

**PROCEEDINGS
OF THE COUNTY BOARD
ADAMS COUNTY, ILLINOIS**

**COUNTY OF ADAMS)
STATE OF ILLINOIS)**

The County Board of Adams County, Illinois met at the Courthouse, Quincy, Illinois, on Monday, April 12, 2010 at 7:00 P.M., pursuant to recess.

PRESENT: Mike McLaughlin, Chairman
Georgia Volm, County Clerk

Mr. Hancox gave the invocation which was followed by the pledge of allegiance to the Flag of the United States of America.

Chairman McLaughlin called the meeting to order. The County Clerk called roll and the following members were present: John Heidbreder, John Johnson, Joe Wand, Rick Gengenbacher, Mark Peter, Matt Obert, John Brady, Les Post, Seldon Totsch, Lyle Nichols, Bob Scott, Theresa Bockhold, Richard Reis, Nick Peters, Connie Sparks, Steve Schutte, Bill Cole, Randall Reis and Mike McLaughlin. Total present: 19. Absent were Kent Snider and Todd Duesterhaus. Total absent: two.

Chairman McLaughlin declared a quorum present.

Officeholders, department heads, and/or their representatives also present were: Mr. Klusmeyer from the Highway Department, Mr. Lovelace from the State's Attorneys Office, Mr. Hancox from the Probation Department, Mr. Hamilton from the Coroner's Office, Ms. Reddington from the Treasurer's Office, Ms. Zimmerman from the Supervisor of Assessments Office, and Mr. Frese from the Circuit Clerk's Office.

Mr. Nichols moved to suspend the rules to hear from public speakers.
Mr. Richard Reis seconded the motion.

Motion to suspend the rules to hear from public speakers adopted.

**Mr. John Gebhardt
Quincy, IL
Wind Energy Conversion Systems**

Mr. Gebhardt, after introducing himself, read the following statement:

“Based on previous actions by the Adams County Board there was a “rush” to have an Adams County Wind Energy Siting hearing from the public about concerns that the ordinance needed improvement. Since the “rush” does not appear to be there, I recommend that you consider putting a “moratorium” on any permit requests until the ordinance is improved. The ordinance you approved is a good start, but there are some areas that the majority of you agreed last month that needed to be discussed and added or changed.

I brought up two of these. The first dealt with the process for public notification. Based on what I read in the Sunday (April 4, 2010) Herald Whig, one wind company has already secured leases from 150 families in Adams County. I wonder how many of the neighbors to these 150 families know that their neighbor has agreed to have one or more wind generators on the farm next to them and that maybe one or more of these could be as close as 1,000 feet to their current home or one they plan on building. When a permit is applied for under the current regulations there is no requirement that the adjacent landowners be officially notified in writing. This notification process needs to be placed in the ordinance before the first permit is applied for so these people are officially notified. Otherwise adjacent neighbors could suddenly find a wind generator being installed with 1,000 feet of their ancestral home or in a location 1,000 feet from where they planned to build a new home without them ever having a chance to say anything.

Before the first permit is received wording needs to be added like “signs will be placed on the property near the street or road, with a notice of the request for a permit. The requestor is required to notify all adjacent property owners of the requested permit in writing by certified mail with proof of receipt provided to the Adams County Clerk.” Think of the person who owns land and pays taxes to Adams County but lives elsewhere. Shouldn’t they have a right to know and be heard if a wind generator is to be located within 1,000 feet of their property?

Also, there needs to be adequate time provided for public input. As I stated before, even though it is not in your ordinance, there is a requirement for at least one public hearing. Based on your current ordinance, “Applications must be submitted a minimum of three weeks before the next County Board Meeting.”, if a public hearing were held within that three weeks or just before the county board meeting, a permit could be approved as quickly as three weeks, which means adjacent property owners, especially those who live elsewhere, might not even know it was happening. Perhaps the applications should be required to be submitted on one board meeting followed by public hearings and then a decision made at the following board meeting.

These are just two items that need to be added to the ordinance. Others that need review and possible additions are the setbacks, noise issues, and shadow flicker concerns. Until these are all resolved, I recommend you place a moratorium on approving any permits.”

