schedule "G" of the Clinton County Motor Vehicle Code, as amended, shall be amended to include as follows:

Walcott Road to Emerald Road on IL Rte 127, east and west sides of roadway.

ADOPTED, ORDAINED and APPROVED June 21, 2004, by a roll call vote of the Corporate Authorities of the County of Clinton, Illinois, this 21st day of June, 2004.

Voting yes: Hitpas, Murray, Robbins, Pingsterhaus, Taylor, Fix, Holtgrave, Foppe, Sullivan, Taylor, Beckmann, Lampe. Voting no: none. Absent: Guthrie and Mensing.

#06-04-05

This **AGREEMENT** is entered into by and between the State of Illinois, acting through its Department of Transportation, hereinafter referred to as the STATE, and Clinton County of the State of Illinois, hereinafter referred to as the LOCAL AGENCY.

WITNESSETH

WHEREAS, the parties hereto, in order to provide locally designated truck routes capable of sustaining increased load limits of 80,000 pounds, are desirous of improving County Highway 7 (Germantown Road) from Old US Route 50 in Breese to IL Route 161 in Germantown by resurfacing the rural section with bituminous concrete and constructing Portland cement concrete pavement in the urban section. Said improvement is to be identified as Sections 03-00083-00-RS & 03-00083-01-PV and STATE Job Number C-98-359-04 for construction and construction engineering, and

hereinafter referred to as the PROJECT.

WHEREAS, the parties hereto are desirous of said PROJECT in that the same will be immediate benefit to the residents of the LOCAL AGENCY and permanent in nature; and

WHEREAS, the STATE and LOCAL AGENCY wish to avail themselves of certain funds made available by the 80,000 Pound Truck Access Route Program for this PROJECT.

THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1) It is mutually agreed by and between the parties hereto that the estimated cost of the improvement is as follows:

Section	03-00083-00-RS	03-00083-01-PV
Construction	\$ 500,000.00	\$ 250,000.00
Construction Engineering	<u>35,000.00</u>	<u>17,500.00</u>
Total	\$ 535,000.00	\$ 267,000.00

Total Estimated Cost = \$ 802,500.00

2) It is mutually agreed the Project will be processed, let, and constructed in accordance with Motor Fuel Tax standards, policies and procedures.

3) The Local Agency will certify to the State that all necessary right-of-way has been obtained (if right of way is required) or that no additional right-of-way is required prior to the Local Agency advertising for bids for the Project.

4) The Project will be let and awarded by the Local Agency upon approval of the plans and specifications by the State.

5) The Local Agency agrees to retain jurisdiction and to maintain or cause to be maintained in a manner satisfactory to the State, the completed Project.

6) The Local Agency agrees to pass an ordinance/resolution clearly defining the limits of the proposed 80,000 pound truck route along with identifying the class of truck route. A copy of said ordinance/resolution is attached hereto and made a part hereof. Such truck route shall be properly signed in accordance with the Illinois Manual on Uniform Traffic Control Devices. Cost of signing to be included in estimated cost of the Project.

7) The parties hereto agree the Local Agency's Engineer's Estimate for this Project is \$802,500.00 which includes 3.68 lane miles of roadway improvement that are eligible for funding under the Truck Access Road Program. Based on the Engineer's Estimate, it is mutually agreed that the State's share of the Project cost under the Truck Access Road Program shall be a lump sum amount of \$220,800.00 not to exceed 50% of the final construction cost, whichever is the lesser, payable upon completion of the Project and receipt of a request for payment from the Local Agency.

8) The Local Agency agrees to maintain, for a minimum of 3 years after the completion of the contract, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records, and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the Local Agency agrees to cooperate fully with any audit conducted by the Auditor General and the Department and to provide full access to all relevant materials. Failure to maintain the books, records, and supporting documents required by this section shall establish a presumption in favor of the State for recovery of any funds paid by the State under

the contract for which adequate books, records, and supporting documentation are not available to support their purported disbursement. Obligations of the State shall cease immediately without penalty or further payment being required if, in any fiscal year, the IL General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.

9) The Local Agency will not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR part 26. The Local Agency shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. The Local Agency's DBE Program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq). In the absence of a USDOT-approved Local Agency DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the State USDOT approved Disadvantaged Business Enterprise Program.

10) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this agreement or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) Unless the provisions of that Act exempt its application."

11) This Agreement shall be binding upon and inure to the benefits of the parties hereto, their successors, and assigns.

June 21, 2005 S/ Ray Kloeckner, Chairman Clinton County Board.

S/ Director of Highways

CLINTON COUNTY BOARD
August 16, 2004

The August meeting of the Clinton County Board was called to order by Sheriff Mike Kreke on Monday, August 16, 2004, at 7:00 p.m.

Roll call: Present: Beckmann, Fix, Foppe, Guthrie, Hitpas, Holtgrave, Kloeckner, Lampe, Mensing, Murray, Pingsterhaus, Robbins, Sullivan, Craig Taylor and Jack Taylor.

The Pledge of Allegiance was recited. All visitors and guests introduced themselves.

MOTION by Lampe second by Craig Taylor to approve the minutes of the July 20, 2004, meeting with one correction. The minutes should read the Negotiation Committee shall negotiate all contracts, not just union contracts. **MOTION CARRIED.**

MOTION by Lampe second by Mensing to approve the minutes of the special County Board meeting that was held July 29, 2004. **MOTION CARRIED.**

MOTION by Craig Taylor second by Sullivan to approve the appointment of Clarence Kohlbrecher as Trustee of the St. Rose Fire Protection District for a three year term. **MOTION CARRIED.**

MOTION by Foppe second by Sullivan to approve the appointment of John Detmer as Trustee of the St. Rose Sanitary District for a three year term. **MOTION CARRIED.**

MOTION by Guthrie second by Pingsterhaus to approve the appointments of Jim Kueper, Mike Kreke and Paulette Evans as members to the 708 Mental Health Board. **MOTION CARRIED.**

MOTION by Guthrie second by Pingsterhaus to approve an ordinance proposing the establishment of Clinton County Special Service Area #19 (territory within the Carlyle Fire Protection District). **MOTION CARRIED.** The ordinance requires that a public hearing be held to consider the establishment. The date of the hearing will be set later.

Chairman Kloeckner reported BPI has been aggressively pursuing the marketing of the County's coal rights. They are currently researching information to conduct a preliminary testing of the coal bed.

The following committees had no reports: Lake Task Force, Solid Waste, Tourism, 911, Personnel, Agriculture, General Services and Liquor.

IL COUNTY INSURANCE TRUST - Foppe reported a meeting is scheduled for Wednesday at 9:00 a.m.

INSURANCE COMMITTEE - Hitpas reported his Committee reviewed the bills. He has talked with Dan Imming concerning the anniversary date of our policy and the renewal date of the policy.

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - The County had to resubmit a letter for the New Memphis Sanitary District indicating the County would sponsor their application for next year.

SAFETY COMMITTEE - Pingsterhaus reported the a meeting is scheduled for Monday, September 20th at 1:00 p.m.

EDUCATION COMMITTEE - Beckmann stated the next meeting will be September 2nd at 4:30 p.m.

MENTAL HEALTH/SWIAAA COMMITTEE - Foppe reported the 708 Budget that was presented last month does not need to be approved until the November meeting. He also reported that SWIAAA has changed their name to Area Agency on Aging of Southwestern Illinois. At their meeting last Thursday recommendations were made on how the grants are to be dispersed, such as the Meals on Wheels program, counseling, transportation, etc.

GIS COMMITTEE - Beckmann reported his committee along with Image America met and have agreed to hire Bob Williams of Sanborn as the certified photogrammetrist to review the imagery. The next meeting will be Thursday, August 19th at 6:30 p.m. County Clerk LaCaze informed the board that he has sent letters to all customers notifying them of the increase of recording fees that will be effective September 1, 2004.

RC&D COUNCIL - The next meeting will be September 21, 2004, at 7:00 p.m. in Mascoutah.

NEGOTIATION COMMITTEE - Craig Taylor said his committee is getting ready to begin negotiations with the IL Fraternal Order of Police union.

