

Proceedings
of the
County Board
of
McLean County,
Illinois

September 18, 2007

*Subject to approval at
October 16, 2007
County Board Meeting*



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September 18, 2007

The McLean County Board met on Tuesday, September 18, 2007 at 9:00 a.m. in Room 400 of Government Center, 115 East Washington Street, Bloomington, Illinois with Chairman Matt Sorensen presiding.

Invocation was given by Member Butler and was followed by the Pledge of Allegiance.

The following Members answered to roll call:

Members Stan Hoselton, Duane Moss, Robert Nuckolls, Benjamin Owens, Bette Rackauskas, Tari Renner, Paul Segobiano, David Selzer, Michael Sweeney, Cathy Ahart, Terry Baggett, Diane Bostic, John Butler, William Caisley, Don Cavallini, Walter Clark, Rick Dean, George Gordon, and Matt Sorensen.

The following Member was absent:

Ann Harding

Consent Agenda:

Chairman Sorensen asked if there were any items to be removed from the Consent Agenda. Member Caisley requested item C1a be removed.

1. Consent Agenda:
 - A. Approval of the Proceedings of the County Board, August 21, 2007
 - B. County Highway Department – Jack Mitchell, County Engineer
 - 1) Request Approval of Engineering Service Agreement – Hanson Professional Services, Sec 07-00113-04-FP – Towanda Barnes Road(Ft. Jesse to Northtown)
 - 2) Request Approval of Resolution and Letting Results from the August 29, 2007 County Non-MFT Construction Section (Wind Farm) Letting
 - 3) Request Approval of Engineering Agreement – Hampton, Lenzini & Renwick, Inc. (HLR)
 - a) Sec 07-00161-01-BR – McLean County – Calcagno Bridge
 - b) Sec 07-20124-00-BR – Lawndale RD – Hammitt Bridge
 - c) Sec 07-22134-00-BR – Martin RD – Meiners Bridge
 - 4) Request Approval of Bridge Petitions
 - a) Sec 07-20124-00-BR – Lawndale RD – Hammitt Bridge
 - b) Sec 07-22134-00-BR – Martin RD – Meiners Bridge
 - 5) Request Approval of an Ordinance for Altered Speed Zone for County Highway 8 (CH 8) at Lexington
 - C. Building and Zoning – Phil Dick, Director
 - 1) Subdivision Cases:
 - a) Approve the application in case S-07-11 for a vacation plat to vacate the south 5 feet of the north 40 feet front setback area and the north 10 feet of the south 130 feet of the main file easement for Lot 36 of the proposed subdivision and is located in Old Town Township at 19303 Briar Drive, Bloomington, IL
 - D. Transfer Ordinances
 - E. Other Resolutions, Contracts, Leases, Agreements, Motions
 - 1) Property Committee
 - a) Request Approval to display Silent Witness Exhibits in the Lobby of the Government Center, October 1, 2007 – Risk Management
 - b) Request Approval to display a Poster in the Law and Justice Center Dedicated to Judges who have served in the Armed Forces – Circuit Court

- 2) Finance Committee
 - a) Request Approval of the McLean County Board Approving the Request received from the McLean County Clerk to change/add Poling Places – County Clerk

F. Chairman's Appointments with the Advice and Consent of the County Board:

1) REAPPOINTMENTS:

EAST CENTRAL ILLINOIS AGENCY ON AGING

Ms. Julie Gowen

4 Ruth Rd.

Bloomington, IL 61701

(Three-year term to expire on September 30, 2010)

PUBLIC BUILDING COMMISSION OF McLEAN COUNTY

Mr. George Farnsworth

2709 McGraw Dr.

Bloomington, IL 61701

(Five-year term to expire on October 1, 2012)


2) APPOINTMENTS:

None

2) RESIGNATIONS

None

G. Approval of Resolutions of Congratulations and Commendation

Local Agency McLean County Highway Department	L O C A L A G E N C Y	 Illinois Department of Transportation Preliminary Engineering Services Agreement For Federal Participation	Consultant Hanson Professional Services Inc.
County McLean			Address 2900 W. Willow Knolls Rd.
Section 07-00113-04-FP			City Peoria
Project No.			State IL
Job No.			Zip Code 61614
Contact Name/Phone/E-mail Address Jack Mitchell, P.E. 309-663-9445 jack.mitchell@mcleancounty.gov			Contact Name/Phone/E-mail Address Kurt Bialobreski, P.E., PTOE 309-691-0902 kbialobreski@hanson-inc.com

THIS AGREEMENT is made and entered into this _____ day of _____, _____ between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the PROJECT. Federal-aid funds allotted to the LA by the state of Illinois under the general supervision of the Illinois Department of Transportation (STATE) will be used entirely or in part to finance engineering services as described under AGREEMENT PROVISIONS.

Project Description

Name Towanda Barnes Road Route FAU 6431 Length 2 Mi. Structure No. _____
Termini Fort Jesse Road to Northtown Road

Description This improvement consists of 2 miles of widening and resurfacing with traffic signals, concrete curb and gutters, and storm sewers.

Agreement Provisions

I. THE ENGINEER AGREES,

1. To perform or be responsible for the performance, in accordance with STATE approved design standards and policies, of engineering services for the LA for the proposed improvement herein described.
2. To attend any and all meetings and visit the site of the proposed improvement at any reasonable time when requested by representatives of the LA or STATE.
3. To complete the services herein described within 730 calendar days from the date of the Notice to Proceed from the LA, excluding from consideration periods of delay caused by circumstances beyond the control of the ENGINEER.
4. The classifications of the employees used in the work should be consistent with the employee classifications and estimated man-hours shown in EXHIBIT A. If higher-salaried personnel of the firm, including the Principal Engineer, perform services that are indicated in Exhibit A to be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the payroll rate for the work performed.
5. That the ENGINEER is qualified technically and is entirely conversant with the design standards and policies applicable for the PROJECT; and that the ENGINEER has sufficient properly trained, organized and experienced personnel to perform the services enumerated herein.
6. That the ENGINEER shall be responsible for the accuracy of the work and shall promptly make necessary revisions or corrections resulting from the ENGINEER's errors, omissions or negligent acts without additional compensation. Acceptance of work by the STATE will not relieve the ENGINEER of the responsibility to make subsequent correction of any such errors or omissions or for clarification of any ambiguities.
7. That all plans and other documents furnished by the ENGINEER pursuant to this AGREEMENT will be endorsed by the ENGINEER and will affix the ENGINEER's professional seal when such seal is required by law. Plans for structures to be built as a part of the improvement will be prepared under the supervision of a registered structural engineer and will affix structural engineer seal when such seal is required by law. It will be the ENGINEER's responsibility to affix the proper seal as required by the Bureau of Local Roads and Streets manual published by the STATE.
8. That the ENGINEER will comply with applicable federal statutes, state of Illinois statutes, and local laws or ordinances of the LA.

9. The undersigned certifies neither the ENGINEER nor I have:

- a. employed or retained for commission, percentage, brokerage, contingent fee or other considerations, any firm or person (other than a bona fide employee working solely for me or the above ENGINEER) to solicit or secure this AGREEMENT,
- b. agreed, as an express or implied condition for obtaining this AGREEMENT, to employ or retain the services of any firm or person in connection with carrying out the AGREEMENT or
- c. paid, or agreed to pay any firm, organization or person (other than a bona fide employee working solely for me or the above ENGINEER) any fee, contribution, donation or consideration of any kind for, or in connection with, procuring or carrying out the AGREEMENT.
- d. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency,
- e. have not within a three-year period preceding the AGREEMENT been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property,
- f. are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (e) and
- g. have not within a three-year period preceding this AGREEMENT had one or more public transactions (Federal, State or local) terminated for cause or default.

10. To pay its subconsultants for satisfactory performance no later than 30 days from receipt of each payment from the LA.

11. To submit all invoices to the LA within one year of the completion of the work called for in this AGREEMENT or any subsequent Amendment or Supplement.

12. To submit BLR 05613, Engineering Payment Report, to the STATE upon completion of the project (Exhibit B).

13. Scope of Services to be provided by the ENGINEER: **SEE ATTACHMENT A SCOPE OF SERVICES AND GENERAL CONDITIONS**

- Make such detailed surveys as are necessary for the planning and design of the PROJECT.
- Make stream and flood plain hydraulic surveys and gather both existing bridge upstream and downstream high water data and flood flow histories.
- Prepare applications for U.S. Army Corps of Engineers Permit, Illinois Department of Natural Resources Office of Water Resources Permit and Illinois Environmental Protection Agency Section 404 Water Quality Certification.
- Design and/or approve cofferdams and superstructure shop drawings.
- Prepare Bridge Condition Report and Preliminary Bridge Design and Hydraulic Report, (including economic analysis of bridge or culvert types and high water effects on roadway overflows and bridge approaches).
- Prepare the necessary environmental and planning documents including the Project Development Report, ~~Environmental Class of Action Determination or Environmental Assessment~~, State Clearinghouse, Substate Clearinghouse and all necessary environmental clearances.
- Make such soil surveys or subsurface investigations including borings and soil profiles as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations to be made in accordance with the current Standard Specifications for Road and Bridge Construction, Bureau of Local Roads and Streets Administrative Policies, Federal-Aid Procedures for Local Highway Improvements or any other applicable requirements of the STATE.
- Analyze and evaluate the soil surveys and structure borings to determine the roadway structural design and bridge foundation.
- Prepare preliminary roadway and drainage structure plans and meet with representatives of the LA and STATE at the site of the improvement for review of plans prior to the establishment of final vertical and horizontal alignment, location and size of drainage structures, and compliance with applicable design requirements and policies.
- Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.
- Complete the general and detailed plans, special provisions and estimate of cost. Contract plans shall be prepared in accordance with the guidelines contained in the Bureau of Local Roads and Streets manual. The special provisions and detailed estimate of cost shall be furnished in quadruplicate.
- Furnish the LA with survey and drafts in quadruplicate all necessary right-of-way dedications, construction easements and borrow pit and channel change agreements including prints of the corresponding plats and staking as required.

II. THE LA AGREES,

1. To furnish the ENGINEER all presently available survey data and information
2. To pay the ENGINEER as compensation for all services rendered in accordance with this AGREEMENT, on the basis of the following compensation formulas:

Cost Plus Fixed Fee CPFF = 14.5%[DL + R(DL) + OH(DL) + IHDC], or
 CPFF = 14.5%[DL + R(DL) + 1.4(DL) + IHDC], or
 CPFF = 14.5%[(2.3 + R)DL + IHDC]

Where: DL = Direct Labor
 IHDC = In House Direct Costs
 OH = Consultant Firm's Actual Overhead Factor
 R = Complexity Factor

Specific Rate (Pay per element)

Lump Sum _____

3. To pay the ENGINEER using one of the following methods as required by 49 CFR part 26 and 605 ILCS 5/5-409:

With Retainage

- a) **For the first 50% of completed work**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to 90% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- b) **After 50% of the work is completed**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments covering work performed shall be due and payable to the ENGINEER, such payments to be equal to 95% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- c) **Final Payment** – Upon approval of the work by the LA but not later than 60 days after the work is completed and reports have been made and accepted by the LA and the STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

Without Retainage

- a) **For progressive payments** – Upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- b) **Final Payment** – Upon approval of the work by the LA but not later than 60 days after the work is completed and reports have been made and accepted by the LA and STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

4. The recipient shall not discriminate on the basis on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as violation of 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 (31U.S.C. 3801 et seq.).

III. IT IS MUTALLY AGREED,

1. That no work shall be commenced by the ENGINEER prior to issuance by the LA of a written Notice to Proceed.
2. That tracings, plans, specifications, estimates, maps and other documents prepared by the ENGINEER in accordance with this AGREEMENT shall be delivered to and become the property of the LA and that basic survey notes, sketches, charts and other data prepared or obtained in accordance with this AGREEMENT shall be made available, upon request, to the LA or to the STATE, without restriction or limitation as to their use.

3. That all reports, plans, estimates and special provisions furnished by the ENGINEER shall be in accordance with the current Standard Specifications for Road and Bridge Construction, Bureau of Local Roads and Streets Administrative Policies, Federal-Aid Procedures for Local Highway Improvements or any other applicable requirements of the STATE, it being understood that all such furnished documents shall be approved by the LA and the STATE before final acceptance. During the performance of the engineering services herein provided for, the ENGINEER shall be responsible for any loss or damage to the documents herein enumerated while they are in the ENGINEER's possession and any such loss or damage shall be restored at the ENGINEER's expense.
4. That none of the services to be furnished by the ENGINEER shall be sublet, assigned or transferred to any other party or parties without written consent of the LA. The consent to sublet, assign or otherwise transfer any portion of the services to be furnished by the ENGINEER shall not be construed to relieve the ENGINEER of any responsibility for the fulfillment of this agreement.
5. 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 STATE; 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 the 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.
6. The payment by the LA in accordance with numbered paragraph 3 of Section II will be considered payment in full for all services rendered in accordance with this AGREEMENT whether or not they be actually enumerated in this AGREEMENT.
7. That the ENGINEER shall be responsible for any and all damages to property or persons arising out of an error, omission and/or negligent act in the prosecution of the ENGINEER's work and shall indemnify and save harmless the LA, the STATE, and their officers, agents and employees from all suits, claims, actions or damages of any nature whatsoever resulting there from. These indemnities shall not be limited by the listing of any insurance policy.
8. This AGREEMENT may be terminated by the LA upon giving notice in writing to the ENGINEER at the ENGINEER's last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LA all drawings, plats, surveys, reports, permits, agreements, soils and foundation analysis, provisions, specifications, partial and completed estimates and data, if any from soil survey and subsurface investigation with the understanding that all such material becomes the property of the LA. The LA will be responsible for reimbursement of all eligible expenses to date of the written notice of termination.
9. This certification is required by the Drug Free Workplace Act (30ILCS 580). The Drug Free Workplace Act requires that no grantee or contractor shall receive a grant or be considered for the purpose of being awarded a contract for the procurement of any property or service from the State unless that grantee or contractor will provide a drug free workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of a contract or grant and debarment of the contracting or grant opportunities with the State for at least one (1) year but no more than five (5) years.

For the purpose of this certification, "grantee" or "contractor" means a corporation, partnership or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State, as defined in the Act.

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

- a. Publishing a statement:
 - (1) Notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace.
 - (2) Specifying the actions that will be taken against employees for violations of such prohibition.
 - (3) Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
 - (a) abide by the terms of the statement; and
 - (b) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- b. Establishing a drug free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's or contractor's policy of maintaining a drug free workplace;
 - (3) Any available drug counseling, rehabilitation and employee assistance program; and
 - (4) The penalties that may be imposed upon an employee for drug violations.
- c. Providing a copy of the statement required by subparagraph (a) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.
- d. Notifying the contracting or granting agency within ten (10) days after receiving notice under part (B) of paragraph (3) of subsection (a) above from an employee or otherwise receiving actual notice of such conviction.
- e. Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by,
- f. Assisting employees in selecting a course of action in the event drug counseling, treatment and rehabilitation is required and indicating that a trained referral team is in place.
- g. Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act.



Illinois Department
of Transportation

Payroll Escalation Table
Anniversary Raises

FIRM NAME Hanson Professional Services Inc.
PRIME/SUPPLEN Prime

DATE 08/28/07
PSB NO. _____

CONTRACT TERM 24 MONTHS
START DATE 10/15/2007
RAISE DATE Anniversary

OVERHEAD RATE 157.83%
COMPLEXITY FACTOR 0
% OF RAISE 3.00%

ESCALATION PER YEAR

DETERMINE THE MID POINT OF THE AGREEMENT

12

CALCULATE THE ESCALATION FACTOR TO THE MIDPOINT OF THE CONTRACT

3.00%

The total escalation for this project would be: 3.00%

ATTACHMENT A
SCOPE OF SERVICES – TOWANDA-BARNES ROAD IMPROVEMENTS

Hanson Professional Services Inc. shall prepare studies and plans for roadway improvements to Towanda-Barnes Road between Fort Jesse Road and Northtown Road, in McLean County (COUNTY). The proposed improvement will consist of widening the existing road to a five lane pavement with curb, gutter, and storm sewer. The documents will be prepared in English units and in accordance with IDOT's Bureau of Local Roads and Streets Manual. The Scope of Services will be broken into two phases as noted below:

- Phase 1: Project Development Services
- Phase 2: Design and Plan Preparation Services

The Scope of Services to be provided is limited to the following:

I. Project Development Services

- A. The corridor boundaries for data collection are along Towanda-Barnes Road from Fort Jesse Road to Northtown Road. Data collection will extend 300 feet down all intersecting side roads within the corridor boundaries, and at the legs of the terminating intersections.
- B. Study Surveying and Mapping
 - 1. Obtain digital orthographic aerial photography with planimetric detail and two foot contours from COUNTY, as available.
 - 2. Establish horizontal control based on Illinois State Plane Coordinate System and vertical control benchmark based on the North American Vertical Datum of 1988. Permanent monuments will be set along the project corridor.
 - 3. Conduct utility research. This shall include conducting a JULIE meeting for marking of existing utilities. Underground utility information will be based on data provided by utility companies and COUNTY.
 - 4. Conduct property research for the parcels adjacent to the project corridor. This shall include research of existing plats, relevant deeds, property owner names, P.I.N. numbers, addresses and existing easement information.
 - 5. Conduct boundary surveys to determine existing right-of-way limits along the proposed improvements for those parcels impacted by the project.
 - 6. Stake soil borings and record top bore hole elevations.