Discussion – Mr. Gebhardt, responding to a question, indicated that if the setback requirement were far enough back the noise level would not be an issue.

**Mr. Jeff Rasche
Camp Point, IL
Wind Energy Conversion Systems**

After introducing himself Mr. Rasche read the following statement:

“My first purpose is simply to thank you for your decision last month to reconsider and study the Adams County Wind Ordinance. I believe that was a wise decision. Thank you for your willingness to look carefully at the full range of information and to create a wind ordinance that will best suit the needs of all of the people in Adams County.

Second, let me clarify a misperception I’ve heard about one of my comments last month. During the question and answer time, I speculated about a potential outcome of 1,500 foot setbacks. I did not mean for that to sound like I thought it was an acceptable compromise, and I was certainly not speaking for anyone else in our group. So let me clearly go on record stating that I do not believe, based on the reading I’ve done to date, that 1,500 feet is enough of a setback distance between non-participants and industrial wind turbines. In my opinion that distance would be inadequate to protect most non-participants from health effects, nuisance issues, and loss of property values. I also believe it would

fail to protect you as a board, the developer, and the individual leaseholders from complaints and lawsuits.

Let me give you an example from just 11 days ago. On April 1, Jason & Ann Wirtz filed a lawsuit with the Wisconsin Public Service Commission against Invenergy, the developer, seeking unspecified damages. The nearest wind turbine to their home was 1,300 feet away. After the wind farm began operating in 2006, their family, including four children, began to experience negative health effects. They also had a business raising Alpacas, and they previously had not had problems breeding them, but after the turbines started, the next three were all born dead. Unable to continue living in the home they had renovated themselves over a ten year period, they listed it for sale. It had been appraised for \$320,000 before the wind farm, but they could not elicit even one offer over the next year, in spite of changing realtors, some of whom refused to list the home since it was located in the wind farm. One offered to list it for only \$200,000. Finally in 2009, they abandoned their home without a buyer, declared bankruptcy, and their lawsuit is now pending.

There are many other similar cases. The *Wall Street Journal* recently included an article about Charlie Port and his family. They are Missouri farmers who also abandoned their home for health reasons after turbines were installed 1,800 feet from their home. The same thing that has happened in Wisconsin, Missouri, and all over the world can happen in Adams County too, unless you take appropriate steps to prevent it.

Our group suggests creating a longer setback distance to protect non-participants, and then, in order to preserve the possibility of wind development, allowing non-participants to reduce the setback distance by mutual agreement. That way everyone who lives with shorter setback distances has been consulted and is in agreement. I am not an attorney, but it seems reasonable that you will maximize complaints and lawsuits by forcing this development on non-participants, or minimize complaints/lawsuits by creating an ordinance that encourages wind developers to openly consult with everyone their development might impact.

Meanwhile, determining the setback distances, and the other provisions of the wind ordinance, is a vital responsibility that rests squarely on all your shoulders; it is not only for the Technology Committee to figure out, but an issue all of you will eventually vote on. Please use this time to study this matter so you won't have to guess at what setbacks are adequate. You won't make many decisions in your whole

career on this board that have this degree of impact on so many people's lives. So it is vital that you get it right the first time; as they say, "an ounce of prevention is worth a pound of cure."

Thank you once again for your decision to take time to study the wind ordinance. It shows great wisdom to do a lot of thinking before you make a fifty year commitment that will permanently change many people's lives, fortunes, and homes in a 20-30 square mile area of Adams County."

Discussion – Answering questions regarding the setback, Mr. Rasche indicated that his group of approximately 50 Adams County residents "leans" towards a one-half (1/2) mile setback.

**Ms. Coravonne Salm & Mr. Jeff Lawrence
2010 Census**

There are 20 counties in the local census district, and Adams County currently has the highest mail back percentage at 77%. At this point the 77% rate return has topped the percent from the census ten years ago. The City of Quincy currently has a 76% rate of return.