ZONING COMMITTEE - MOTION by Murray second by Sullivan to waive the first reading of E. & J. Hemann Subdivision located in Germantown Township. **MOTION CARRIED.**

MOTION by Sullivan second by Lampe to approve the second and final reading of the plat of E. & J. Hemann Subdivision, a two lot subdivision located in Germantown Township. **MOTION CARRIED.**

A zoning issue concerning the a Map Change for Dr. Richard Stern in Breese Township was tabled until next month's meeting.

LAW ENFORCEMENT COMMITTEE - Ryan Blank with Korte & Luitjohn was present to explain a problem with the roof of the jail building. The screws on the metal are rusted which has been causing a lot of water penetration which is rotting the wood. The cost to replace it now will be \$9,596.00. Foppe indicated if this metal is not replaced and caused problems, our liability insurance would not cover the damage. **MOTION** by Sullivan second by Fix to approve the repairs and pay for it out of the Building Maintenance Fund. **MOTION CARRIED.**

ECONOMIC DEVELOPMENT COMMITTEE - Mike Landry has been appointed the new Southwestern Illinois Development Agency director and he is requesting a meeting with Chairman Kloeckner and the Economic Development Committee.

ROAD & BRIDGE COMMITTEE - MOTION by Jack Taylor second by Hitpas to approve a resolution to purchase a used culvert cleaner from Coe Equipment, Inc of Rochester for \$9,850.00. **MOTION CARRIED.**

Engineer Mitchell reported work on the Germantown Road construction project has been halted because of the construction worker's strike.

FINANCE/HEALTH SERVICES COMMITTEE - MOTION by Jack Taylor second by Sullivan to accept the monthly report of the Health Department. **MOTION CARRIED.**

MOTION by Jack Taylor second by Foppe to approve the ambulance service contract with the City of Highland for Special Service Area #5 in the amount of \$17,476.00. **MOTION CARRIED.**

MOTION by Hitpas second Craig Taylor to approve the monthly budget and financial report of the Treasurer's Office. **MOTION CARRIED.**

Treasurer Mueller reported the first installment of real estate taxes is due August 25th.

MOTION by Craig Taylor second by Mensing to approve the voiding of tax bills on property the county has acquired in conjunction with the Delinquent Tax Sale procedure. **MOTION CARRIED.**

MOTION by Jack Taylor second by Beckmann to approve payment of \$1,165.20 from the Pearl Sand Account to Henneghan & Associates for water main extensions. **MOTION CARRIED.** The Village of Germantown will be approving payment of this invoice at their August meeting.

County Clerk LaCaze received a call from SBC indicating they will be refunding Clinton County \$26,000 on a contract that dates back eight years. SBC will show the credit on the phone bill after which the county will receive the refund.

FACILITIES COMMITTEE - Craig Taylor reported having a minor problem with the phone system and Dan Jansen is working on getting it corrected.

ENVIRONMENTAL CONCERNS COMMITTEE - Beckmann reported Jack Rickner of Exxon has invited his committee to tour the coal mine site.

MOTION by Craig Taylor second by Fix to approve payment of Accounts Payable Claims. **MOTION CARRIED.**

MOTION by Robbins second by Fix to adjourn the meeting. **MOTION CARRIED.**

Ray Kloeckner
Board Chairman

Thomas LaCaze, County Clerk

#08-04-01

**AN ORDINANCE PROPOSING THE ESTABLISHMENT
OF CLINTON COUNTY SPECIAL SERVICE AREA NO. 19
AND PROVIDING FOR A PUBLIC HEARING AND OTHER
PROCEDURES IN CONNECTION THEREWITH**

BE IT ORDAINED by the County Board of Clinton County, Illinois, as follows:

1. Section 7(6) of Article VII of the 1970 Constitution of the State of Illinois and 35ILCS 200/27-5, et. Seq., authorize the establishment of special service areas in order to provide governmental services to certain areas within the county and to authorize the imposition of a tax to pay for the providing of such special services and the debt incurred therewith.

2. The County Board of Clinton County, Illinois, finds as follows:

(a) It is in the public interest that the creation of a special service area in the territory described as that located within the Carlyle Fire Protection District limits, County of Clinton, be considered at a public hearing to be held as hereinafter set forth:

(b) Said territory is contiguous and complies with the terms of 35ILCS 200/27-5 et. Seq. It is proposed to provide emergency ambulance service within said territory. It is in the public interest of the County of Clinton to determine whether said service should be provided and paid for by the levying of taxes against all property within said territory.