7. Provide full topographic survey at site with sufficient information to prepare construction documents. Collect existing roadway cross section data at approximate 50 foot intervals plus at driveway/entrance centerlines and sag points. Intersecting side streets that will tie into the new improvements will be surveyed for a distance of 300 feet transverse to the proposed centerline.
 8. Determine existing storm and sanitary sewer type, size, location, and flow direction within the project limits and to the next adjacent structure on the system located outside the project limits. Identify type, depth and size of structures, type of casting, and invert elevations within structures.
 9. Prepare a base map of the existing topography in MicroStation format. This file shall include all survey points, digital terrain model (DTM), breaklines, planimetric mapping and contours.
- C. Review current zoning or code regulations in the project area that could affect the project design. The COUNTY will make Hanson aware if such agreements and regulations exist and provide the necessary copies.
 - D. Line and grade will be determined to verify that geometric requirements can be satisfied. Cross section studies will be used to determine the approximate construction limits and the necessary right-of-way.
 - E. Pavement design for the construction of new facilities within the project limits will be prepared and submitted to the COUNTY and IDOT for review.
 - F. Analyze existing culvert hydraulics and adequacy of the existing culverts.
 - G. Conduct a geotechnical investigation of the project area. This shall include taking subgrade soil borings adjacent to the existing pavement at 500 foot intervals in areas of minimal earthwork due to pavement widening. Soil sampling, laboratory testing, and engineering analyses will be performed in accordance with the IDOT Geotechnical Manual.
 - H. Prepare a Geotechnical Report to be submitted to the COUNTY and IDOT. The Geotechnical Report will be prepared in accordance with the requirements presented within the IDOT Geotechnical Manual. A single set of review comments is anticipated.
 - I. Collect environmental data (i.e. wetland maps, floodplain maps, topographic mapping to identify special waste areas, farmland area, and parks and recreational areas).
 1. Complete special waste assessment screening.

2. Prepare farmland conversion assessment.
 3. Prepare resource agency coordination letters.
 4. Conduct a field reconnaissance survey of the project area.
 5. Prepare the Environmental Survey Request (ESR) form, and submit to IDOT for cultural, biological, and wetland resources review.
- J. Conduct a noise analysis for up to three receptors and complete evaluation for unusual circumstances to prepare a Project Development/Design Report that is processed as a Categorical Exclusion Group II project.
- K. Attend and participate in two "IDOT District 5 Bi-monthly Coordination Meetings" during the course of the study to seek IDOT and FHWA input for design approval.
- L. Prepare and submit a traffic study memorandum to determine the impact of the proposed improvement on the transportation system in the immediate vicinity of the Towanda-Barnes Road. The study will include the following tasks:
1. Collect and review existing traffic count information (peak hour and average daily traffic) available from IDOT for the following roadways in the project vicinity:
 - a. Towanda-Barnes Road
 - b. Fort Jesse Road
 - c. Raab Road
 - d. Northtown Road
 2. McLean County Highway Department will collect up to three, 24-hour traffic counts at the following locations:
 - a. Towanda-Barnes Road (North of Fort Jesse Road)
 - b. Towanda-Barnes Road (North of Raab Road)
 - c. Towanda-Barnes Road (North of Northtown Road)
 3. McLean County Highway Department will collect up to three a.m. and p.m. peak hour turning movement counts at the following locations:
 - a. Towanda-Barnes Road @ Fort Jesse Road
 - b. Towanda-Barnes Road @ Raab Road
 - c. Towanda-Barnes Road @ Northtown Road
 4. Using the information collected above, calculate the existing level-of-service at the intersections of Towanda-Barnes Road and Fort Jesse Road, Towanda-Barnes Road and Raab Road and Towanda-Barnes Road and Northtown Road.

5. Generate trips and distribute trips for the approved subdivision plans for the development in the northwest quadrant of the Fort Jesse and Towanda-Barnes intersection. Any available Trip Generation data completed for other developments adjacent to the Towanda-Barnes corridor will be reviewed as a part of this process.
 6. Review any long range transportation plans, projected land use plans from the COUNTY, historical traffic count data and subdivision Trip Generation analysis to determine design year traffic projections. The design year will be 20 years from the expected construction date (2011).
 7. Using the information collected above, calculate the projected level-of-service, as required for an Intersection Design Study, at the intersections of Towanda-Barnes Road and Fort Jesse Road, Towanda-Barnes Road and Raab Road, and Towanda-Barnes Road and Northtown Road with and without the proposed improvements.
 8. Using the information collected above, calculate the structural design traffic volumes for the following vehicle classifications: passenger vehicles, single-unit trucks and multiple-unit trucks.
 9. Review crash information for a three year period along the Towanda-Barnes Road corridor (data to be provided by IDOT and the COUNTY).
 10. Determine crash rates and potential crash reduction improvements while identifying any high crash locations throughout out the Towanda-Barnes corridor.
 11. Based on the information collected and reviewed above, identify lane configurations and lane assignments for the Towanda-Barnes Road corridor and its major intersections.
- M. Prepare Intersection Design Studies (IDS) for submittal to IDOT for the intersections of Towanda-Barnes Road and Fort Jesse Road and Towanda-Barnes Road and Raab Road.
 - N. Coordinate with the COUNTY to conduct public involvement activities for public input on the project. Hanson will provide exhibits, handouts and questionnaires for two public informational meetings.
 - O. Prepare a Project Development Report/Design Report documenting the engineering studies and providing the basis for the recommendation. This report will be reviewed by the COUNTY, IDOT, and the FHWA.
 - O. Furnish the originals and a reasonable number of prints of all necessary plans and documents, as determined by the COUNTY, including five copies of any Draft

Report that is being submitted for review, five copies of the Final Project Development Report, and one copy of all meeting minutes. Also include a preliminary estimate of probable construction cost for pavement options.

- Q. The COUNTY will provide or cause to be furnished the following:
1. Existing roadway and right-of-way plans, including existing waterway information and Master Inspection Reports.
 2. Existing traffic volume data on streets within the project limits.
 3. Existing accident data.
 4. Tax assessor's maps and taxpayer identification numbers for parcels in the study area and title commitments for all affected parcels.
 5. All necessary utility agreements, including plans for relocations and adjustments.
 6. Digital orthographic aerial photography with planimetric detail and two foot contours of the project area in Microstation format.
 7. Projected land use plans and trip generation data.

II. Design and Plan Preparation Services

- A. Design and survey of the corridor boundaries along Towanda-Barnes Road from Fort Jesse Road to Northtown Road, hereafter referred to as the project limits.
1. Prepare plats and boundary descriptions for the proposed Phase I improvement right-of-way and easements (assume 15 parcels).
 2. Place right-of-way monuments for the above Phase I parcels.
- B. Refine the horizontal and vertical alignment for detailed design plans for the project limits of Towanda-Barnes Road, approximately 2 miles in length.
- C. Evaluate existing drainage and prepare the drainage design to work in conjunction with the overall site drainage and any drainage presently discharging into the proposed project limits.
- D. Prepare a Maintenance of Traffic Plan for the work in the project limits and impacted intersections or driveways.

- E. Prepare an erosion control and Storm Water Prevention Plan for inclusion in the project limits construction documents. Also includes preparation of a NPDES permit and Army Corps of Engineers 404 Permit application.
- F. Prepare plan and profile sheets (@ 1"=20' H., 1"=5' V.) and cross sections every 50' (@ 1"=10' H., 1"=5' V.) for the project limits. Also includes preparation of typical sections and details.
- G. Design two cross road culverts and prepare plan sheets in accordance with IDOT's culvert manual.
- H. Prepare pavement marking plans for the project limits in accordance with the current editions of the IDOT specifications and the Manual on Uniform Traffic Control Devices.
- I. Prepare traffic signal plans at the Raab Road and Fort Jesse Road intersections in accordance with the current editions of the IDOT specifications and the Manual on Uniform Traffic Control Devices. Plans to be reviewed by the COUNTY, Normal and Bloomington, in addition to IDOT.
- J. Submit up to three sets of preliminary plans for the project limits to the COUNTY and IDOT for review.
- K. Prepare special provisions that supplement the current issue of IDOT's Standard Specifications for Road and Bridge Construction for the project limits.
- L. Prepare schedules and summary of quantities to be incorporated into the construction plans for the project limits.
- M. Complete construction plans and technical special provisions incorporating the COUNTY and IDOT's preliminary plan review comments. Submit pre-final plans with quantities completed and scheduled.
- N. Prepare an estimate of probable construction cost and estimate of time for construction work within the project limits.
- O. Finalize and respond to any remaining comments from the reviewing agencies and submit up to 7 copies of final plans, specifications, and estimate (PS&E) documents to IDOT for approval and final distribution.
- P. It is assumed that the project will be advertised for bids on a State letting.
- Q. Respond to bidders questions during the bidding process.
- R. Attend a pre-construction meeting.

S. The following items are not included in the scope of work but could be provided as an addendum to the contract:

1. Land acquisition services other than plat preparation.
2. Traffic signal design.
3. Street lighting plans.
4. The preparation of an Environmental Class of Action Determination (ECAD), Environmental Assessment (EA), Impact Statement (EIS), or Section 4(f) statement; nor does it include the environmental wetland or biological surveys, cultural resources survey, a Preliminary Environmental Site Assessment (PESA), or wetland mitigation planning.
5. Public Hearing activities.
6. Individual meetings with property owners or presentations to the County board.
7. Utility relocation plans.
8. Revision of contract documents at a later date following completion of this Scope of Services is not included.
9. Construction observation activities or answering questions during construction.

III. Options for Design and Plan Preparation Services

- A. Design and right-of-way plats within the corridor boundaries described above may be changed to include Towanda Barnes Road from Fort Jesse Road to approximately 0.25 miles north of Raab Road. The change in project limits can be executed at the discretion of the COUNTY and does not change the technical nature of the tasks expected to be completed as described above. Hanson must be notified of such change, in writing, prior to the beginning of Design and Plan Preparation Services. The change in project limits corresponds to a deduction of \$37,415 from the original contract cost of \$412,900.

GENERAL CONDITIONS PROFESSIONAL SERVICES AGREEMENT

Agreement Date: October, 2007

Project: Townda-Barnes Road

1. **INVOICES:** Charges for services will be billed at least as frequently as monthly, and at the completion of the Project. CLIENT shall compensate HANSON for any sales or value added taxes which apply to the services rendered under this agreement or any addendum thereto. CLIENT shall reimburse HANSON for the amount of such taxes in addition to the compensation due for services. Invoices are delinquent if payment has not been received within 30 days from date of invoice. There will be an additional charge of 1 1/2 percent per month compounded on amounts outstanding more than 30 days. All time spent and expenses incurred (including attorney's fees) in connection with collection of any delinquent amount will be paid by CLIENT to HANSON per HANSON's current fee schedules.

2. **TERMINATION:** This Agreement may be terminated by either party upon written notice. Any termination shall only be for good cause such as legal, unavailability of adequate financing or major changes in the scope of services. In the event of any termination, HANSON will be paid for all services and expenses rendered to the date of termination on a basis of payroll cost times a multiplier of 3.0 (if not previously provided for) plus reimbursable expenses, plus reasonable termination expenses, including the cost of completing analyses, records, and reports necessary to document job status at the time of termination.

3. **REUSE OF DOCUMENTS:** All documents including drawings, specifications, and electronic media furnished by HANSON pursuant to this Agreement are instruments of its services. They are not intended or represented to be suitable for reuse by CLIENT or others on extensions of this project, or on any other project. Any reuse without specific written verification or adaptation by HANSON will be at CLIENT's sole risk, and without liability to HANSON, and CLIENT shall indemnify and hold harmless HANSON from all claims, damages, losses and expenses including court costs and attorney's fees arising out of or resulting therefrom. Any such verification or adaptation will entitle HANSON to further compensation at rates to be agreed upon by CLIENT and HANSON.

4. **STANDARD OF CARE:** Services performed by HANSON under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. No other representation expressed or implied, and no warranty or guarantee is included or intended in this Agreement, or in any report, opinion, document or otherwise.

5. **GENERAL LIABILITY INSURANCE AND LIMITATION:** HANSON is covered by general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, with limits which HANSON considers reasonable. Certificates of insurance shall be provided to CLIENT upon request in writing. Within the limits and conditions of such insurance, HANSON agrees to indemnify and save CLIENT harmless from any loss, damage or liability arising directly from any negligent act or

omission by HANSON. HANSON shall not be responsible for any loss, damage or liability beyond the amounts, limits and conditions of such insurance. HANSON shall not be responsible for any loss, damage or liability arising from any act or omission by CLIENT, its agents, staff, other consultants, independent contractors, third parties or others working on the Project over which HANSON has no supervision or control.

6. **LIMITATION OF LIABILITY:** The Client understands that for the compensation herein provided HANSON cannot expose itself to liabilities disproportionate to the nature and scope of HANSON's services or the compensation payable to it hereunder. Therefore, the CLIENT agrees to limit HANSON's liability to the CLIENT arising from HANSON's professional acts, errors or omissions, such that the total aggregate liability of HANSON shall not exceed ~~\$50,000 or HANSON's total fee for services rendered on this Project, whichever is less.~~ ^{\$1,000,000} LAL

7. **AUTHORITY AND RESPONSIBILITY:** HANSON shall not guarantee the work of any Contractor or Subcontractor, shall have no authority to stop work, shall have no supervision or control as to the work or persons doing the work, shall not have charge of the work, and shall not be responsible for safety in, on, or about the job site or have any control of the safety or adequacy of any equipment, building component, scaffolding, supports, forms or other work aids.

8. **MODIFICATION TO THE AGREEMENT:** CLIENT or HANSON may, from time to time, request modifications or changes in the scope of services to be performed hereunder. Such changes, including any increase or decrease in the amount of HANSON's compensation, to which CLIENT and HANSON mutually agree shall be incorporated in this Agreement by a written amendment to the Agreement.

9. **GOVERNING LAW:** This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

10. **RIGHT OF ENTRY:** CLIENT shall provide for HANSON's right to enter property owned by CLIENT and/or others in order for HANSON to fulfill the scope of services for this Project. CLIENT understands that use of exploration equipment may unavoidably cause some damage, the correction of which is not the responsibility of HANSON.

11. **UTILITIES:** CLIENT shall be responsible for designating the location of all utility lines and subterranean structures within the property line of the Project. CLIENT agrees to waive any claim against HANSON, and to defend, indemnify and hold harmless from any claim or liability for injury or loss arising from HANSON or other persons encountering utilities or other man-made objects that were not called to HANSON's attention or which were not properly located on plans furnished to HANSON. CLIENT further agrees to compensate HANSON for any time or expenses incurred by HANSON in defense of any such claim, in accordance with HANSON's prevailing fee schedule and expense reimbursement policy.

12. **JOB SITE:** Services performed by HANSON during construction will be limited to providing assistance in quality control and to deal with questions by the CLIENT's representative concerning conformance with drawings and specifications. This activity is not to be interpreted as an inspection service, a construction supervision service, or guaranteeing the Contractor's performance. HANSON will not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs. HANSON will not be responsible for the Contractor's obligation to carry out the work in accordance with the Contract Documents. HANSON will not be considered an agent of the owner and will not have authority to direct the Contractor's work or to stop work.

13. **OPINIONS OF COST:** Since HANSON has no control over the cost of labor, materials or equipment or over a Contractor's method of determining prices, or over competitive bidding or market conditions, its opinions of probable Project cost or construction cost for this Project will be based solely upon its own experience with construction, but HANSON cannot and does not guarantee that proposals, bids or the construction cost will not vary from its opinions of probable costs. If the CLIENT wishes greater assurance as to the construction cost, he shall employ an independent cost estimator.

14. **SHOP DRAWING REVIEW:** CLIENT agrees that HANSON's review of shop drawings, when such review is included in the scope of services, shall be solely for their conformance with HANSON's design intent and conformance with information given in the construction documents. HANSON shall not be responsible for any aspects of a shop drawing submission that affect or are affected by the means, methods, techniques, sequences and operations of construction, safety precautions and programs incidental thereto, all of which are the Contractor's responsibility. The Contractor will be responsible for lengths, dimensions, elevations, quantities and coordination of the work with other trades. CLIENT warrants that the Contractor shall be made aware of his responsibilities to review shop drawings and approve them in these respects before submitting them to HANSON.

15. **CONFIDENTIALITY:** Each party shall retain as confidential, all information and data furnished to it by the other party which are designated in writing by such other party as confidential at the time of transmission, and are obtained or acquired by the receiving party in connection with this Agreement, and said party shall not disclose such information to any third party.

RESOLUTION BY THE COUNTY BOARD OF MCLEAN COUNTY
FOR AWARD OF COUNTY PROJECT

WHEREAS, the bids were reviewed by the Transportation Committee of the McLean County Board at their Meeting on September 4, 2007, for a letting held on August 29, 2007 for one (1) McLean County 2007 Non-MFT Construction Section, and,

WHEREAS, the Transportation Committee duly approved the bids on September 4, 2007, now, therefore,


BE IT RESOLVED by the County Board of McLean County that they award the following project:

2007 Non-MFT CONSTRUCTION SECTION:

Rowe Construction Co, a Div of RA Cullinan & Son, Inc, 1523 N Cottage Ave, Bloomington, IL 61704, was the successful bidder on the following section:

McLean CountyCombined Sec 07-00134-08-SM & 07-00044-11-CG
Ellsworth Rd (CH 17) & Lexington / LeRoy Rd (CH 21)

\$655,550.88

 9/18/2007
Matt Sorensen, Chairman (date)

STATE OF ILLINOIS]
] SS
COUNTY OF MCLEAN]

I, Peggy Ann Milton, County Clerk in and for said County is the State aforesaid and keeper of the records and files thereof, as provided by statutes, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the County Board of McLean County at its monthly meeting held at Bloomington, Illinois on September 18, 2007.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Bloomington, Illinois, in said County this 18th day of September A.D., 2007.