Consolidated Federal Funds Report/FY 2008 – Ms. Salm highlighted the following federal benefits received in Adams County in fiscal year 2008:

\$7M for PELL Grants
\$1.5M for Conservation Resources
\$2M for the school lunch program
\$1.6M for Head Start
\$1M for low income energy programs
\$2.3M for highway planning and construction
\$2.8M for water and waste upgrades in rural areas
\$133M for crop and flood insurance programs

Next Steps:

1. April 21, 2010 – Responses via the postal service will be collected.
NOTE: Several sites have blank census forms available to individuals for pick-up. They include the Quincy Public Library, Quincy University, City Hall, Center for Aging in Quincy, as well as sites in Golden and Camp Point.
2. None Response Follow-up Training (Thru April 27th) – Two training sites, Melrose Chapel and Quincy University, will be utilized to train individuals to knock on doors to obtain information from non-responders.

3. May 1st thru July 1st– The trained individuals from above will begin knocking on the doors of non-responders. They will attempt to reach the non-responders no less than six times. The representative representing the Census Bureau will have badges. To verify a worker, residents may call:

Mr. Ron Morrow
217-241-7372

4. December 31, 2010 – Census is due.

Discussion – Ms. Salm responded with the following answers to county board member questions:

College Students – College students will be counted in the county where they are attending school, just as college students attending Quincy University will be counted in Adams County.

Duplicate Forms – Individuals may receive two census reports in the mail. In those areas where there are traditionally low responses, a second mailing is sent. The cost of a second mailing is substantially less than the costs associated with those individuals knocking on doors, thus two mailings may be sent. If an individual sends in both reports, only one will be counted.

City of Quincy – The City of Quincy had a 72% return rate ten years ago at this point in the count.

Blank Forms – Blank forms are available in various locations throughout Adams County (see above list), as well as on the Census Bureau's website.

ACORN – ACORN is no longer associated with the U.S. Census Bureau.

Mr. Scott moved to resume the rules.

Mr. Schutte seconded the motion.

Motion to resume the rules adopted.

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Mr. Heidbreder moved to approve the minutes of the March 9, 2010 county board meeting as printed and distributed.

Mr. Nichols seconded the motion.

Motion to approve the minutes of the March 9, 2010 county board meeting as printed and distributed adopted.

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Transportation, Building & Technology

Committee Report (Mr. Scott)

Bills – The committee met on Tuesday, March 16, 2010 and reviewed the bills for the Maintenance Department, the Jail, the Superintendent of Regional Schools, and the Technology Department. All of the bills were in order. The committee also met on Monday, April 12, 2010 and reviewed the bills for the Highway Department. All of the bills were in order.

Letting/Railroad Extension – A letting of bids on a railroad extension is scheduled for April 14, 2010.

Letting/County Pre-mix Program – The letting of bids for the county's pre-mix program is scheduled for April 15, 2010.

South 24th Street – R.L. Brink will begin work on South 24th Street during the week of April 12, 2010.

County Highway Ordinance – The County Clerk read the following ordinance, by title, for approval:

2010-04-052-011 Ordinance awarding the contract for the construction of Prince Agri Way at South 6th St. in the South Quincy Industrial Area and authorizing the County Board Chairman to sign any related agreements (See Attachment A-1).

Mr. Gengenbacher moved to approve the ordinance as read above.

Mr. Post seconded the motion.

Motion to adopt the ordinance as read above adopted.

County Highway Ordinance – The County Clerk read the following ordinance, by title, for approval:

2010-04-052-012 Ordinance for approval of a final plat of Morgan Pond Subdivision located in Section 29 of Melrose Township subject to approval of county engineer's subdivision check list (See Attachment B-1).

Mr. Schutte moved to approve the ordinance as read above.

Mr. Gengenbacher seconded the motion.

Discussion – This is a one track parcel east of 36th and Ghost Hollow Road which is being split into two parcels.

Motion to adopt the ordinance as read above adopted.

County Highway Ordinance – The County Clerk read the following ordinance, by title, for approval:

2010-04-052-013 Ordinance certifying names to take the examination for county engineer to the Illinois Department of Transportation (See Attachment C-1).