3. Pursuant to authority granted by the Illinois Constitution and Illinois Compiled State Statutes, the County Board of Clinton County, Illinois hereby proposes the establishment of Clinton County Special Service Area No. 19 for the purpose of providing emergency ambulance service within the described contiguous territory.

4. A public hearing shall be held on the 20th day of September, 2004, at Court House Annex (Jail) to consider the creation of Clinton County Special Service Area No. 19 in Clinton County, Illinois for the territory described above. At the hearing there shall be considered a proposal for providing emergency ambulance service within said territory and the following:

(a) The maximum rate of taxes to be extended against all property within said territory shall be **\$0.15 per \$100 of assessed valuation (.15%)**.

Said taxes are to be levied upon all taxable property within the proposed Clinton County Special Service Area No. 19, as described, and said taxes shall be in addition to any other annual tax presently levied by any taxing district within said special service area.

5. Notice of hearing shall be published at least once not less than 15 days prior to the public hearing in the Union Banner which is a newspaper of general circulation in the County of Clinton. In addition, notice by mailing shall be given by depositing said notice in the United States mail addressed to the person(s) in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the proposed special service area as well as to those entities paying personal property taxes within said area. Said notice shall be mailed not less than 10 days prior to the time set for the public hearing. In the event taxes for the last preceding year were not paid, the notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of said property. The notice shall be in substantially the following form:

NOTICE OF HEARING

Notice is hereby given that on the 20th day of September, 2004, at 6:00 pm at the Court House Jail Annex, a hearing will be held by the County Board of Clinton County, Illinois, to consider forming Clinton County Special Service area No. 19 consisting of the following territory:

All territory within the boundaries of the Carlyle Fire Protection District

The purpose of the public hearing is to consider a proposal for providing special services in the nature of emergency ambulance service in said territory.

The maximum rate of taxes to be extended in any year against all property within said territory shall be **\$0.15 per \$100 of assessed valuation (.15%)**.

Said tax is to be levied upon all taxable property within the proposed Clinton County Special Service Area No. 19, as described, and said tax shall be in addition to any other annual tax presently levied by any taxing district within said special service area.

All interested persons affected by the formation of Clinton County Special Service Area No. 19,

including all persons owning real estate or taxable property located within such area, will be sent this notice and given an opportunity to be heard regarding the formation of such area, its boundaries, and tax rates; and will be given an opportunity to file objections to the formation of such area, its boundaries, and tax rates. The hearing may be adjourned by the Board to another date without further notice other than a motion to be entered upon the minutes of said meeting fixing the time and place of its adjournment.

If a petition signed by at least 51% of the electors residing within the special service area as defined and by at least 51% of the owners of record of the land included within the boundaries of the special service area as defined is filed with the County Clerk within 30 days following the final adjournment of the public hearing, objecting to the creation of the special service area, the levy or imposition of a tax for the provisions of special services to the area, no such area may be created, or tax be levied or imposed.

Dated this 16th day of August, 2004.

S. Thomas LaCaze, County Clerk

6. This ordinance shall be in full force and effect from and after its adoption and approval provided by law.

Adopted this 16th day of August , 2004

S/ Thomas LaCaze, County Clerk

S/ Ray Kloeckner, Chairman

#08-05-02

WHEREAS, the Road & Bridge Committee and the County Engineer have determined that a 1972 Myers Model PC60-10A (Serial # 1314P) water jet sewer cleaning machine mounted on a 1967 Ford Truck (Vehicle #F60CCA66332) is beyond repair and should be traded toward the purchase of another machine.

NOW, THEREFORE, BE IT RESOLVED, that the Road and Bridge Committee and the County Engineer are hereby authorized to purchase a 1986 Model FMC 3530 trailer mounted sewer jet cleaner from:

Coe Equipment, Inc., 5953 Cherry Street, Rochester, IL 62563

\$10,850.00

1,000.00

\$ 9,850.00

BE IT FURTHER RESOLVED that the County Clerk be and is hereby authorized and instructed to furnish the County Engineer with two (2) certified copies of this resolution.

SEAL

S/ Thomas LaCaze, Clerk