[SEAL}


Peggy Ann Milton, McLean County Clerk

McLEAN COUNTY HIGHWAY DEPARTMENT

August 29, 2007

McLEAN COUNTY
SEC. 07-00134-08-SM & 07-00044-11-CG

ITEM	UNIT	QUANTITY	UNIT PRICE	ENGINEERS ESTIMATE TOTAL	ROWE BID PRICE	ROWE TOTAL	UNIT PRICE	TOTAL
Earth Exc	Cu Yd	1,230	\$25.00	\$30,750.00	\$31.00	\$38,130.00		\$0.00
Furn Exc	Cu Yd	2,825	\$20.00	\$56,500.00	\$30.00	\$84,750.00		\$0.00
Hot-Mix Asph Bse Cse 7"	Sq Yd	406	\$35.00	\$14,210.00	\$42.00	\$17,052.00		\$0.00
Agg Prim Ct	Ton	153	\$20.00	\$3,060.00	\$0.01	\$1.53		\$0.00
Level Blnder (Mach Meth) N50	Ton	800	\$68.00	\$54,400.00	\$74.00	\$59,200.00		\$0.00
Hot-Mix Asph Surf Rem Butt-Jt	Sq Yd	524	\$28.00	\$14,672.00	\$28.00	\$14,672.00		\$0.00
Temp Ramp	Sq Yd	118	\$35.00	\$4,130.00	\$35.00	\$4,130.00		\$0.00
Hot-Mix Asph Surf Cse, Mix "C", N50	Ton	2,615	\$65.00	\$169,975.00	\$65.00	\$169,975.00		\$0.00
Bit Mat'l (Prim Ct)	Gal	1,535	\$3.00	\$4,605.00	\$0.01	\$15.35		\$0.00
Incidental Hot-Mix Asph Surf	Ton	303	\$115.00	\$34,845.00	\$110.00	\$33,330.00		\$0.00
Hot-Mix Asph Surf Rem 2"	Sq Yd	3,150	\$15.00	\$47,250.00	\$6.00	\$18,900.00		\$0.00
Cl D Patch, Ty IV, 10"	Sq Yd	56	\$75.00	\$4,200.00	\$127.00	\$7,112.00		\$0.00
Area Ref Crack Control Treat, Sys A	Sq Yd	24,273	\$2.00	\$48,546.00	\$1.50	\$36,409.50		\$0.00
Agg Wedge Shldrs, Ty B	Ton	1,225	\$25.00	\$30,625.00	\$24.50	\$30,012.50		\$0.00
Comb Conc C&G, Ty M-6.18	Ft	432	\$45.00	\$19,440.00	\$44.00	\$19,008.00		\$0.00
Raised Ref Pvmt Marker	Each	289	\$45.00	\$13,005.00	\$45.00	\$13,005.00		\$0.00
Raised Ref Pvmt Marker Rem	Each	2	\$75.00	\$150.00	\$70.00	\$140.00		\$0.00
RR Prot Liability Ins	L Sum	1	\$10,000.00	\$10,000.00	\$6,100.00	\$6,100.00		\$0.00
Pvmt Rem 9"	Sq Yd	559	\$20.00	\$11,180.00	\$9.00	\$5,031.00		\$0.00
Pvmt Rem 12"	Sq Yd	1,206	\$25.00	\$30,150.00	\$12.00	\$14,472.00		\$0.00
Pvmt Rem 16"	Sq Yd	5,607	\$20.00	\$112,140.00	\$15.00	\$84,105.00		\$0.00
				\$713,833.00		\$655,550.88		\$0.00
								-100.00%

HJEPPEL

RECEIVED
AUG 21 2007
MCLEAN CO. HIGHWAY DEPT.

PRELIMINARY ENGINEERING SERVICES AGREEMENT

<u>LOCAL AGENCY</u>	<u>CONSULTANT</u>
County: McLean	Name: Hampton, Lenzini and Renwick, Inc.
Township:	Address: 3085 Stevenson Drive
Section: CH 29 / 07-00161-01-BR Lawndale / 07-20124-00-BR Martin / 07-22134-00-BR	City: Springfield State: Illinois

THIS AGREEMENT is made and entered into this _____ day of _____, 2007 between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above SECTIONS.

SECTION DESCRIPTION

Name _____ Length 0.10 mile
Structure No. 053-4604
053-4809 and 053-5020

Location CH 29 - SW 1/4, Sec. 9, T26N, R3E, 3rd P.M., 0.50 miles south of Gridley
Lawndale - SW 1/4, Sec. 31, T25N, R5E, 3rd P.M., 3.5 miles west of Colfax
Martin - SE 1/4, Sec. 24, T24N, R5E, 3rd P.M., 3.5 miles southeast of Colfax

Description: Bridge Replacement

DEFINITION

DEPARTMENT McLean County Highway Department

AGREEMENT PROVISIONS

THE ENGINEER AGREES

1. To perform or be responsible for the performance of the following engineering services for the LA in connection with the proposed improvement hereinbefore described:
 - a.(X) Make such detailed surveys as are necessary for the preparation of detailed roadway plans.
 - b.(X) Make stream and flood plain hydraulic surveys and gather high water data, and flood histories for the preparation of detailed bridge plans.
 - c.() Make or cause to be made such soil surveys or subsurface investigations including borings and soil profiles and analyses thereof as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations are to be made in accordance with the current requirements of the DEPARTMENT.
 - d.() Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.
 - e.(X) Prepare Army Corps of Engineers Permit, Division of Water Resources Permit, Bridge waterway sketch and/or Channel Change sketch, Utility plan and locations and railroad crossing work agreements.
 - f.(X) Prepare Preliminary Bridge Design and Hydraulic Report, (including economic analysis of bridge or culvert types) and high water effects on roadway overflows and bridge approaches.
 - g.(X) Make complete general and detailed plans, special provisions, proposals and estimates of cost and furnish the LA with five (5) copies of the plans, special provisions, proposals, and estimates. Additional copies of any or all documents, if required, shall be furnished to the LA by the ENGINEER at his actual cost for reproduction.
 - h.(X) Furnish the LA with survey and drafts in quadruplicate of all necessary right of way dedications, construction easements, and borrow pit and channel change agreements including prints of the corresponding plats.

- i. () Assist the LA in the tabulation and interpretation of the contractor's proposals.
 - j. (X) Prepare the necessary environmental documents in accordance with the procedures adopted by the Illinois Department of Transportation, Bureau of Local Roads and Streets.
 - k. () Prepare the Project Development Report when required by the DEPARTMENT.
2. That all reports, plans, plats, and special provisions to be furnished by the ENGINEER pursuant to this agreement will be in accordance with the current standard specifications and policies of the DEPARTMENT, it being understood that all such reports, plats, plans and drafts shall before finally accepted, be subject to approval by the LA and the said DEPARTMENT.
 3. To attend conferences at any reasonable time when required to do so by the LA or representatives of the DEPARTMENT.
 4. In the event plans are found to be in error during the construction of the SECTION and revisions of the plans are necessary, the ENGINEER agrees that he will perform such work without expense to the LA, even though final payment has been received by him. He shall give immediate attention to these changes so there will be a minimum delay to the Contractor.
 5. The basic survey notes and sketches, charts, computations and other data prepared or obtained by the ENGINEER pursuant to this AGREEMENT will be made available upon request to the LA or the DEPARTMENT without cost and without restriction or limitations as to their use.
 6. That all plans and other documents furnished by the ENGINEER pursuant to the AGREEMENT will be endorsed by him and will show his professional seal where such is required by law.

THE LA AGREES

1. To pay the ENGINEER as compensation for all services performed as stipulated in paragraphs 1a, 1b, 1e, 1f, 1g, 2, 3, 5 and 6 in accordance with one of the following methods indicated by a check mark:
 - a. () A sum of money equal to _____ percent of the awarded contract cost of the proposed improvement as approved by the DEPARTMENT.
 - b. (X) A sum of money equal to the percent of the awarded contract cost for each section approved by the DEPARTMENT based on the following schedule:

Schedule for Percentages Based on Awarded Contract Cost

<u>Awarded Cost</u>	<u>Percentage Fees</u>
PER SECTION	
Under \$50,000	10.00 (see note)
First 50,000	10.00%
Next 50,000	7.75%
Next 100,000	6.50%
Next 200,000	5.60%
Next 200,000	5.20%
Next 450,000	5.10%

2. To pay for all services stipulated under paragraph 1h and 1j of THE ENGINEER AGREES at the hourly rates stipulated below for personnel assigned to this SECTION as payment in full to the ENGINEER for the actual time spent in providing these services, the hourly rates to include profit, overhead, readiness to serve, insurance, social security and retirement deductions. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost. Subject to the approval of the LA, the ENGINEER may sublet all or part of the services provided under paragraphs 1h, 1j and 1k. If the ENGINEER sublets all or a part of this work, the LA will pay the cost to the ENGINEER plus a five (5) percent service charge. "Cost to ENGINEER" to be verified by furnishing the LA and the DEPARTMENT copies of invoices from the party doing the work. The classifications of the employees used in the work should be consistent with the employee classifications for the services performed. If the personnel of the firm including the Principal Engineer perform routine services that should normally be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the work performed.

<u>Grade Classification of Employee</u>	<u>Hourly Rate</u>
Principal	\$154.00
Engineer Specialist	151.00
Engineer 9	146.50
Engineer 8	136.00
Engineer 7	121.00
Engineer 6	110.00
Engineer 5	98.00
Engineer 4	94.00
Engineer 3	87.50
Engineer 2	83.50
Engineer 1	72.50
Technician 7	96.00
Technician 6	88.00
Technician 5	77.50
Technician 4	67.00
Technician 3	60.00
Technician 2	53.50
Technician 1	46.50
Clerical 2	70.00
Clerical 1	49.50
Accountant	72.00

The hourly rate itemized above shall be effective the date the parties hereunto entering this AGREEMENT have affixed their hands and seals and shall remain in effect through the duration of the contract.

3. That payments due the ENGINEER for services rendered pursuant to this AGREEMENT will be made as soon as practicable after the services have been performed, in accordance with the following schedule.
 - a. Partial payments, not to exceed 90 percent of the amount earned, shall be made monthly as the work progresses.
 - b. Upon completion of the services required by paragraphs 1a through 1g under THE ENGINEERS AGREES, to the satisfaction of the LA and their approval by the DEPARTMENT, 90 percent of the total fee due under this AGREEMENT based on the approved estimate of cost.
 - c. Upon award of the contract for the improvement by the LA and its approval by the DEPARTMENT, 100 percent of the total fee due under the AGREEMENT based on the awarded contract cost, less any amounts paid under "b" above.

4. That, should the improvement be abandoned at any time after the ENGINEER has performed any part of the services provided for in paragraphs 1a thru 1k, and prior to the completion of such services, the LA shall reimburse the ENGINEER for labor expenses at the hourly rates set forth under paragraph 2 above for costs incurred up to the time he is notified in writing of such abandonment. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost.
5. That should the LA require changes in any of the detailed plans, specifications or estimates (except for those required pursuant to paragraph 4 of THE ENGINEER AGREES) after they have been approved by the DEPARTMENT, the LA will pay the ENGINEER for such changes at the hourly rates set forth under paragraph 2 above. It is understood that "changes" as used in this paragraph shall in no way relieve the ENGINEER of his responsibility to prepare a complete and adequate set of plans and specifications.

IT IS MUTUALLY AGREED

1. That any differences between the ENGINEER and the LA concerning the interpretation of the provisions of this AGREEMENT shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LA and a third member appointed by the two other members for disposition and that the committee's decision shall be final.
2. This AGREEMENT may be terminated by the LA upon giving notice in writing to the ENGINEER at his last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LA, all drawings, plats, surveys, reports, permits, agreements, provisions, specifications, partial and completed estimates, and data with the understanding that all such material become the property of the LA. The ENGINEER shall be paid for any services completed and any services partially completed in accordance with paragraph 4 of THE LA AGREES.
3. That if the contract for construction has not been awarded one year after the acceptance of the plans by the LA and their approval by the DEPARTMENT, the LA will pay the ENGINEER the balance of the engineering fee due to make 100 percent of the total fees due under this AGREEMENT, based on the estimate of cost as prepared by the ENGINEER and approved by the LA and the DEPARTMENT.
4. That the ENGINEER warrants that he/she has not employed or retained any company or person, other than a bona fide employee working solely for the ENGINEER, to solicit or secure this contract, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the ENGINEER, any fee, commission, percentage, brokerage, fee, gifts, or any other consideration, contingent upon or resulting from the award or making of this contract. For breach or violation of this warranty the LA shall have the right to annul this contract without liability.

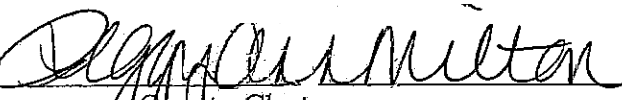
5. That the ENGINEER has not been retained or compensated to provide design and construction review services relating to the Contractor's safety precautions or to means, methods, techniques or procedures the Contractor elects to use to complete his work. Omitted services include, but are not limited to, shoring, scaffolding, underpinning, temporary retainment or excavations and any erection methods and temporary bracing.

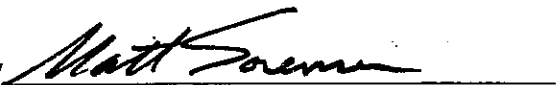
IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed in triplicate counterparts, each of which shall be considered as an original by their duly authorized officers.

Executed by the LA:

McLean County of the State of Illinois, acting by and through its County Board

ATTEST:

By 
County Clerk

By 

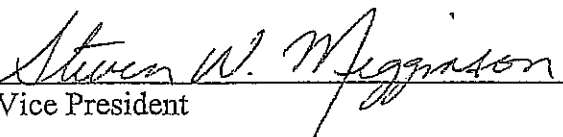
(SEAL)

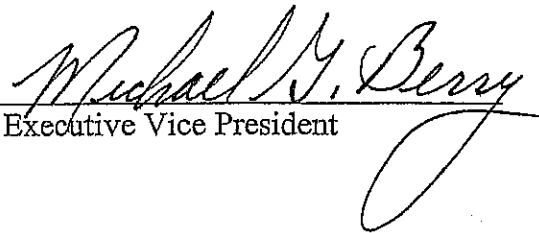
Title: Chairman, County Board

Executed by the ENGINEER:

Hampton, Lenzini and Renwick, Inc.
3085 Stevenson Drive, Suite 201
Springfield, Illinois 62703-4269

ATTEST:

By 
Vice President

By 
Executive Vice President

(SEAL)

HAMPTON, LENZINI AND RENWICK, INC.

SPECIAL PROVISION FOR EMPLOYMENT PRACTICES

In addition to all other labor requirements set forth in this proposal and in the "Standard Specifications for Road and Bridge Construction" adopted by the Illinois Department of Transportation, during the performance of this contract, Hampton, Lenzini and Renwick, Inc., its assignees and successors in interest (hereinafter referred to as the "Engineer") agrees as follows:

I. SELECTION OF LABOR

The Engineer shall comply with all Illinois statutes pertaining to the selection of labor.

II. EQUAL EMPLOYMENT OPPORTUNITY

During the performance of this contract, the Engineer agrees as follows:

- A. That it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap or unfavorable discharge from military service, and further that it will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any such underutilization.
- B. That, if it hires additional employees in order to perform this contract or any portion hereof, it will determine the availability of minorities and women in the area(s) from which it may reasonably recruit and it will hire for each job classification for which employees are hired in such a way that minorities and women are not underutilized.
- C. That, in all solicitations or advertisements for employees placed by it or on its behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap or unfavorable discharge from military service.
- D. That it will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other agreement or understanding, a notice advising such labor organization or representative of the Engineer's obligations under the Illinois Human Rights Act and the Department's Rules and Regulations. If any such labor organization or representative fails or refuses to cooperate with the Engineer in its efforts to comply with such Act and Rules and Regulations, the Engineer will promptly so notify the Illinois Department of Human Rights and the contracting agency and will recruit employees from other sources when necessary to fulfill its obligations thereunder.
- E. That it will submit reports as required by the Department of Human Rights, Rules

and Regulations, furnish all relevant information as may from time to time be requested by the Department or the contracting agency, and in all respects comply with the Illinois Human Rights Act and the Department's Rules and Regulations.

- F. That it will permit access to all relevant books, records, accounts and work sites by personnel of the contracting agency and the Illinois Department of Human Rights for purposes of investigation to ascertain compliance with the Illinois Human Rights Act and the Department's Rules and Regulations.

- G. That it will include verbatim or by reference the provisions of this clause in every subcontract so that such provisions will be binding upon every such subconsultant. In the same manner as with other provisions of this contract, the Engineer will be liable for compliance with applicable provisions of this clause by all its subconsultants; and further it will promptly notify the contracting agency and the Illinois Department of Human Rights in the event any subconsultant fails or refuses to comply therewith. In addition, the Engineer will not utilize any subconsultant declared by the Illinois Human Rights Commission to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations.

STATE OF ILLINOIS
DRUG FREE WORKPLACE CERTIFICATION

This certification is required by the Drug Free Workplace Act (Ill. Rev. Stat., ch. 127, par. 152.311). The Drug Free Workplace Act, effective January 1, 1992, requires that no grantee or contractor shall receive a grant or be considered for the purposes of being awarded a contract for the procurement of any property or services from the State unless that grantee or contractor has certified to the State that the grantee or contractor will provide a drug free workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of the contract or grant and debarment of contracting or grant opportunities with the State for at least one (1) year but not more than five years.

For the purpose of this certification, "grantee" or "contractor" means a corporation, partnership or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State.

1. Publishing a statement:

- a. Notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace.
- b. Specifying the actions that will be taken against employees for violations of such prohibition.
- c. Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
 - (1) abide by the terms of the statement; and
 - (2) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

2. Establishing a drug free awareness program to inform employees about:

- a. the dangers of drug abuse in the workplace;
- b. the grantee's or contractor's policy of maintaining a drug free workplace;
- c. any available drug counseling, rehabilitation and employee assistance programs; and
- d. the penalties that may be imposed upon an employee for drug violations.

3. Providing a copy of the statement required by subparagraph 1 to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.

4. Notifying the contracting or granting agency within ten (10) days after receiving notice under part (2) of paragraph c of subsection 1 above from an employee or otherwise receiving actual notice of such conviction.

5. Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted, as required by Section 5 of the Drug Free Workplace Act.

6. Assisting employees in selecting a course of action in the event drug counseling, treatment and rehabilitation is required and indicating that a trained referral team is in place.

7. Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act.

THE UNDERSIGNED AFFIRMS, UNDER PENALTIES OF PERJURY, THAT HE OR SHE IS AUTHORIZED TO EXECUTE THIS CERTIFICATION ON BEHALF OF THE DESIGNATED ORGANIZATION.

Hampton, Lenzini & Renwick, Inc.
Printed Name of Organization

Michael G. Berry
Signature of Authorized Representative

36-2555986
Requisition/Contract/Grant
ID Number

Michael G. Berry, Executive Vice President
Printed Name and Title

8/20/07
Date

BRIDGE CONSTRUCTION PETITION

Sec 07-20124-00-BR

TO: McLean County Board
Care of McLean County Clerk
115 E Washington St – Room 102
Bloomington, Illinois 61701

Hammitt Drainage Structure, Located at 2005 North Road on 3005 East Road

Ladies and Gentlemen:

Lawndale Road District, McLean County, Illinois requests that McLean County in accordance with the Illinois Highway Code, 605 ILCS 5/5-501 of the current Illinois Compiled Statutes, construct a drainage structure with approach fills located in the SW ¼ of Section 31 T 25 N, R 5E of the 3rd P.M., Lawndale Road District.

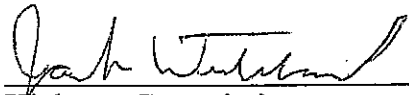
That of the funds appropriated at the November 2006 meeting of the McLean County Board \$32,000.00 be used as the County's share of the cost of this structure.

Lawndale Road District certifies that they have levied the maximum on their Road and Bridge Fund the last two years.

Lawndale Road District further states that the County Engineer has made a survey of the water shed and has determined that the site of the new drainage structure shall be as mentioned above and has estimated that the cost of the new drainage structure shall be \$320,000.00 and the present structure is inadequate.

Lawndale Road District further certifies that the cost of the new structure exceeds 0.02% of the assessed valuation of the Road District.

Respectfully submitted.


Highway Commissioner

Lawndale Road District

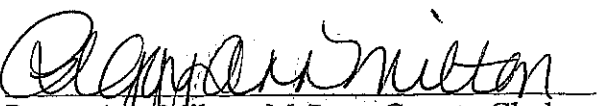
Approved 
County Engineer, McLean County, IL

Date: 8-29-07

ATTEST


Mr. Matt Sorensen, Board Chairman

Date: 9/18/2007


Peggy Ann Milton, McLean County Clerk

BRIDGE CONSTRUCTION PETITION

Sec 07-22134-00-BR

TO: McLean County Board
Care of McLean County Clerk
115 E Washington St - Room 102
Bloomington, Illinois 61701

Meiners Drainage Structure, Located at 3570 East Road on 1600 North Rd

Ladies and Gentlemen:

Martin Road District, McLean County, Illinois requests that McLean County in accordance with the Illinois Highway Code, 605 ILCS 5/5-501 of the current Illinois Compiled Statutes, construct a drainage structure with approach fills located in the East line of the SE ¼ of Section 24 T 24 N, R 5E of the 3rd P.M., Martin Road District.

That of the funds appropriated at the November 2006 meeting of the McLean County Board \$32,000.00 be used as the County's share of the cost of this structure.

Martin Road District certifies that they have levied the maximum on their Road and Bridge Fund the last two years.

Martin Road District further states that the County Engineer has made a survey of the water shed and has determined that the site of the new drainage structure shall be as mentioned above and has estimated that the cost of the new drainage structure shall be \$320,000.00 and the present structure is inadequate.

Martin Road District further certifies that the cost of the new structure exceeds 0.02% of the assessed valuation of the Road District.

Respectfully submitted.

Larry W. Baker
Highway Commissioner

Martin Road District

Approved [Signature]
County Engineer, McLean County, IL

Date: 8-29-07

ATTEST

[Signature]
Mr. Matt Sorensen, Board Chairman

Date: 9/18/2007

[Signature]
Peggy Ann Milton, McLean County Clerk

**Resolution
of the County Board
McLean County, Illinois**

**AN ORDINANCE AND RESOLUTION FOR THE ESTABLISHMENT
OF AN ALTERED SPEED ZONE**

IT IS HEREBY DECLARED, ORDAINED AND RESOLVED by the County Board of McLean County, Illinois, that the statutory maximum vehicular speed limits established by Section 11-601 of the Illinois Vehicle Code are greater, or less, respectively, than that considered reasonable and proper on the street or highway, respectively, listed in the Schedule on the reverse side for which McLean County has maintenance responsibility and which is not under the jurisdiction of the Illinois Department of Transportation or the Illinois State Toll Highway Authority; and,

BE IT FURTHER DECLARED, ORDAINED AND RESOLVED that this Board has caused to be made an engineering and traffic investigation upon the respective streets or highways listed in the Schedule; and,

BE IT FURTHER DECLARED, ORDAINED AND RESOLVED that, by virtue of Section 11-604 of the above Code, this Board determines and declares that reasonable and proper absolute maximum speed limits upon those respective streets and highways described in the Schedule shall be as stated therein; and,

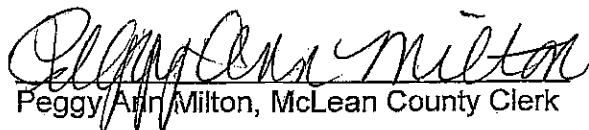
BE IT FURTHER DECLARED, ORDAINED AND RESOLVED that this ordinance shall take effect immediately after the erection of signs giving notice of the maximum speed limits. Said signs shall be erected in conformance with the standards and specifications contained in the Illinois Manual on Uniform Traffic Control Devices for Streets and Highways.

Adopted and passed this 18th day of September, 2007.



Matt Sorensen, Chairman
McLean County Board

ATTEST:



Peggy Ann Milton, McLean County Clerk

(SEAL)

SCHEDULE OF ALTERED SPEED ZONES

<u>Name of Street or Highway</u>	<u>Exact Limits of Zone(s)</u>		<u>Maximum Speed Limits</u>
	<u>From</u>	<u>To</u>	
PJ Keller Highway County Highway 8 (CH 8)	805' west of CH 23 Meadows Road	6,175' west of CH 23 Meadows Road	45 mph

McLean County Highway Department

APPLICATION FOR THE ESTABLISHMENT OF AN ALTERED SPEED ZONE

An ALTERED SPEED ZONE as referred to in this application is a length of roadway on which a uniform speed limit at variance with the statewide statutory limit is posted.

.....

To the COUNTY BOARD

In accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways, the McLean County Highway Department has completed an engineering and traffic investigation report concerning the street or highway listed below and requests that an Altered Speed Zone be approved. This application is for the:

- Establishment of
of new zone
- Revision of
existing zone
- Extension of
existing zone

Street or roadway to be zoned: County Highway 8 (CH 8) – PJ Keller Highway

From: 805' west of County Highway 23 (CH 23) – Meadows Road

To: 6,175' west of County Highway 23 (CH 23) – Meadows Road

County McLean In or near Lexington Length 5,370' (1.01 Miles) Proposed Speed 45 mph

The Statements contained in this APPLICATION FOR THE ESTABLISHMENT OF AN ALTERED SPEED ZONE and the data submitted obtained from an engineering and traffic investigation are true and correct, and in conformance with the Highway Department's POLICY FOR THE ESTABLISHMENT AND POSTING OF SPEED LIMITS ON COUNTY AND TOWNSHIP HIGHWAYS.

Date: August 29, 2007

Submitted by: 

John E. Mitchell
McLean County Engineer

- Enclosures:
- Copy of Ordinance
 - Establishment of Speed Zone
 - Spot Speed study
 - Condition Diagram

McLEAN COUNTY HIGHWAY DEPARTMENT
Establishment of Speed Zones

ROUTE County Highway 8 (CH 8) – PJ Keller Highway FROM 805' west of CH 23 – Meadows Road
 TO 6.175' west of CH 23 – Meadows Road A DISTANCE OF 1.01 MILES
 IN Lexington, Lexington & Money Creek TOWNSHIPS, McLEAN COUNTY

I. SPOT SPEED STUDIES (ATTACHED)

CHECK NO.	85 th %	10 MPH PACE UPPER LIMIT

V. DRIVEWAY CONFLICTS

RESIDENTIAL DRIVES	___ X 1.0 =
SMALL BUSINESS DRIVES	___ X 5.0 =
LARGE BUSINESS DRIVES	___ X 10.0 =
DRIVEWAY CONFLICTS NUMBER TOTAL	
___ (D.C.N)	=
___ MILES	CONFLICT NO. / MILE

II.

Per design of Section 05-00046-12-RP
 Need to post project for 45 miles per hour
 (45 mph)

VI. MISC. FACTORS

PEDESTRIAN VOLUME	_____
ACCIDENT RATE RATIO:	
COUNTY	AVG. = _____
ROUTE	
PARKING PERMITTED	<input type="checkbox"/> YES <input type="checkbox"/> NO

III. PREVAILING SPEED

85 th PERCENTILE AVG.	_____ MPH
UPPER LIMIT AVG.	_____ MPH
PREVAILING SPEED:	_____ MPH

VII. PREVAILING SPEED ADJUSTMENT

DRIVEWAY ADJUSTMENT	_____ %
PEDESTRIAN ADJUSTMENT	_____ %
ACCIDENT ADJUSTMENT	_____ %
PARKING ADJUSTMENT	_____ %
TOTAL (MAX 20%)	_____ %
_____ MPH	X _____ % = _____ MPH
PREVAILING SPEED	ADJUSTMENT (MAX 10 MPH)
ADJUSTED PREVAILING SPEED	_____ MPH

IV. EXISTING SPEED LIMITS

ZONE BEING STUDIED	<u>55</u> MPH
VIOLATION RATE	_____ %
ADJACENT ZONES N OR W	_____ MPH
LENGTH	_____ MILES
W & E	_____ MPH
LENGTH	_____ MILES

VIII. REVISED SPEED LIMIT

RECOMMENDED SPEED LIMIT	<u>45</u> MPH
ANTICIPATED VIOLATION RATE	_____ %
RECOMMEND BY	<u>JOHN E. MITCHELL</u> <u>McLEAN COUNTY ENGINEER</u>
ORGANIZATION	<u>HIGHWAY DEPARTMENT</u>
DATE	<u>AUGUST 29, 2007</u>

ORDINANCE OF APPROVAL
OF FINAL PLAT
Vacation Plat of Lot 36 Sherwood Subdivision, File S-07-11

WHEREAS, Wayne and Jeanette Clayton have requested to vacate the south 5 feet of the 40 foot front setback area and the north 20 feet of the 40 foot drain tile easement for Lot 36 Sherwood Subdivision, file number S-07-11, and have executed all agreements and documents required by the land subdivision regulations of McLean County; and

WHEREAS, a public hearing on said proposed front yard and drain tile vacation plat was held by the Land Use and Development Committee of the McLean County Board as required by law; and

WHEREAS, the Land Use and Development Committee of the McLean County Board has reviewed said vacation plat and finds that it meets the said subdivision regulations; and


WHEREAS, the Land Use and Development Committee is recommending that the County Board of McLean County, Illinois approve said vacation plat; now, therefore,

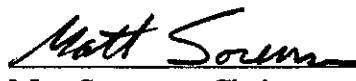
BE IT ORDAINED that the said vacation plat to vacate the south 5 feet of the 40 foot front setback area and the north 20 feet of the 40 foot drain tile easement for Lot 36 Sherwood Subdivision is hereby approved.

Adopted by the County Board of McLean County, Illinois this 18th day of September, 2007

ATTEST:

APPROVED:


Peggy Ann Milton, County Clerk
McLean County, Illinois


Matt Sorensen, Chairman
McLean County Board

McLean County Department of Building and Zoning

SUBDIVISION STAFF REPORT AS AMENDED
LAND USE AND DEVELOPMENT COMMITTEE

CASE NUMBER S-07-11

1. REFERENCE:

- a. Meeting date: September 6, 2007
- b. Subdividers' names: Wayne and Jeanette Clayton
- c. Subdivision name: Lot 36 in the Sherwood Subdivision

2. LOCATION AND, LAND USE AND REQUEST:

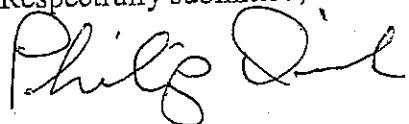
- a. Property location: 19303 Briar Drive, Bloomington, IL
- b. Township: Old Town Township
- c. Parcel Number: (24) 22-29-327-011
- d. Existing zoning: R-1 Single Family Residence District
- e. Applicant request: To vacate the south 5 feet of the 40 foot front setback area and the north 20 feet of the 40 foot drain tile easement for Lot 36 Sherwood Subdivision – the drain pipe is located 10 feet from the north edge of the proposed vacated easement. The applicants propose to build a dwelling between the front yard setback and the drain tile easement. The lot is irregular in shape which leaves too small an area on which to build the proposed dwelling between the drain tile easement and the front setback. The Zoning Ordinance requires a front setback of 30 feet. With a front yard vacation of five feet, this lot would still have a front yard setback of 35 feet.
- f. Existing land use: Vacant

3. DIMENSIONS & REVIEW:

- a. Size of Parcel: .7 acres in area
- b. County Health Department: Recommends approval of the proposed front yard setback area and drain tile easement vacation.
- c. County Highway Department: Recommends approval of the proposed front yard setback area and drain tile easement vacation.

Staff recommends approval of the of the proposed front yard setback area and drain tile easement vacation plat for Lot 36 of Sherwood Subdivision.

Respectfully submitted,



Philip Dick, AICP, Director

APPROPRIATION TRANSFER ORDINANCE
 AMENDING THE MCLEAN COUNTY FISCAL YEAR 2007
 COMBINED ANNUAL APPROPRIATION AND BUDGET ORDINANCE

WHEREAS, THE FOLLOWING TRANSFERS OF APPROPRIATED MONIES HAVE BEEN REVIEWED AND APPROVED BY THE APPROPRIATE COMMITTEE, AND

WHEREAS, SUCH TRANSFERS DO NOT AFFECT THE TOTAL AMOUNT APPROPRIATED IN ANY FUND, AND

WHEREAS, IT IS DEEMED DESIRABLE THAT THE FOLLOWING TRANSFERS ARE HEREBY AUTHORIZED AND APPROVED, NOW, THEREFORE,


BE IT ORDAINED BY THE County Board Of McLean County, Illinois THAT THE FOLLOWING TRANSFERS BE MADE AND THAT THE COUNTY CLERK PROVIDE THE COUNTY AUDITOR AND TREASURER WITH CERTIFIED COPIES OF THIS ORDINANCE.

DEBIT: FROM	ACCOUNT TITLE	AMOUNT	CREDIT: TO	ACCOUNT TITLE	AMOUNT


Justice Committee					
	FUND 0001 DEPARTMENT 0022 COURT SERVICES				
	PGM 0024 COURT SERVICES				
0832 0001 PUR.FURNISHINGS/OFF.EQUIP		12,000.00		0621 0001 NON-MAJOR EQUIPMENT	12,000.00-
		12,000.00			12,000.00-
		=====			=====

ADOPTED BY THE County Board Of McLean County, Illinois

THIS 18TH DAY OF SEPTEMBER , 2007



 CHAIRMAN, MCLEAN COUNTY BOARD

ATTEST: 

 COUNTY CLERK, MCLEAN COUNTY



McLEAN COUNTY BOARD
(309) 888-5110 FAX (309) 888-5111
115 E. Washington P.O. Box 2400
Bloomington, Illinois 61702-2400

Michael F. Sweeney
Chairman

September 12, 2007

To the Honorable Chairman and Members of the McLean County Board:

Your PROPERTY COMMITTEE herewith respectfully recommends approval of the request received from the Risk Manager and the Corporate Alliance to End Partner Violence (CAEPV) to display the Silent Witness Exhibit in the north lobby of the Government Center on Monday, October 1, 2007 from 9:00 a.m. to 2:00 p.m.

Respectfully submitted,

The PROPERTY COMMITTEE of the McLEAN COUNTY BOARD

District #1 Stan Hoseiton Don J. Cavallini	District #3 Michael F. Sweeney Diane R. Bostic	District #5 B.H. "Duffy" Bass Sondra O'Connor	District #7 P.A. "Sue" Berglund Bette Rackauskas	District #9 Calhy Ahari Terry Baggett
District #2 Matt Sorensen Rick Dean	District #4 Ann Harding Duane Mass	District #6 George J. Gordon David F.W. Seizer	District #8 Paul R. Segobiano Tari Renner	District #10 Benjamin J. Owens Bob Nuckolls



RISK MANAGEMENT OFFICE

TEL: (309) 888-5940 FAX: (309) 888-5949
104 West Front Street P. O. Box 2400

E-MAIL: riskmgt@mclean.gov
Bloomington, IL 61702-2400

Memo To: Diane Bostic, Chair
Members of the Property Committee

From: Jennifer Ho

Date: August 28, 2007

Subject: Approval for Silent Witness Exhibits, Lobby of Government Center, October 1, 2007

To promote awareness of domestic violence and in observation of October as National Domestic Violence Awareness Month, in cooperation with the Countering Domestic Violence (CDV) program in McLean County, we would like your permission to host the "Silent Witness Exhibit" in the **North Lobby of the Government Center on October 1, 2007 from 9:00 am to 2:00 pm.**

The Silent Witness Exhibits are free-standing silhouettes of victims of domestic violence, with a brief description of their life-stories. A CDV staff person will be with the exhibits to assist with questions and other assistance that may arise.

We are appreciative of the County's leadership and support provided to the local agencies involved in addressing the issue of domestic violence. Other County efforts include a message that October is Domestic Violence Awareness Month, and the posting of domestic violence awareness information in employee lounges.