Mr. Wand moved to approve the ordinance as read above.

Mr. Schutte seconded the motion.

Flood Plain Ordinance – Without objection, Mr. Scott moved to approve the Flood Plain Ordinance which was tabled at the March 9, 2010 county board meeting out of agenda order (See Attachment D-1).

Mr. Peter seconded the motion.

Motion to approve the Flood Plain Ordinance adopted.

The committee's next meeting is scheduled for Tuesday, April 20, 2010 at 6:00 P.M. in the conference room of the Superintendent of Regional Schools.

Legislative & Judicial

Committee Report (Mr. Wand)

Bills – The committee met on Tuesday, March 16, 2010 and reviewed the bills from the Circuit Clerk's Office, the Juvenile Detention Center, the Probation Department, the Public Defender's Office, the State's Attorneys Office, and the Supervisor of Assessments. All of the bills were in order.

FOIA (Freedom of Information Act) – Mr. Lovelace, Assistant State's Attorney, briefed the committee on the following points being considered by the county under the FOIA:

1. Individuals may request information, but government employees are not expected to answer questions regarding the information.
2. Training sessions should be planned for a primary and a secondary individual representing the county offices.
3. The county's website may be utilized for easy access to county data.
4. A plan is being developed for legal council to provide individuals with a formal denial.

Animal Treatment Ordinance – The effective date of the animal treatment will be May 1, 2010. Concerning a question regarding the issuance of citations (i.e. will the citation be per incident or per animal) the assistant state's attorney indicated they will be per incident, not the number of animals involved.

Liberty Fire Protection District/Elliott – Mr. Wand read, by title, a petition for the appointment of Mr. James Elliott as trustee of the Liberty Fire Protection District.

Mr. Wand moved to approve the petition for the appointment of Mr. James Elliott as trustee of the Liberty Fire Protection District.
Mr. Totsch seconded the motion.

Motion to approve the petition for the appointment of Mr. James Elliott as trustee of the Liberty Fire Protection District adopted.

Mill Creek Water District/Obert & Christner – Mr. Wand read, by title, a petition for the reappointment of Mr. Richard Obert and Mr. Gerald Christner to trustees of the Mill Creek Water District.

Mr. Richard Reis moved to approve the petition for the reappointment of Mr. Richard Obert and Mr. Gerald Christner to trustees of the Mill Creek Water Protection District.
Mr. Cole seconded the motion.

Motion to approve the petition for the reappointment of Mr. Richard Obert and Mr. Gerald Christner to trustees of the Mill Creek Water District adopted. **NOTE:** Both Mr. Obert and Mr. Scott abstained from voting.

Liquor License/Quincy Raceways – Mr. Wand read, by title, a request for a liquor license for Quincy Raceways from April 1, 2010 through September 30, 2010 on file in the County Clerk's Office.

Mr. Richard Reis moved to approve the request for a liquor license for Quincy Raceways from April 1, 2010 through September 30, 2010 on file in the County Clerk's Office.
Mr. Peters seconded the motion.

Motion to approve the request for a liquor license for Quincy Raceways from April 1, 2010 through September 30, 2010 on file in the County Clerk's Office adopted.

The committee's next meeting will be on Tuesday, April 20, 2010 at 7:00 P.M. in the county board room.

Public Health & Safety

Committee Report (Mr. Peter)

Bills – The Public Health & Safety Committee met on Tuesday, March 16, 2010 at 7:00 P.M. and reviewed the bills for the Sheriff's Office, Coroner's Office, Emergency Management and Animal Control. All of the bills were in order.

Ambulance Board By-Laws – Mr. Troup, Ambulance Board, discussed possible changes to the by-laws of the Ambulance Board at the committee meeting. After meeting with the Legislative & Judicial Committee Mr. Troup may present an ordinance for the county board's consideration at the May, 2010 county board meeting.

Sheriff's Dept. – Chief Deputy Kientzle informed the committee about current activities in the Sheriff's Department, as well as noted a recent increase in drug related activities.

Bill Review Process – Methods for improvement to the bill review process in the Sheriff's Office were discussed with the committee.

The Public Health & Safety Committee's next meeting will be on Tuesday, April 20, 2010 at 7:00 P.M. in the law library of the courthouse.

Finance

Committee Report (Mr. Johnson)

Bills – The Finance Committee met on Monday, April 5, 2010 and Monday, April 12, 2010 to review bills. All bills were in order.

Salary/Public Defender – The County Clerk read, by title, an ordinance for the approval of an increase in the annual salary of the public defender (See Attachment E-1).

Mr. Johnson moved to approve the request for an increase in the annual salary of the public defender.

Mr. Nichols seconded the motion.

Discussion – The resolution does not reflect an increase in the public defender's salary which remains the same as the prior year. The purpose of the resolution is to provide the State of Illinois with the appropriate documentation for salary reimbursement. If the reimbursement is not provided by the State, the salary will be an expense of the county.

Motion to approve the request for an increase in the annual salary of the public defender adopted.

Transfer of Appropriations/County Clerk – The County Clerk read, by title, a request from the County Clerk’s Office for a transfer of appropriations in the amount of \$7,500.00 from line item #001-017-5101, Salaries, to line item #001-017-XXXX, Tax Parcel Expense (See Attachment F-1).

Mr. Johnson moved to approve the request from the County Clerk’s Office for a transfer of appropriations in the amount of \$7,500.00 from line item #001-017-5101, Salaries, to line item #001-017-XXXX, Tax Parcel Expense.
Mr. Nichols seconded the motion.

Discussion – The County Clerk explained that an employee had retired in November, 2009. Much of the workload has been absorbed by the staff. A portion of the job included knowledge usually attributed to surveyors, such as calculating boundaries and acreage. To reduce expenses a transfer of funds from the budgeted salary of the employee, to a new line item for assistance in the surveying portion of the job is requested.

Roll call taken to approve the request from the County Clerk’s Office for a transfer of appropriations in the amount of \$7,500.00 from line item #001-017-5101, Salaries, to line item #001-017-XXXX, Tax Parcel Expense. Those voting to approve were: Heidbreder, Johnson, Wand, Gengenbacher, Peter, Obert, Brady, Post, Totsch, Nichols, Scott, Bockhold, Richard Reis, Peters, Sparks, Schutte, Cole, Randall Reis and McLaughlin. Total 19. Voting no were none. Absent were Snider and Duesterhaus. Total two.

Motion to approve the request from the County Clerk’s Office for a transfer of appropriations in the amount of \$7,500.00 from line item #001-017-5101, Salaries, to line item #001-017-XXXX, Tax Parcel Expense adopted.

Salary/Wages for Officeholders – Mr. Heidbreder moved to adopt a four year salary schedule for those officeholders elected at the November 2, 2010 general election (See Attachment G-1).
Mr. Nichols seconded the motion.

Discussion – The rate reflects annual increases of 0% the first year and 2% for each of the following three years. The rates in the 2nd thru 4th years were based on an average to determine a dollar amount, and subsequently turning the dollar amount into a percent.

Some discussion ensued about freezing the salaries for four years and reviewing them when the revenues to the county are stronger, as well as reducing the salaries of those individuals (Circuit Clerk and Coroner) whose four year salaries were fixed two years ago. Mr. Johnson explained that the four year salaries of

elected officials must be adopted 180 days prior to the first day of the next term and cannot be altered during the four year term.

Roll call taken to adopt the four year salary schedule for those officeholders elected at the November 2, 2010 general election. Those voting to approve were Heidbreder, Johnson, Gengenbacher, Obert, Nichols, Richard Reis, Peters, Sparks, Cole, Randall Reis and McLaughlin. Total 11. Those voting no were: Wand, Peter, Brady, Post, Totsch, Scott, Bockhold and Schutte. Total eight. Absent were Snider and Duesterhaus. Total two.

Motion to adopt the four year salary schedule for those officeholders elected at the November 2, 2010 general election adopted.