Thank you for your consideration. JH



McLEAN COUNTY BOARD
(309) 888-5110 FAX (309) 888-5111
115 E. Washington P.O. Box 2400
Bloomington, Illinois 61702-2400

Michael F. Sweeney
Chairman

September 12, 2007

To the Honorable Chairman and Members of the McLean County Board:

Your PROPERTY COMMITTEE herewith respectfully recommends approval of the request received from the Trial Court Administrator of the Eleventh Judicial Circuit Court to permanently display a framed poster honoring the Eleventh Circuit judges, active and retired, who have served in the military. The framed poster will be displayed in the Law and Justice Center in an appropriate location.

Respectfully submitted,

The PROPERTY COMMITTEE of the McLEAN COUNTY BOARD

District #1 Stan Heselton Don J. Cavallini	District #3 Michael F. Sweeney Diane R. Bostic	District #5 B.H. "Duffy" Bass Sandra O'Connor	District #7 P.A. "Sue" Berglund Belle Rackauskas	District #9 Cathy Ahert Terry Baggett
District #2 Mall Sorensen Rick Dean	District #4 Ann Herding Duane Mass	District #6 George J. Gordon David F.W. Seizer	District #8 Paul R. Segobiano Tari Renner	District #10 Benjamin J. Owens Bob Nuckolls

OFFICE OF THE CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT

Elizabeth A. Robb
Chief Judge

William Scanlon
Trial Court Administrator
Kay Mitchell
Administrative Assistant



Law & Justice Center
104 W. Front Street RM 511
Bloomington, IL 61701
(309) 888-5254
(309) 888-5266 (TCA)
(309) 888-5602 FAX

Counties of:
Ford, Livingston, Logan,
McLean, and Woodford

August 29, 2007

TO: McLean County Property Committee
FROM: William J. Scanlon
RE: Display of poster from Illinois Judges Association

In July, the Circuit Court was provided a copy of a poster from the Illinois Judges Association honoring all judges (active and retired) who have served in the military. Those from McLean County include:

Luther Dearborn
Ronald Dozier
John Freese
Robert Freitag
James Souk
W. Charles Witte

Chief Judge Elizabeth Robb would like to have this poster (suitable framed) unveiled in conjunction with the Veteran's Day celebration and permanently displayed in the McLean County Law & Justice Center in an appropriate location.

I will be present at the September committee meeting to discuss this proposal and will have a copy of the poster available for examination.

Thank you for your consideration of this proposal.

RESOLUTION OF THE McLEAN COUNTY BOARD
APPROVING THE REQUEST RECEIVED FROM
THE McLEAN COUNTY CLERK
TO CHANGE/ADD POLLING PLACES

WHEREAS, the McLean County Clerk has formally requested that certain polling places be changed and/or added for the 2008 primary and general election; and,

WHEREAS, the Finance Committee, at its regular Committee meeting on Wednesday, September 5, 2007, recommended approval of the request received from the McLean County Clerk; now, therefore,

BE IT RESOLVED by the McLean County Board as follows:

- (1) The McLean County Board hereby approves the recommendation received from the McLean County Clerk that the following polling places be changed and/or added for the 2008 primary and general election:

<u>Precinct</u>	<u>Polling Place and Address</u>
Bloomington 01(Change)	Bloomington Township Fire Department 14880 Old Colonial Road, Bloomington
Danvers 02 (Addition)	Danvers Fire Department 208 East Main Street, Danvers
Normal 18 (Change)	First Presbyterian Church 2000 East College Avenue, Normal
Normal 27 (Addition)	North Bridge Baptist Church 2413 Ziebarth Road, Normal
Normal 28 (Addition)	First Presbyterian Church 2000 East College Avenue, Normal
Normal 29 (Addition)	Normal Police Sub-Station 623 West Orlando Avenue, Normal
Normal 30 (Addition)	Illinois State University Bone Student Center 100 North University Street, Normal
Old Town 02 (Addition)	Old Town Hall 22034 East 1000 North Road, Downs

(2)

Randolph 04 (Addition)

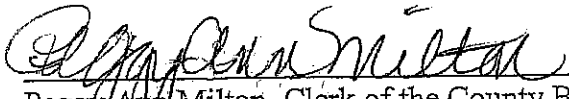
The Christian Church of Heyworth
308 North Vine Street, Heyworth

- (2) The McLean County Board hereby requests that the County Clerk provide a certified copy of this Resolution to the Township Supervisor in each Township and to the First Civil Assistant State's Attorney.

ADOPTED by the McLean County Board this 18th day of September, 2007.

ATTEST:

APPROVED:



Peggy Ann Milton, Clerk of the County Board
McLean County, Illinois



Matt Sorensen, Chairman
McLean County Board



PeggyAnn Milton
McLean County Clerk
(309) 888-5190
Fax (309) 888-5932
115 E Washington Street, Room 102
PO Box 2400
Bloomington, IL 61702-2400
Website: www.mcleancountyil.gov/countyclerk

DATE: August 29, 2007
TO: Chairman Selzer
Honorable Members of the Finance Committee
FROM: Maria L. Pascua *Maria L. Pascua*
RE: Polling Place Changes/Additions

Due to re-precincting approved at our June 2007 McLean County Board meeting, I request the following polling place changes/additions:

<u>Precinct</u>	<u>Polling Place and Address</u>
Bloomington 01 (change)	Bloomington Township Fire Department 14880 Old Colonial Road, Bloomington
Danvers 02 (addition)	Danvers Fire Department 208 E Main Street, Danvers
Normal 18 (change)	First Presbyterian Church 2000 E College Avenue, Normal
Normal 27 (addition)	North Bridge Baptist Church 2413 Ziebarth Road, Normal
Normal 28 (addition)	First Presbyterian Church 2000 E College Avenue, Normal
Normal 29 (addition)	Police Sub-Station 623 W Orlando Avenue, Normal
Normal 30 (addition)	ISU Bone Student Center 100 N University Street, Normal
Old Town 02 (addition)	Town Hall 22034 E 1000 North Road, Downs
Randolph 04 (addition)	The Christian Church of Heyworth 308 N Vine Street, Heyworth

We respectfully request your approval of these changes.

Thank you.

We look forward to serving you."

A RESOLUTION FOR REAPPOINTMENT OF GEORGE A. FARNSWORTH
A COMMISSIONER OF THE PUBLIC BUILDING COMMISSION

WHEREAS, due to expiration of term of George Farnsworth, a Commissioner of the Public Building Commission, it is advisable to consider an appointment or reappointment to this position; and,

WHEREAS, the Chairman of the County Board, in accordance with the provisions of 50 Illinois Compiled Statutes, 20/5, has the responsibility to fill a five-year term by appointment or reappointment, with the advice and consent of the County Board; now, therefore,

BE IT RESOLVED that the McLean County Board now in regular session deems it necessary to give its advice and consent to the reappointment of George A. Farnsworth for a five-year term of office to expire on October 1, 2012, as a Commissioner of the Public Building Commission or until a successor shall have been qualified and appointed.


BE IT FURTHER RESOLVED that the County Clerk forward a certified copy of this resolution of reappointment to George A. Farnsworth, and David Wochner, Attorney for the Public Building Commission, as well as the County Clerk, County Auditor and County Administrator.

ADOPTED by the County Board of McLean County, Illinois, this 18th day of September, 2007.

APPROVED:


Matt Sorensen, Chairman
McLean County Board

ATTEST:


Peggy Ann Milton, Clerk of the County
Board of the County of McLean, Illinois

Members Selzer/Owens moved the County Board approve the Consent Agenda as amended. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

EXECUTIVE COMMITTEE:

Member Selzer, Vice-Chairman, stated the following: the Executive Committee has no Items to be Presented for Action and the General can be found on pages 50-58.

JUSTICE COMMITTEE:

Member Renner, Chairman, stated the following: we have no Items for Action.

LAND USE AND DEVELOPMENT COMMITTEE:
Member Gordon, Chairman, presented the following:

**RESOLUTION of the McLEAN COUNTY BOARD
APPROVING THE RECOMMENDATIONS
OF THE SOLID WASTE TECHNICAL AND POLICY COMMITTEE**

WHEREAS, the Solid Waste Technical and Policy Committee met to review a grant application received for the Solid Waste Management Plan program; and,

WHEREAS, the Solid Waste Technical and Policy Committee recommended that the application be approved for funding from the County's Solid Waste Management Fund for the McLean County Household Hazardous Waste Program administered by the Ecology Action Center for \$11,500

WHEREAS, the Land Use and Development Committee, at its regular meeting on September 6, 2007, recommended approval of the recommendations received from the Solid Waste Technical and Policy committee; now, therefore,

BE IT RESOLVED by the McLean County Board, now meeting in regular session, as follows:

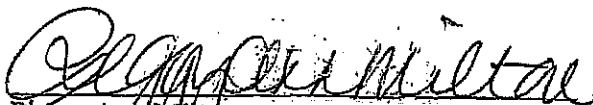
The McLean County Board hereby approves the following grant application and the amount requested for grant funds from the County's Solid Waste Management Fund McLean County Household Hazardous Waste Program administered by the Ecology Action Center- \$11,500


2. The McLean County Board hereby directs the County Clerk to forward a certified copy of this Resolution to the Director of Building and Zoning, the Town of Normal public works director, the City of Bloomington Public Service Director, the Ecology Action Center and the County Administrator.

ADOPTED by the McLean County Board this 18th day of September, 2007.

ATTEST:

APPROVED:


Peggy Ann Milton
Clerk of the McLean County Board
McLean County, Illinois


Matt Sorensen, Chairman
McLean County Board

Members Gordon/Cavallini moved the County Board approve a Request for Approval of a Resolution of the McLean County Board Approving the Recommendation of the Solid Waste Technical and Policy Committee for partial funding in the amount of \$11,500 from the McLean County Solid Waste Management Fund for a household hazardous waste event at the Interstate Center on Saturday, October 6, 2007 coordinated by the Ecology Action Center. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Gordon, Chairman, presented the following:

AGREEMENT

This agreement is entered into as of this 1st day of January, 2008, by and between the City of Bloomington, Town of Normal and County of McLean (hereinafter referred to as the "City", "Town" and "County") and the Ecology Action Center (hereinafter referred to as the "Center").

A. Purpose of This Agreement:

The purpose of this agreement is to establish a framework for the continuing administration and implementation of the McLean County Solid Waste Program, hereafter referred to as the "Program" to include solid waste and waste reduction education program for the City, Town and County and assist the City, Town and County in meeting the requirements of the Illinois Solid Waste Management Planning and Recycling Act, which requires Illinois counties to administer a solid waste management plan to reduce waste and recycle 40% of the waste generated.

B. Period of Agreement:

The period of this agreement is three (3) years, commencing January 1, 2008 and ending December 31, 2010. This agreement shall be automatically renewed on a calendar year basis unless any party otherwise indicates. Either party may terminate this agreement for any reason with a minimum of sixty (60) days written notice to the other party.

C. Services:

1. City, Town and County

The City, Town and County shall:

- a. provide program guidance and oversight through participation on the McLean County solid Waste Management Program Technical Committee and
- b. provide funding for the project in accordance with item "D" of this agreement.

2. Center

The Center shall:

- a. provide the solid waste and waste reduction services to the City, Town and County as outlines in the Appendix; and
- b. complete the following reporting requirements: 1) quarterly progress reports to Bloomington, Normal and the McLean County Board Land Use Committee; 2) annual reports to the Illinois Environmental Protection Agency; 3) five year updates to the McLean County Integrated Solid Waste Management Plan as required; and 4) periodic reports to the McLean County Solid Waste Management Technical Committee as needed.

D. Project Costs:

Payments of \$7,500 shall be made by the County by the first (1st) week of every month of the agreement, pending the receipt of an invoice from the Center by the fifteenth day of the preceding month. An annual cost of living increase will be added to the monthly fee after January 2009 and January 2010 equal to that year's consumer price index or a maximum of three (3) percent of the monthly

contract cost. The total cost of the contract will not exceed \$278,181, which includes a three (3) percent increase per year in January 2009 and January 2010.

It is understood by all parties that payment in support of this agreement is contingent upon availability of Program revenue and/or funds provided through the City, Town and County General Revenue Funds.

- E. The Center shall save and hold the City, Town and County, (including its officials, agents and employees) free and harmless from all liability, public or private, penalties, contractual or otherwise, losses, damages, costs, attorney's fees, expenses, causes of action, claims and judgments, resulting from claimed injury, damage, loss or loss of use to for any person, including natural persons and any other legal entity or property of any kind (including, but not limited to choices in action) arising out of or in any way connected with the performance under this agreement, for any costs, expenses, judgments, and attorney's fee paid or incurred or paid for on behalf of the City, Town and/or County, and/or its agents and employees, by insurance provided by the aforementioned government bodies.
- F. This agreement may be modified by mutual consent of the parties hereto and agreed to in writing and does not preclude separate agreements between the Center and individual units of government for additional services.

_____	_____
City of Bloomington	Date
_____	_____
Town of Normal	Date
_____	_____
County of McLean	Date
_____	_____
Ecology Action Center	Date

APPENDIX

The Center shall:

a. provide the following solid waste/waste reduction services to the City and Town;

- keep the EAC open to the public 40 hours/week for telephone and walk-in information and a specialized library with materials for teachers, businesses and students of all ages about nature and solid waste reduction;
- produce and illustrate instructions to residents on how to recycle;
- produce corrective slips for people who recycle improperly;
- conduct EarthSchools hands-on recycling classes in Bloomington elementary schools and as assigned;
- design and produce door hangers, bookmarks and other materials to encourage new recyclers;
- offer recycling programs and events such as Earth Day and America Recycles Day through the Children's Discovery Museum;
- write and distribute publicity as necessary;
- offer after school recycling programs offered for Boys and Girls Club, elementary school recreation programs and other venues;
- assist in implementing summer recycling program presented at Bloomington and Normal Parks and Recreation camp or other programs;
- offer a recycling education and promotion program for middle and high school students;
- summer reading program for Bloomington and Normal Public Library;
- provide speakers to community groups including civic groups, religious groups, social groups, day cares and children's groups;
- coordinate public event recycling programs where feasible at Bloomington and Normal events.
- coordinate the battery recycling program at Interstate Batteries and Batteries Plus.

b. provide the following solid waste/waste reduction services to the County:

- annually determine McLean County's recycling rate as prescribed by the Illinois Environmental Protection Agency ("IEPA") and provide this information to the public and the IEPA;
- conduct EarthSchools hands-on recycling classes in County elementary schools;
- coordinate a Recycling Month event and accompanying activities;
- attend public festivals to distribute recycling information and provide recycling activities;
- provide a speaker to community groups as requested;
- offer one-hour recycling programs to community groups upon request;
- provide two print newsletters per year to McLean County residents;
- provide two print newsletters per year to McLean County schools;
- provide on-line newsletters to email subscribers monthly;
- facilitate submission of grant proposals by local businesses and schools and apply for relevant grants for McLean County, such as solid waste planning grants and/or household hazardous waste collection grants;
- co-sponsor, organize and promote Household Hazardous Waste Collection events;
- create and present educational displays;
- develop public information guides;
- write and distribute press releases as appropriate;

- offer the McLean County Recycling and Waste Reduction Awards Program, including soliciting entries and evaluate applications, award certificates and recognize winners at meetings and through the media;
- attend solid waste conferences and educator's training workshops when appropriate;
- 3-R's program for libraries throughout the county summer reading programs;
- Assist in adult ecology/recycling classes taught through extension program;
- EarthSchools offered to county elementary schools;
- Maintain and moderate the McLean County Freecycle group, a free electronic exchange community to reduce waste;
- Coordinate and administer County Solid Waste Grant program involving schools, rural communities and not-for-profit businesses and agencies.
- coordinate sustainability events to encourage recycling within the context of other environmentally positive practices;
- Organize and record minutes of meetings of the Solid Waste Technical Committee.
- Update recycling and hazardous waste information for the www.Earth911.com national website and local websites.

d. Provide for the administration of the program to include:

- the submission of quarterly progress reports to the City, Town and County on the activities conducted in compliance with this agreement;
- the combining of relevant programs as appropriate to avoid duplication and reduce costs and time;
- the submission of required reports and updates to the Illinois Environmental Protection Agency (IEPA);
- the invoices for services performed in accordance with item "D" of this agreement and;
- the reporting of program activities to the McLean County Solid Waste Technical Committee.

Members Gordon/Segobiano moved the County Board approve a Request for Approval of a Three-year Agreement between McLean County, the City of Bloomington, the Town of Normal and the Ecology Action Center for Administration and Implementation of the McLean County Solid Waste Program. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Gordon, Chairman, presented the following:

FINDINGS OF FACT AND RECOMMENDATION
OF THE McLEAN COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the McLean County Zoning Board of Appeals to the McLean County Board concerning an application of Garrie and Pat Burr for Central Illinois Small Animal Rescue (CISAR) in case SU-07-11 on parcel (06)16-36-400-006. They are requesting to amend special use 03-34-S for a General Animal Care facility that provides animal care, veterinary services, and boarding in the Agriculture District. The expansion includes an Animal Cemetery and a requested waiver of the paved parking requirement on a six acre property which is part of the SE ¼ of Section 36, Township 24N, Range 4E of the 3rd P.M.; and is located in Blue Mound Township at 29738 E. 1400 North Road, Colfax, IL.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on September 4, 2007 in Room 400, Government Center, 115 East Washington Street, Bloomington, Illinois and hereby report their findings of fact and their recommendation as follows:

PHYSICAL LAYOUT – The 6.39 acre property was a former farm dwelling site that had been set aside from the farm as a single family residential use. A large old barn has been converted to an animal care facility that was approved by special use by the County Board in case number 03-34-S in June of 2003. The applicants want to build a second phase of this facility that is different than the one originally approved; thus the need for this application. The property has 600 feet of frontage on the north side of 1400 North Road (IL Route 9) which is an asphalt road 25 feet in width. The property is relatively flat and drains in part to the northeast and in part to the southwest.

SURROUNDING ZONING AND LAND USE - The land is in the A-Agriculture District and is surrounded by land in the A-Agriculture District that is used for crop production.

ANALYSIS OF STANDARDS - After considering all the evidence and testimony presented at the hearing, this Board makes the following analysis of the standards contained in the McLean County Zoning Ordinance regarding the recommendation by the Zoning Board of Appeals as to whether the County Board should grant or deny the proposed special use.

STANDARDS FOR RECOMMENDING:

1. **The proposed special use will not be detrimental to or endanger the health, safety, morals, comfort, or welfare of the public.** This standard is met. The applicants manage Central Illinois Small Animal Rescue (CISAR) which has been in operation for approximately 8 years and is a non-profit corporation. CISAR rescues animals that are abused, abandoned, or neglected. The applicants are proposing to amend special use case 03-34-S that was approved in June of 2003 to operate an Animal Care Facility in the Agriculture District. The 2003 case was approved for two buildings and a maximum of 250 dogs and 250 cats with a maximum of 100 dogs and 100 cats in the existing barn for phase 1 and another 150 dogs and 150 cats for the proposed building in phase 2. The applicants did not build the second building that was proposed in the 2003 special use. The applicants are now proposing three additional buildings rather than the one additional building that was approved in 2003.

The applicants are now requesting a maximum of 500 dogs and 400 cats. The plan indicates a total of 164 runs with a maximum of two dogs per run which is a total of 328 dogs. However some dogs are aggressive/vicious and may need to be in runs by themselves. The Zoning Board recommends a maximum of 310 dogs and 400 cats be allowed for this facility which is in accordance with the original special use that was approved in 2003. The site plan indicates that the dog runs will allow the dogs to enter and exit the building and still be contained within the dog run. The maximum number of dogs allowed should also be limited as the kennel buildings and dog runs are built. During the construction of the buildings at no time shall there be greater than two dogs per run. Testimony was presented that for some dogs it is necessary to be able to contain a dog in a section of the dog run by use of a divider or guillotine during cleaning times to provide separation from the dog.

Staff became aware that a mauling of a dog handler occurred this year and safety is a very serious concern for not only the employees/volunteers but also for visitors to this facility. The applicants submitted a "Handbook for Employees and Volunteers" which includes a safety plan that demonstrates how the facility will provide safety for employees/volunteers and to the general public that will visit this facility. A witness who had been the director of an animal shelter in the Chicago area explained how she has worked with the applicants to develop safety standards and a safety plan for the facility. A veterinarian testified that he has volunteered at the facility for two years and thinks the applicants are creating a good facility with adequate records of each animal.

The applicants have obtained a permit from the Illinois Department of Agriculture for this facility. The applicants indicated the two 48' x 8.5' semi-trailers that had been moved to the property improperly, currently in use as mouse proof storage shelters, will be removed on completion of the 40' x 72' storage building or the passage of one year from the approval of this proposed special use, whichever comes first.

2. **The proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted or substantially diminish property values in the immediate area.** This standard is met. The property is an isolated tract that is surrounded by land in crop production. The proposed General Animal Care facility will not have an adverse affect on the value of these surrounding properties that are in crop production. The nearest single family residence is located approximately ½ mile to the west of the subject property. A shooting range is located approximately ¼ mile to the east of this property. The applicants are aware that the shooting range may disrupt the animals and do not have a problem with noise that the shooting range causes.
3. **The proposed special use will not impede the orderly development of the surrounding property for uses permitted in the district.** This standard is met. The General Animal Care facility is located on a 6.39 acre tract that is adjacent to land that is in crop production and is not adjacent to single family residences. Nearby land that is suitable for crop production will continue to be suitable for such use.

4. **Adequate utilities, access roads, drainage and/or other necessary facilities have been or will be provided.** This standard is met. The dwelling located on this property is served by a private well and septic system that has been approved by the County Health Department. The applicants have also obtained approval of the proposed expansion of this facility from the Health Department regarding the septic systems for the animal care buildings. The site plan indicates one handicap parking space which meets the minimum requirement for the proposed facility. The applicants requested a waiver of the paved parking requirements for this facility. The Zoning Board recommends approval of the waiver of the paving requirements for part of the property north and east of the proposed office and surgery building. However, the parking area adjacent to the office and surgery building should be paved along with the driveway from this parking area to IL Route 9. The paving will control the dust generated by the trucks that make routine deliveries to the site and other automobiles that frequent the site.
5. **Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.** This standard is met. It appears that safe sight distance can be provided for at the existing entrance.
6. **The establishment, maintenance and operation of the special use will be in conformance with the preamble to the regulations of the Agriculture District.** This standard is met.
7. **The proposed special use, in all other respects, conforms to the applicable regulations of the Agriculture District.** This standard is met.

After considering all the evidence and testimony presented, this Board finds that the application meets all the standards as found in the McLean County Zoning Ordinance provided the following conditions:

- 1) A maximum of 310 dogs and 400 cats are allowed on the site when the three new buildings are complete – until the new buildings are built, the number of dogs and cats shall be proportionately lower;
- 2) 10% of dog runs should be provided with a divider or guillotine that can provide separation in the dog runs from possible vicious dogs during cleaning times;
- 3) Volunteers are to be given specific training on how to handle vicious dogs before they are allowed to handle such dogs;
- 4) The applicants are required to follow the safety plans as submitted in the Handbook for Employees and Volunteers;
- 5) The two semi trailers will be removed on completion of the 40' x 72' storage building or the passage of one year from the approval of this proposed special use, whichever comes first; and
- 6) The parking area adjacent to the office and surgery building should be paved along with the driveway from this parking area to IL Route 9.

Therefore this Board recommends that a special use be granted on the property described above to amend special use 03-34-S for a General Animal Care facility including an Animal Cemetery

and a waiver of the paved parking requirement as stipulated above, provided the above stipulations and provided that development follows the plans and specifications as presented with such minor changes as the Director of Building and Zoning may determine to be in general compliance with such plans and specifications and with zoning regulations.

ROLL CALL VOTE UNANIMOUS - The roll call vote was seven members for the motion to recommend granting, none opposed and no members were absent.

Respectfully submitted this 4th day of September 2007, McLean County Zoning Board of Appeals

Sally Rudolph

Chair

Sally Rudolph, Chair
Drake Zimmerman
James Finnigan
Joe Elble
Jerry Hoffman
Michael Kuritz
Mark Judd

Members Gordon/Selzer moved the County Board approve a Request for Approval of the application in case SU-07-11 on parcel (06)16-36-400-006 to amend special use 03-34-S for a General Animal Care facility that provides animal care, veterinary services, boarding, an Animal Cemetery and a requested waiver of the paved parking requirement in the Agriculture District on a six acre property which is located in Blue Mound Township at 29738 E 1400 North Road, Colfax, IL. Member Owens stated the following: At this time I would like to offer an amendment to this motion. On page 38, after number 6, add: "the McLean County Building and Zoning Department officials shall be allowed to inspect the premises on a quarterly basis without advanced notice to verify compliance with the stipulations of the special use permit." Owens/Renner moved the amendment. Member Owens stated the following: when I was attending the Zoning Board of Appeals hearing there were concerns regarding an excessive number of animals per cage and per cat room. I asked Phil Dick what means there were to make sure that the standards of no more than 12 cats per room and two dogs per kennel were. I asked how we would know if they were in violation of this standard and he said solely on complaint. I would like to see some sort of inspection so that they do hold true to the special use permit standards and Phil suggested quarterly inspections. Member Segobiano stated the following: I feel this is a piece meal approach, not that I oppose the intent of this at all. It seems to me that this should become permanent language for policy and procedure or rules and regulations. Mr. Zeunik told me we currently have that authority to inspect but this language, "on a quarterly basis," is just a little more specific. I think this should be made a permanent part of our rules and regulations and it could be retroactive in this case. Member Selzer stated the following: Echoing what Mr. Segobiano says, we do have the authority to inspect and the way that this is written doesn't require the inspection. It says that the Zoning Department Officials "shall" be allowed to inspect it quarterly, which means that they don't have to. Is the intent of this that we "will" have quarterly surprise inspections? I think the language is a little ambiguous. Member Bostic asked the following: then what? We go out there and inspect and there are way too many animals crowded into cages, then are we the authority to tell them that they are to select animals and dispose of them or move them on to something else or what? I'm very curious what is the next step? Member Selzer stated the following: wouldn't they then have to close? Chairman Sorensen stated the following: perhaps Phil Dick or the State's Attorney should address this. Member Caisley stated the following: the State's Attorney's office has prosecuted numerous people for essentially hoarding animals, or having too many animals that are not well cared for. I don't know what the standard of care is out there but I think that the idea of having 710 animals out there is an invitation to a lot of trouble in the future. Mr. Dick stated the following: in answer to your question we would put them in violation and would try to achieve voluntary compliance, but if that didn't work we would work with Brian Hug to get compliance. Member Rackauskas asked the following: when you say compliance and you say the State's Attorney will help what are we talking about in terms of timelines? Who makes the final decision if they are not in compliance and who picks up the expense of dealing with the animals? Mr. Dick stated the following: we typically wouldn't try to close them down. We would try to get them into compliance and they would at least have to limit the intake of animal and they would have to hasten their expansion. Also, as far as we are concerned, it is their responsibility to take care of the animals. Member Rackauskas asked the following: but what if they don't? Mr. Dick stated the following: we did have representatives of Animal Control and the Health Department at the public hearings because we wanted the safety issues addressed and,

to the best of their ability, they attached the conditions that they felt were appropriate. Member Bagget stated the following: I want to say that a broader law on this would be better than just one for this specifically. We need to have one that covers all kennels or related type facilities. The same wording is fine but it should be broadened to cover everything, not just this one particular special use. Mr. Dick stated the following: you may not be aware that the permitting authority for this facility lies with the Department of Agriculture. They have a way to resolve complaints. If someone has a complaint about how the animals are being taken care of, they have an inspection program that they are responsible for. The primary permitting authority is the Department of Agriculture. Mr. Ruud stated the following: let me follow up on that. 100% of the responsibility for making sure that this particular facility is licensed and is being properly run with the proper number of animals is in the hands of the Illinois Department of Agriculture. What we are doing is limited to the zoning issues. Is this an appropriate special use under our standards – yes or no? If yes, we can attach conditions. I don't think I have a problem, from the legal prospective, with any of these conditions but if we go in there and find that the animals are mistreated, starving, or worse then our responsibility is to promptly notify the Illinois Department of Agriculture which licenses this facility, but we don't have the ability to go in and say that now we have to drag the animals out and find them homes. That is not our legal duty. Our legal duty is to see if it meets our zoning requirements and if they are in excess of the number of animals in section one here, then we have the responsibility to let the Department of Agriculture know about it. Member Bostic stated the following: this reminds of subdivision cases where we said the IEPA will take care of the sewage and run off issues and they promptly said they were not staffed to come out and micromanage our County. I assume that the Department of Agriculture will be the same way. I will not vote for this. I'm sorry. Member Selzer asked the following: is there any zoning in the County that allows a general animal care facility without a special use or does that always require a special use? Mr. Dick stated the following: I can't tell you for sure whether or not that is allowed but I think it is a special use everywhere. Member Selzer stated the following: my point was that we are going to get these no matter what. I like the amendment. I think it puts somebody out there to inspect them even if it is just referred to another authority. More importantly, we do have some authority to revoke their operating because of their zoning, because we have put a limit to the number of animals. It does bring some of that authority back to us. This is a good cross check to keep a balance. Member Hoselton stated the following: it is almost as if we have assumed that the operators of this facility are going to perform without any responsibility. That is my interpretation. I have to assume that the people who are making the effort to develop this facility understand what they are taking on. We've been shooting at them. Let me hear the good side of this thing. I would like to hear the good because all we have had is bad. I like the fact that somebody in our little County sees the need for this. Look at the whole picture. I wouldn't want those dogs and cats running next door but where they are located it is pretty remote and the neighbors apparently, because I do not know, are going along with it. What is our presentation doing to them? Is there a good side to this, Phil? Mr. Dick stated the following: usually the consideration has to do with how close these are to residential structures and this is a remote facility. There are no houses within $\frac{3}{4}$ of a mile. The City of Bloomington has requirements that the facility has to be at least 600' from a residence. This group finally found a spot that wasn't very near a residence. They came in with a couple of different options that we were against. One site was on Towanda Barnes Road and Building and Zoning recommended against it

because there were so many residents nearby that complained and participated at the Public Hearings. The good sides are that this is distant from any residential area and these people are animal lovers so they think their way of taking care of animals is a good one. At the public hearing, they had a veterinarian testify that he thought this was a facility that had had problems but it was improving and they were given approval to have a facility this large. The exception was that they were going to have a second phase in one large building and they decided that was not a proper way to expand so we made them come back to get approval to do three additional structures. For that reason, we reviewed their facility and how they were functioning and came up with these concerns. Chairman Sorensen stated the following: I have Moss, Bostic, and Rackauskas yet to speak on my list. I feel compelled to encourage the Members of the Board to confine comments to the amendment to the special use. Regardless of how you feel about the amendment, you can come back and vote up or down on the overall special use. Let's get the amendment question off the table. Are there any comments on the amendment? Member Rackauskas asked the following: if the amendment is voted down do we still have the power to inspect? Chairman Sorensen stated the following: it is my understanding that we always have the authority. Member Rackauskas asked the following: what is to be gained by having that amendment added? What do we gain? Chairman Sorensen replied: clarity. Member Bostic asked the following: is there a residence on this property? Do they live on site? Mr. Dick stated the following: a relative of theirs does. Chairman Sorensen asked the following: are there any other comments on the amendment. Member Selzer asked the following: how often do we currently inspect all special use holders? Do we have a program that inspects all special uses quarterly? Mr. Dick stated the following: it would be based on complaints. Member Selzer stated the following: so right now, if we have a complaint that is when we inspect. That is why I believe this is being presented - to give it some regularity. Chairman Sorensen asked if there were any other questions on the amendment. Member Gordon stated the following: I have a question for Member Owens. Was it your intent in presenting the amendment that the inspections be on no more than a quarterly basis? Member Owens stated the following: I left that up to Mr. Dick. I had stated that I would like every other month and Mr. Dick suggested quarterly. Member Gordon stated the following: I gather that if there are complaints not on that quarterly schedule then an inspection might follow. Mr. Dick stated the following: that is correct. Keep in mind that the Illinois Department of Agriculture would also respond to complaints. Chairman Sorensen asked the following: are there any other comments or questions? Member Segobiano stated the following: I'm going to oppose the whole thing. Chairman Sorensen stated the following: It would be appropriate to vote on the amendment. Member Owens has requested a roll call vote. "Yes" is simply to amend the special use as presented. It will still be on the floor to debate and "No" means you do not support the amendment. Clerk Milton shows the roll call vote as follows: Hoselton-yes; Moss-no; Nuckolls-yes; Owens-yes; Rackauskas-no; Renner-yes; Segobiano-no; Selzer-yes; Sweeney-yes; Ahart-no; Baggett-no; Bostic-no; Butler-yes; Caisley-yes; Cavallini-yes; Clark-yes; Dean-yes; and Gordon-no. Motion carried 11-7. Chairman Sorensen stated the following: is there any discussion on the special use? Member Segobiano stated the following: who is going to prosecute these people? I would assume that it would be the Department of Agriculture. The prosecution would not fall into the hands of the State's Attorney. Is that true? Mr. Ruud stated the following: I guess that depends on what the violation is. If it is a violation of our zoning code, a violation of our conditions, clearly the jurisdiction would lie with the County. On the other hand, if we are talking abuse or

inhumane treatment, that would come under the jurisdiction of the Illinois Department of Agriculture. Member Segobiano stated the following: I don't know where these stray dogs would fall in regards to abandoned cars and other minor things that people look at as far as the court docket is concerned. Where are these animals coming from? I mean it is not limited to McLean County. Are they just being dumped out there? Where are all these animals coming from? Mr. Ruud stated the following: I don't know. We had a recent incident where one came from St. Louis. Member Moss stated the following: if I am reading the information correctly, the facility, as it currently exists, is limited to 100 cats and 100 dogs or am I mistaken? Mr. Dick stated the following: the first phase is 100 dogs and 100 cats and a second phase was approved for an additional building and they were allowed to have up to 250 dogs and cats in that area. They were allowed to expand the facility. Member Moss asked the following: is the current limitation 100 cats and dogs? Mr. Dick stated the following: yes, for that existing building. Member Moss asked the following: so until they build that second building the limit is 100 and 100 – correct? Over the past few years, have they stayed in compliance with those limitations? Mr. Dick stated the following: they've pushed it with regards to the cats but they appear to be in compliance with the dogs. Member Nuckolls asked the following: how many are out there now total? Mr. Dick stated the following: there are about 80 dogs and 120 cats. Member Nuckolls stated the following: I thought their numbers were much higher. Member Clark stated the following: I have an issue with 7-6 in regards to the pavement of the driveway and I recommend it should be paved. I suggest that it read "shall be paved." That is 7-6 the parking area adjacent to this. Chairman Sorensen asked the following: is that consistent with the intent from Building and Zoning? Mr. Dick stated the following: yes. Chairman Sorensen asked the following: do we need an amendment? Member Clark stated the following: I make that motion. Chairman Sorensen stated the following: the proposed amendment is to change "should" to "shall" in item 6 of the stipulations and we have a second Mr. Renner. Member Gordon stated the following: I had a couple of quick discussions with Member Clark before the meeting and in reading the very bottom of page 38 and the top of page 39 in the packet, the recommendation that came for the special use permit and includes the phrase "and a waiver of the paved parking requirement as stipulated above." It seems to me that we are considering an amendment to change the word "should" to "shall" but we also need to be considering deleting "and a waiver of the paved parking requirement." If we are waiving it and say "shall" we are not considering a waiver. Chairman Sorensen stated the following: that seems consistent. Member Clark stated the following: I would move that both be corrected. Chairman Sorensen stated the following: you will need to change the amendment to correct both. Are there questions or comments on this amendment? Member Selzer stated the following: I understand the amendment but I don't feel comfortable with it. I didn't hear any testimony as to why they gave them a waiver. I don't know how big this parking lot is. This might be \$100,000 paved parking lot. I have no idea why the Zoning Board of Appeals would have said in one case that it should be and granted that waiver. That could be a very expensive ticket item that effectively stops the whole project. I just don't know why. Mr. Dick stated the following: the paved parking requirement is that a lot more of it would have to be paved than is stipulated in number six. What six would allow them is to only pave the part that is used very frequently. The waiver of the paved parking requirement is waived except as stipulated where it has to be paved on the site. Member Selzer stated the following: the paved parking requirements would be still waived but the last paragraph, "the parking area