Financial Outlook – For the information of the county board Mr. Johnson provided a brief review of the county's financial position. The county received approximately \$111,000 from the State of Illinois for our share of the September income tax. Although sales tax income from Adams County is as projected, the State of Illinois owes the county approximately \$388,000 for reimbursements and \$600,000 for income taxes.

Unfinished Business

Animal Treatment Ordinance – The County Clerk read, by title, an ordinance related to animal treatment as amended without objection to have an effective date of May 1, 2010 (See Attachments H-1 thru H-3).

Mr. Peter moved to approve the ordinance for animal treatment.
Mr. Wand seconded the motion.

Motion to approve the animal treatment ordinance as amended without objection, to have an effective date of May 1, 2010 adopted.

New Business

Monthly Reports – The County Clerk had monthly reports from the Supervisor of Assessments/Board of Review, the monthly check register for March, 2010, the County Clerk/Recorder, Quincy/Adams County 9-1-1, the Coroner's Office, the Treasurer's Office, the Probation Department, the Sheriff's Office, and the Adams/Pike County Regional Office of Education.

Mr. Scott made a motion to receive and file the monthly reports with the appropriate committee.
Mr. Schutte seconded the motion.

Motion to receive and file the monthly reports with the appropriate committee adopted.

Local Government Distributive Fund – The County Clerk read the following ordinance for approval (See Attachments I-1 thru I-2):

“**WHEREAS**, Illinois counties are currently experiencing a tremendous decline in revenues during this great recession; and

WHEREAS, counties are in fiscal turmoil and unable to provide vital services to citizens including police, courts, record processing, road maintenance; and

WHEREAS, Illinois taxpayers live in counties throughout the state and contribute income tax of which 90% goes to the state and 10% goes to local government services; and

WHEREAS, Governor Quinn proposed in his March 10, 2010 budget address to withhold 30% of this shared revenue keeping \$300 million of that for the state budget; and

WHEREAS, this proposed withholding of county revenue will cost local governments \$23.10 per resident, which could be used to provide services the local taxpayer needs; and

WHEREAS, this reduction compounds on the state’s late payments of Local Government Distributive Fund amounts to counties by three months causing shortfalls in meeting county bills; and

WHEREAS, local taxpayers deserve to have these tax dollars returned to their communities to pay for local community employees, to provide local community services and to not see local tax increases;

NOW THEREFORE BE IT RESOLVED BY ADAMS COUNTY, AS FOLLOWS:

SECTION 1: The County of Adams, Illinois strongly opposes any reduction of the Local Government Distributive Fund due counties and demands the 10% be kept whole.

SECTION 2: The County of Adams, Illinois requests every Senator and Representative to reject this diminution of desperately needed revenue due counties.

SECTION 3: The County of Adams, Illinois will be financially impacted by approximately \$510,000 and will be forced to make local budget cuts and reductions of services.

SECTION 4: The Clerk is hereby directed to send copies of this Resolution to Governor Quinn, the legislative leaders of both chambers of the Illinois General Assembly and members representing this county.”

Mr. Peters moved to approve the ordinance as read above.

Mr. Randall Reis seconded the motion.

Motion to approve the ordinance as read above adopted.

Correspondence

Illinois Department of Transportation
Illinois Department of Revenue
Illinois Department of Corrections
U.S. Department of Homeland Security
Letter from Ameren Services
Letter from Ameren Illinois Utilities
Letter from Comcast Cable
Letter from Verizon Business
Letter from Ms. Linda Lavery
Thank you card from the Marvin Totsch family

Mr. Scott moved to receive and file the correspondence with the appropriate committee.

Mr. Peter seconded the motion.

Motion to receive and file the correspondence with the appropriate committee adopted.

County Board Participation via Phone – Mr. Nichols asked to refer to legal council the appropriateness/legality of board members participating in meetings via phone. Mr. Lovelace explained the county already has policies which are in compliance with the open meetings act in the county code.

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Chairman McLaughlin moved that the meeting be recessed until Tuesday, May 11, 2010 at 7:00 P.M. in the county board room.

The hour of adjournment: 8:00 P.M.