adjacent to the surgery building shall be paved. Mr. Dick stated the following: that is correct. Member Selzer stated the following: so we really don't want to change it, otherwise they would have to pave the whole thing. Member Gordon stated the following: in paragraph 4 on the top of page 38 there is further reference that we need to look at. The waiver of the pavement requirements on part of the property that Mr. Dick was just referring to and all of that provision is part of what the Zoning Board's recommendation had to do with. Again, I'm not sure of the area that is involved here and I don't know therefore what the cost would be. Mr. Selzer raises a very legitimate point. Phil, do you have any idea what specific dimensions of the area we are talking about for waiving? Mr. Dick stated the following: it is approximately half of the parking and driveway area that would not have to be paved. The area that is going to be utilized most is the area from Route 9 to the office, that part would be paved. Member Clark stated the following: it would appear that in paragraph six that should read "the parking area adjacent to the office and surgery building should be paved and the driveway from this parking area shall be paved. That is what the Zoning Board has approved is a partial paving. What I am trying to accomplish is that partial paving is fine but that portion where the heaviest traffic is, shall be paved. Chairman Sorensen asked the following: does everyone agree that is what the amendment should read? Member Gordon stated the following: in paragraph 4 in the fourth line from the bottom, the sentence that begins with "However, the parking area adjacent to the office and surgery building should be paved along with the driveway from this parking area to Illinois Route 9," would the simplest route to get from where we are to where we want to be. Would the simplest thing be to simply change the "should" in paragraph 4 and the "should" in paragraph 6 both to "shall" and leave the waiver as is? Chairman Sorensen asked the following: is that the intent of the original amendment and are both the motion maker and seconder comfortable with that? Both answered yes. Chairman Sorensen asked the following: are there any questions or comments on the amendment? Clerk Milton shows all Members present voting in favor of the Motion to amend the application. Motion carried. Member Sorensen stated the following: now we are back to the original special use that now has been amended twice. Are there any questions or comments on initial special use? Member Moss stated the following: as a follow up to the capacity issue, under the stipulations number one, I want to make a reference to the population allowance going up when the new buildings are complete. I want to make sure that I understand it to say that "until all buildings are complete" the capacity stays at 100 cats and 100 dogs or does it go up proportionately as each building is completed? Mr. Dick stated the following: I understand that they are going to have three new buildings. They will be able to expand it proportionately. When they add one more building the capacity would go up. Member Moss asked the following: who decides what proportion? Mr. Dick stated the following: at no time would there be more dogs allowed than two per pen. That stays with proportionate. Mr. Moss asked the following: who decides what's proportionate? Mr. Dick stated the following: I do. Chairman Sorensen stated the following: as they complete pens or rooms the number of animals per cage or the number of cats per room is limited by facility as completed. Member Dick stated the following: yes, and in addition, they wouldn't be able to do it until the building is complete. Then they could up the capacity. Member Sweeney stated the following: Let's just deal with this next month and make sure that what we are looking for is really what the Zoning Board wants us to do. Chairman Sorensen stated the following: we actually had that conversation up here just a moment ago. The problem is, as a Board, we can't send it to the department for technical questions. This is now a Zoning Board of Appeals

document and our only option is to return it to the Zoning Board of Appeals for corrections. I am fine with that if that is what you want. Member Moss stated the following: my intent is not to hamstring the operators of this facility. I would be in favor of the population capacity increasing as they add new buildings but I want to make sure that I understand that is what number one actually says. There is lack of clarity when you use the word proportionately because that is subjective. I don't know if we need to put numbers in there. I am just trying to make a point. Mr. Dick stated the following: what I understand proportionately to mean is they are allowed 100 dogs and cats in the first building and if they are allowed to increase to 310 you would divide the remainder by three. If they finish the second building it would be up by a third and so forth. Member Moss stated the following: then the three new buildings are consistent in size. Member Selzer stated the following: I call for the question. Clerk Milton shows the roll call vote as follows: Hoselton-yes; Moss-yes; Nuckolls-yes; Owens-yes; Rackauskas-no; Renner-yes; Segobiano-no; Selzer-yes; Sweeney-no; Ahart-no; Baggett-no; Bostic-no; Butler-yes; Caisley-no; Cavallini-yes; Clark-no; Dean-yes; and Gordon-yes. Motion carried 10-8.

TRANSPORTATION COMMITTEE:

Member Hoselton, Chairman, stated the following: the Transportation Committee has no Items for Action and the General Report is located on pages 82-91.

PROPERTY COMMITTEE:

Member Bostic, Chairman, stated the following: we have no Items for Action and our General Report can be found on pages 92-98.

FINANCE COMMITTEE:
Member Selzer, Chairman, presented the following:

**RESOLUTION AMENDING THE FUNDED
FULL-TIME EQUIVALENT POSITIONS RESOLUTION
FOR 2007**

WHEREAS, the McLean County Board adopted a Funded Full-Time Equivalent Positions (FTE) Resolution on November 21, 2006 which became effective on January 1, 2007; and,

WHEREAS, the County Recorder's authorized Full-Time Equivalent position level in the Recorder's Document Storage fund includes 1.42 seasonal employees; and,

WHEREAS, a recent consulting study by Maximus, Inc. recommends that 1.00 FTE of the seasonal positions be converted to a permanent full-time position; and,

WHEREAS, the Finance Committee, at the meeting on September 5, 2007, recommended the approval of this change in the Full-Time Equivalent Positions Resolution for the remainder of the 2005 Fiscal Year; now, therefore,

BE IT RESOLVED, by the County Board of McLean County, Illinois, now in regular session, that the Funded Full-Time Equivalent Positions Resolution be and hereby is amended as follows:

<u>Fund-Dept-Program</u>	<u>Pay Grade</u>	<u>Position Classification</u>	<u>Full-Time</u>		
			<u>Now</u>	<u>Amend</u>	<u>New</u>
0137-0006-0008	02	0515.0010 (part-time) Clerical Assistant	1.42	(0.34)	1.08
0137-0006-0008	04	0503.0011 (full-time) Office Support Specialist I	2.00	0.34	2.34
		TOTAL	3.42	0.00	3.42

BE IT FURTHER RESOLVED by the County Board of McLean County, Illinois that the County Clerk is hereby directed to provide a certified copy of this Resolution to the County Recorder, the County Treasurer, and the County Administrator's Office.

ADOPTED by the McLean County Board this 18th day of September, 2007.

ATTEST:

APPROVED:



Peggy Ann Milton, Clerk of the County Board,
McLean County, Illinois



Matt Sorensen, Chairman
McLean County Board

**An EMERGENCY APPROPRIATION Ordinance
Amending the McLean County Fiscal Year 2007
Combined Annual Appropriation and Budget Ordinance
County Recorder's Document Storage Fund 0137, County Recorder's Office 0006**

WHEREAS, the McLean County Board, on November 21, 2006, adopted the Combined Annual Appropriation and Budget Ordinance, which sets forth the revenues and expenditures deemed necessary to meet and defray all legal liabilities and expenditures to be incurred by and against the County of McLean for the 2007 Fiscal Year beginning January 1, 2007 and ending December 31, 2007; and,

WHEREAS, the Combined Annual Appropriation and Budget Ordinance includes the operating budget for the County Recorder's Document Storage Fund; and,

WHEREAS, the Finance Committee, at a meeting on September 5, 2007, approved and recommended to the County Board a request by the County Recorder to amend the 2007 Full-Time Equivalent Positions Resolution to reclassify a position from seasonal to full-time, based on a recommendation contained in a Management Study prepared by MAXIMUS, Inc.; and,

WHEREAS, the Finance Committee, at a meeting on September 5, 2007, approved and recommended to the County Board an Emergency Appropriation Ordinance from the County Recorder's Document Storage Fund to reflect the change in the FTE resolution; now, therefore,

BE IT ORDAINED by the McLean County Board, now meeting in regular session, as follows:

1. That the County Auditor is directed to amend the fiscal year 2007 Combined Annual Appropriation and Budget Ordinance by adjusting the following line-item appropriations:

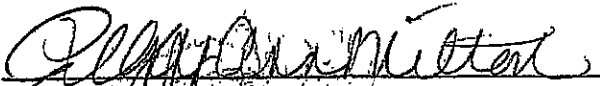
	<u>ADOPTED</u>	<u>CHANGE</u>	<u>AMENDED</u>
0137-0006-0008-0515.0001 Seasonal Employee Salaries	\$ 25,000.00	(\$ 7,883.00)	\$ 17,117.00
0137-0006-0008-0503.0002 Full-time Employee Salaries	\$ 63,923.00	\$ 7,883.00	\$ 71,806.00

2. That the County Clerk shall provide a Certified Copy of this Ordinance to the County Recorder, County Treasurer, County Auditor, and the County Administrator.

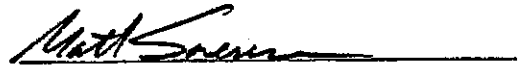
ADOPTED by the McLean County Board this 18th day of September, 2007.

ATTEST:

APPROVED:



Peggy Ann Milton, Clerk of the County Board
McLean County, Illinois



Matt Sorensen, Chairman
McLean County Board

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Members Selzer/Owens moved the County Board approve Requests for Approval of a Resolution Amending the Funded Full-Time Equivalent Positions Resolution for 2007 and an Ordinance Amending the McLean County Fiscal Year 2007 Combined Annual Appropriation and Budget Ordinance, County Recorder's Document Storage Fund 0137, County Recorder's Office 0006 – County Recorder. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Selzer, Chairman, presented the following:

08-07-001

RESOLUTION

[03]0837.

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

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

E 38.9' LOT 114 PARKVIEW ADD

PERMANENT PARCEL NUMBER: 21-08-253-004

As described in certificate(s): [03]0837 Sold on November 5, 2004

Commonly known as: 1209 S BARKER ST
and it appearing to the Finance Committee that it would be to the best interest of the County to dispose of its interest in said property, by reconveyance, to the owner of a former interest in said property.

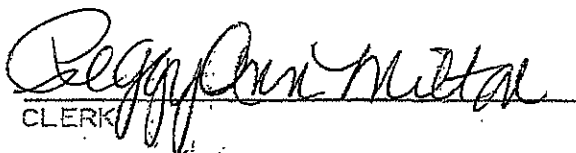
WHEREAS, ROBERT J WATKINS, has paid \$902.78 for the full amount of taxes involved and a request for reconveyance has been presented to the Finance Committee and at the same time it having been determined that the County shall receive \$358.99 as a return for its Certificate(s) of Purchase. The County Clerk shall receive \$80.00 for cancellation of Certificate(s) and to reimburse the Revolving Account the charges advanced from this account, and the Recorder of Deeds shall receive \$31.00 for recording. The remainder being the monies due the Agent for his services. The total paid by Purchaser is \$902.78.

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

BE IT RESOLVED BY THE COUNTY BOARD OF McLEAN COUNTY, ILLINOIS, that the Chairman of the Board of McLean County, Illinois, be authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of \$358.99 to be paid to the Treasurer of McLean County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 18th day of September, 2007.

ATTEST:


CLERK


CHAIRMAN



McLean County

REBECCA C. McNEIL
McLEAN COUNTY TREASURER
(309) 888-5180 Fax (309) 888-5176
www.mclean.gov
Government Center
115 E. Washington / Room M-101 P.O. Box 2400 Bloomington, Illinois 61702-2400

Date: August 29, 2007

To: Members of the Finance Committee

From: Rebecca McNeil
McLean County Treasurer

On May 18, 1999, the McLean County Board entered into a service agreement with Joseph Meyer and Associates to create a Delinquent Real Estate Tax Liquidation Program. This agreement was entered into in conjunction with the specifications in section 35ILCS 200/21-90 of the property tax code. The primary goal of the program is to recover delinquent real estate taxes for the benefit of all taxing districts. The second goal is to return unproductive and abandoned parcels back to productive use and subsequently, the tax rolls of the County.

The property taxes on parcel #21-08-253-004 owned by Robert J. Watkins were not paid for tax year 2003 and were sold at the 2004 annual tax sale. The subsequent taxes were also left unpaid for tax year 2004. The parcel owner failed to redeem these taxes in accordance with the Illinois property tax code. As a result, the County of McLean acquired title in 2007 through the Delinquent Real Estate Tax Liquidation Program. The former owner, Robert J. Watkins, has now paid \$902.78 to the County's delinquent tax agent to re-acquire title in his name. This amount represents the full amount due to redeem this delinquency if it had been timely paid. The amount paid will be distributed proportionately.

A resolution is being presented to the committee and board for approval to authorize the Chairman of the McLean County Board to execute a quit claim deed of re-conveyance to Robert J. Watkins. Approval of this resolution will eliminate the County's formal interest in this parcel and return it to the active tax rolls.

Thank you for your consideration of this matter.

Members Selzer/Caisley moved the County Board approve a Request for Approval of a Resolution to Authorize the Chairman of the Board of McLean County to Execute a Quit Claim Deed of Re-conveyance to Robert J. Watkins on Parcel #21-08-253-004 – County Treasurer. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Selzer, Chairman, presented the following:

RESOLUTION OF THE McLEAN COUNTY BOARD
AUTHORIZING THE COUNTY AUDITOR
TO OFFER A SALARY ABOVE THE STARTING MAXIMUM SALARY

WHEREAS, the County Auditor has prepared and presented to the Finance Committee a reorganization plan for the County Auditor's Office that addresses specific financial reporting requirements which the County needs to meet in order to comply with standards approved by the Governmental Accounting Standards Board; and,

WHEREAS, the County Auditor, as part of an office reorganization plan, has recommended that the position of Financial Reporting Specialist be added at Pay Grade 10 and the position of Accounting Specialist II at Pay Grade 7 be deleted; and,

WHEREAS, the County Board, at its regular meeting on July 24, 2007, approved a Resolution Amending the Funded Full-Time Equivalent Positions Resolution for Fiscal Year 2007 to reflect the reorganization plan recommended by the County Auditor; and,

WHEREAS, the County Auditor has completed the recruitment process for the position of Financial Reporting Specialist; and,

WHEREAS, the County Auditor has requested authorization from the Finance Committee to offer a salary above the starting maximum salary under the County's adopted Personnel Ordinance and Policy to the Financial Reporting Specialist; and,

WHEREAS, the Finance Committee, at a Special Committee meeting on Tuesday, September 18, 2007, recommended approval of the request of the County Auditor to offer a salary above the starting maximum salary under the County's adopted Personnel Ordinance and Policy to the Financial Reporting Specialist; now, therefore,

BE IT RESOLVED by the McLean County Board, now in regular session, as follows:

- (1) That the County Auditor is hereby authorized to offer a starting salary above the starting maximum salary under the County's adopted Personnel Ordinance and Policy to the Financial Reporting Specialist.
- (2) That the County Auditor is directed to work with the County Administrator's Office in preparing the salary offer to be made above the starting maximum salary under the County's adopted Personnel Ordinance and Policy to the Financial Reporting Specialist.

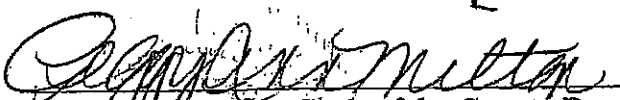
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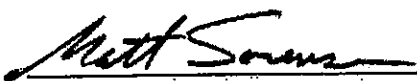
- (3) That the County Clerk is hereby directed to provide a certified copy of this Resolution to the County Auditor, the County Treasurer, and the County Administrator.

ADOPTED by the McLean County Board this 18th day of September, 2007.

ATTEST:

APPROVED:


Peggy Ann Milton, Clerk of the County Board,
McLean County, Illinois


Matt Sorensen, Chairman
McLean County Board

Members Selzer/Renner moved the County Board approve a Request for Approval of a Resolution of the McLean County Board Authorizing the County Auditor to offer a Salary above the starting Maximum Salary – County Auditor. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Members Selzer/Owens moved the Board go into Executive Session. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Chairman Sorensen reconvene the McLean County Board meeting at 10:30 a.m. He questioned if there were any other items of discussion for Finance Committee. When there were none, he turned over the meeting to John Zeunik for the Report of the County Administrator.

Mr. Zeunik presented the following:

COUNTY ADMINISTRATOR'S BUDGET MESSAGE

September 18, 2007

To the Honorable Chairman and Members of the McLean County Board:

In accordance with the Resolution Establishing the Budget Policy for Fiscal Year 2008 adopted by the McLean County Board on May 15, 2007, and in accordance with Chapter 55, Section 5-61001 of the *Illinois Compiled Statutes* (2006), I respectfully submit for your review a balanced budget for funding McLean County government's programs and services during Fiscal Year 2008. The Recommended Budget has been balanced within each fund using revenues projected to be available to the County during Fiscal Year 2008.

The Fiscal Year 2008 Recommended Budget marks the twentieth Recommended Budget that I have presented to the Board. I would like to be able to report to you that, after twenty years of reviewing and preparing the Recommended Budget, this task is easier today than it was twenty years ago. That is certainly not the case! Even though technology and a consolidated financial reporting software tool have made data entry and the preparation of budget reports easier and faster, the allocation of budget resources to meet the needs of the County remains a challenge. Twenty years ago, the annual operating budget for all County funds totaled \$31.1 million. County government employed 475 full-time equivalent employees. Expenditures for Public Safety totaled 19% of the total operating budget and 63% of the General Fund expenditures. The property tax levy was the largest tax revenue source totaling 64.4% of the \$16.7 million in tax revenues. The estimated value of real property totaled \$3.4 billion with an assessed value equal to \$1.12 billion. The County's tax levy produced an overall tax rate of \$0.9883 per \$100 of equalized assessed value. Sales Tax revenue totaled \$2.8 million and the County's share of State Income Tax revenue equaled \$801,336. The County received nearly \$1.6 million in Motor Fuel Tax revenue. The total operating expenses for the County Nursing Home equaled \$2.74 million. Twenty years ago, there were 169 taxing districts in the County with the power under Illinois law to levy a property tax. The County's total population was estimated to be 128,955 by the Regional Planning Commission.

The Honorable Chairman and Members of the McLean County Board
September 18, 2007
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The Fiscal Year 2008 Recommended Budget for all funds totals \$79,771,821.00, which represents an increase of \$6,251,239.00 or 8.50% higher than the Fiscal Year 2007 Adopted Budget. Today, the County employs 817.7 full-time equivalent employees. Expenditures for Public Safety in the Fiscal Year 2008 Recommended Budget total 31% of the total operating budget and 62% of the General Fund expenditures. The estimated value of real property totals \$9.2 billion with an assessed value in excess of \$3.5 billion. The property tax remains the single largest source of revenue for County government. For property tax bills due earlier this month, the County's overall property tax rate was \$0.91927 per \$100 of equalized assessed value. In 2008, Sales Tax revenue is projected to total \$5.9 million and the County's share of State Income Tax revenue is estimated at \$1.85 million. The County expects to receive over \$3 million in Motor Fuel Tax revenue. The Fiscal Year 2008 Recommended Budget for the County Nursing Home totals \$10.2 million. Today, there are over 190 taxing districts in the County with the power under Illinois law to levy a property tax. The County's 2006 population was estimated to be 161,202 by the U.S. Census Bureau, an increase of 10,765 since the 2000 Census and an increase of 32,247 since 1989, a 25% increase in the past twenty years.

One economic variable that reflects the continued vitality of the County's economy in the last twenty years is the annual increase in the County's equalized assessed valuation. Beginning in 1994, the growth in the County's annual equalized assessed valuation has exceeded \$100 million. During this period, the growth in the County's annual equalized assessed valuation has averaged \$140 million. Since the 2000 property tax year, new construction has added between \$70 - \$96 million to the County's equalized assessed valuation base. Since 1998, the annual percentage change in the equalized assessed valuation has been between 5% - 6%.

Again this year, the Supervisor of Assessments has prepared an estimate of the County's equalized assessed valuation for property tax year 2007 – property tax bills that will be due and payable in 2008. The projected equalized assessed valuation of \$3,544,663,157.00 represents an increase of 4.80% over the prior year. Reversing the 10 year decrease in farmland assessment, the average cropland equalized assessed valuation per acre is projected to increase on average to \$193 per acre, a 10% increase over the prior year. Working with the County's GIS staff, this year the Supervisor of Assessments Office successfully implemented Illinois Department of Revenue Bulletin 810. As a percentage of the

The Honorable Chairman and Members of the McLean County Board
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 Page Three

County's total equalized assessed valuation, farmland accounted for 6.4% of the total in tax assessment year 2006. Residential properties accounted for 66.9% and commercial/industrial properties accounted for 26.6% of the County's total equalized assessed valuation.

The 20-year historical growth in the County's total equalized assessed valuation – from \$1.12 billion in property tax year 1988 (Fiscal Year 1989) to \$3.54 billion in property tax year 2007(Fiscal Year 2008) – has enabled the County Board to approve a property tax levy sufficient to fund necessary programs and services provided by those County funds authorized to levy a property tax. The following table illustrates the dollar increase and percentage increase in the County's equalized assessed valuation from 1997 through 2007.

<u>YEAR</u>	<u>McLEAN COUNTY EQUALIZED ASSESSED VALUATION</u>	<u>PROPERTY TAX YEAR 1997- 2007</u>	<u>% CHANGE</u>
	<u>EQUALIZED ASSESSED VALUATION</u>	<u>AMOUNT OF INCREASE</u>	
1997	\$ 1,949,003,362.00	\$139,802,240.00	7.17%
1998	\$ 2,055,062,536.00	\$106,059,174.00	5.44%
1999	\$ 2,338,722,687.00	\$238,660,151.00	13.80%
2000	\$ 2,475,150,505.00	\$136,427,818.00	5.83%
2001	\$ 2,627,874,419.00	\$152,723,914.00	6.17%
2002	\$ 2,770,325,723.00	\$142,451,304.00	5.76%
2003	\$ 2,914,955,098.00	\$144,629,375.00	5.22%
2004	\$ 3,067,935,130.00	\$152,980,032.00	5.25%
2005	\$ 3,223,323,458.00	\$155,388,328.00	5.06%
2006	\$ 3,382,503,012.00	\$159,179,554.00	4.94%
2007 (Estimate)	\$ 3,544,663,157.00	\$162,360,145.00	4.80%

Illinois law authorizes the County Board to set the property tax levy in the 19 County funds permitted to levy a property tax at any dollar amount deemed necessary by the Board to meet the County's operating expenses. When the County Clerk's Office computes the property tax extension for each County fund, the statutory maximum property tax rate limit that applies in 11 of the 19 funds will determine how much property tax revenue can actually be raised.

In preparing the Fiscal Year 2008 Recommended Budget, the Board's Adopted Budget Policy Resolution is the basis for preparing an estimate of the County's equalized assessed valuation for the 2007 property tax bills due and payable in September, 2008. The Resolution Establishing the Budget Policy for Fiscal Year 2008 sets forth the following policy statement on the County's total property tax levy and the estimated property tax rate:

“Real property taxes and all other 2008 revenue shall be sufficient to meet the required expenditures for Fiscal Year 2008, with the following recommendation:

When preparing the Recommended Budget for Fiscal Year 2008, the County Administrator shall make every effort to hold the 2007 County overall tax rate as close to the 2006 County overall tax rate as possible.”

The Fiscal Year 2008 Recommended Budget assumes a projected increase of 4.80% in the County's equalized assessed valuation. The 2007 equalized assessed valuation (the “EAV”) is projected to grow to \$3,544,863,157.00, an increase of \$162,360,145.00 over the prior year. When the County Clerk's Office extends the property tax levy to determine the final property tax rate for each County fund, the County Clerk's Office must first determine the adjusted equalized assessed valuation. The adjusted equalized assessed valuation is the denominator in the equation used to certify the property tax levy amount and the property tax rate. To calculate the adjusted equalized assessed valuation, the County's total EAV is reduced by the sum total of various exemptions approved in State law – for example, the general homestead exemption and senior citizen exemption - and the increases in the assessed value in the County's tax increment financing districts. To estimate the 2007 adjusted EAV, the projected 2007 EAV has been multiplied by a percentage amount equal to the 2006 adjusted EAV divided by the 2006 total EAV. The adjusted 2007 EAV is projected to grow to \$3,190,376,641.00, an increase of \$119,093,310.00 or 3.88% over the prior year.

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The proposed 2007 property tax levy for all County funds totals \$29,298,629.00, which is an increase of \$1,064,525.00 or 3.77% over the adopted 2006 property tax levy. For the Fiscal Year 2008 Recommended Budget, the combined overall County property tax rate is estimated to be \$0.91834 per \$100.00 of equalized assessed value. The final overall property County tax rate for 2006 tax bills payable in 2007 totaled \$0.91927 per \$100 of equalized assessed valuation. The projected property tax rate is \$0.00093 less than the 2006 overall tax rate. For the property taxpayer who lives in a home with a fair market value of \$165,000.00, that portion of the property tax bill attributable to McLean County would total \$505.09. For your review and consideration, a Table listing the individual property tax levy for each County fund and the projected property tax rate has been included in the exhibits following the Budget Message.

The Comprehensive Annual Financial Report for the fiscal year ended December 31, 2006 reflects continued economic growth in the major Intergovernmental Revenue line items. The audited financial statements report that the County exceeded the budgeted appropriation in the Retailers' Occupation Tax (or Sales Tax), the State Income Tax, and the Personal Property Replacement Tax. In the 2006 Adopted Budget, the Retailers' Occupation Tax was budgeted at \$5,380,400.00. At year-end, the Retailers' Occupation Tax revenues totaled \$5,812,716, an 8.04% increase over the budgeted amount. State Income Tax revenue was budgeted at \$1,325,850.00 in Fiscal Year 2006. At year-end, State Income Tax revenue totaled \$1,658,652, a 25.1% increase over the budgeted amount. The 2006 Adopted Budget projected \$1,129,190.00 in Personal Property Replacement Tax Revenue. At year-end, the Personal Property Replacement Tax totaled \$1,375,231, a 21.8% increase over the 2006 Adopted Budget.

Unfortunately, the year-to-date trend in 2007 presents mixed economic signals. In the Fiscal Year 2007 Adopted Budget, the Retailers' Occupation Tax is budgeted at \$6,010,400.00. As of August 31, 2007, Retailers' Occupation Tax revenues totaled \$3,745,636, which is 62.3% of the budgeted amount. The Retailers' Occupation Tax is projecting a 4.00% decrease over the budgeted amount. State Income Tax revenues total \$1,296,725, 81.3% of the budgeted amount, as of August 31, 2007. The State Income Tax revenues are currently tracking 6.04% ahead of the budgeted amount. The Personal Property Replacement Tax revenues through August 31, 2007 reflect a similar trend as the State Income Tax. Personal Property Replacement Tax revenues total \$1,356,618 which is 97.2% of the budgeted amount.

Overview of the Health Department Funds

In the three primary Health Department Special Revenue Funds (Persons with Developmental Disabilities Fund, Tuberculosis Care and Treatment Fund, and Health Department Fund), for the first time in 14 years, the combined tax rate for the three taxing levies will increase slightly. The aggregate rate for the three taxing levies will increase 3.82% above the 2007 level. During late 2006, the County Board authorized the establishment of a McLean County Drug Court. The Drug Court is funded through federal and local resources. A component of the Drug Court concept is court-ordered treatment. Chestnut Health Systems developed a protocol to treat offenders referred through the court. The initial design required Chestnut to increase its staffing complement to provide outpatient and inpatient treatment on a timely basis to meet the program's intent. During 2006, the Board of Health was requested by the County Board to use a portion of its mental health levy to meet this need. Following a presentation to the Board of Health by Chestnut Health Systems and McLean County Court Services, a budget amendment was drafted and presented to the County Board Finance Committee in January of 2007. During 2007, the department utilized a portion of its unencumbered fund balance to support the approximately \$167,000 in anticipated treatment costs. For 2008, this contract is being annualized at a cost of approximately \$171,000 with the Health Levy being used to underwrite the costs. With the added Drug Court expenses included, the overall property tax rate for the Health funds has been reduced significantly since 1994. The overall tax rate for the three combined property tax levies has declined nearly 28%, from \$0.167 down to \$0.12050 per \$100 of equalized assessed valuation.

The property tax levy for the Persons with Developmental Disabilities Fund totals \$616,503.00, which represents an increase of \$15,039.00 or 2.50% over the prior year. This levy will result in an estimated decrease of 1.3% in the property tax rate. The Fiscal Year 2008 Recommended Budget for this fund totals \$616,503.00. Of the total dollars budgeted, \$616,198.00 is budgeted for Mental Health Services. This recommended level of funding will maintain existing services and provide a 2.2% cost-of-doing business allowance to the providers of service to residents with developmental disabilities.

The Tuberculosis Care and Treatment Fund 0111 budget totals \$314,279.00, which represents a 4.24% increase over the Fiscal Year 2007 Adopted Budget. The property tax levy for this fund totals \$310,179.00, which represents an increase of \$12,840.00 over the prior year. The property tax rate is projected to increase 0.004%. Expenditure increases in this year's TB Care and Treatment budget are budgeted in utility and maintenance expenses that are projected to increase 10% and the annual renewal of the contract for services with the Medical Director.

The Fiscal Year 2008 Recommended Budget for the Health Department Fund 0112 totals \$4,080,425.00, which represents an increase of \$318,954.00 or 8.48% increase over the prior year. The proposed property tax levy for the Health Department Fund 0112 totals \$2,917,596.00, which represents an increase of 9.45% over the prior year. The Health Department Fund property tax rate is projected to increase 5.37%. The Full-Time Equivalent Staffing level in the Health Department Budget remains at the same level authorized in the Fiscal Year 2007 Adopted Budget.

Unlike many County departments that provide indirect services to residents, the Health Department provides "direct services" to County residents and businesses and charges a fee to cover all or a portion of the costs of delivering these services. Charges for service and permit fees support over one quarter of the Health Fund's public health and animal control service budget. In the Fiscal Year 2008 Recommended Budget, food permit fees are proposed to increase 3%. Currently, fees support 52% of the budgeted expenses for the food sanitation program. Under the Private Sewage Disposal Program, a 3% across-the-board fee increase is proposed. For the private sewage disposal program, fees support 17% of the budgeted expenses. The Health Department began gradually enacting fees for services such as food permits, immunizations, septic system permits, walk-in clinic, and the dental clinic in 1985. In Fiscal Year 1985, fee revenues represented only 3% of the department's total operating budget. In the Fiscal Year 2008 Recommended Budget, a total of \$761,180 is projected in fees and charges. This amount supports 25.2% of the overall public health and animal control services budget.

The Recommended Budget includes spending \$850,170.00 for Mental Health contractual services. The portion of the total Health Fund tax rate attributable to Mental Health services is \$0.0266 per \$100 of equalized assessed valuation,

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which is approximately \$0.0234 below the \$0.05 per \$100 of equalized assessed valuation authorized by referendum in 1989. The Fiscal Year 2008 Mental Health service grants and contracts are annualized with a 2.2% cost-of-doing business allowance. This funding level will provide grants and contracts for child/adolescent outpatient services, crisis intervention services, and early intervention substance abuse services.

The Health Department Recommended Budget includes spending \$171,107.00 for the professional treatment services provided to the County's Drug Court. The portion of the total Health Fund tax rate attributable to Drug Court is \$0.00536 per \$100 of equalized assessed valuation.

Overview of the Highway Department Funds:

For the County Highway Fund 0120, the Fiscal Year 2008 Recommended Budget totals \$3,712,282.00. This represents a decrease of \$119,332.00 or 3.11% lower than the Fiscal Year 2007 Adopted Budget. The property tax levy for the Highway Department is \$2,377,782.00, which represents an increase of \$117,168.00 or 5.18% over the prior year. The proposed tax levy is projected to generate a tax rate equal to \$0.07453 per \$100.00 of equalized assessed valuation. The Capital Outlay Budget for the Highway Fund totals \$1,548,562.00 and includes \$845,562.00 for the Construction of Roads and Bridges and \$378,000.00 for the Purchase of Machinery and Equipment.

Included in the 2008 Highway Department budget is \$100,000.00 for the local share of the East Side Highway Corridor Study that is scheduled to be completed in March, 2008. The budget also recommends spending \$200,000.00 for Capital Improvements at the Highway Department facility on Towanda-Barnes Road, including the purchase and installation of an emergency generator.

The Full-Time Equivalent Staffing level in the Highway Department remains at the same level authorized in the Fiscal Year 2007 Adopted Budget.

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For the Bridge Matching Fund 0121, the Fiscal Year 2008 Recommended Budget totals \$1,748,000.00. This represents an increase of \$103,503.00 or 6.29% over the Fiscal Year 2007 Adopted Budget. The property tax levy for the Bridge Matching Fund has been increased from \$1,528,497.00 to \$1,581,000.00 in Fiscal Year 2008, which is an increase of \$52,503.00 or 3.43%. The Bridge Matching Fund includes an appropriation of \$1,205,741.00 for the Construction of Bridges and Culverts.

For the County Matching Fund 0122, the Fiscal Year 2008 Recommended Budget totals \$1,185,000.00. This represents an increase of \$38,000.00 or 3.31% over the Fiscal Year 2007 Adopted Budget. The property tax levy has been increased from \$1,140,000.00 to \$1,177,000.00, an increase of \$37,000.00 or 3.25% over the Fiscal Year 2007 Adopted Budget. Of the total Recommended Budget, \$1,145,500.00 has been appropriated for the Construction of Roads and Bridges.

For the County's Motor Fuel Tax Fund 0123, the Fiscal Year 2008 Recommended Budget totals \$3,255,023.00, which is a decrease of \$164,977.00 over the Fiscal Year 2007 Adopted Budget. The Motor Fuel Tax Fund includes \$980,000.00 for Maintenance of Roads and Drainage Structures. In the Capital Outlay category, the Construction of Roads and Bridges line-item is budgeted at \$945,411.00.

Overview of the Nursing Home:

The Fiscal Year 2008 Recommended Budget for the Nursing Home totals \$10,243,508.00, which represents an increase of \$3,438,700 or 50.5% over the Fiscal Year 2007 Adopted Budget. The Fiscal Year 2008 Recommended Budget for the Nursing Home was prepared on the basis of an average daily census of 144 residents, which is an increase over the projected 2007 average daily census of 136 residents. The Nursing Home's projected revenue includes a projected 106.7% increase in Illinois Public Aid reimbursement. In the Fiscal Year 2008 Recommended Budget, Illinois Public Aid reimbursement is estimated to total \$6,518,918.00, which is equal to 63.6% of the total revenue. The increase in Public Aid revenues is a result of the Intergovernmental Transfer funding initiative for publicly owned and operated nursing homes. In Fiscal Year 2008, the Nursing Home has budgeted \$2,542,378.00 for the Intergovernmental Transfer payment due to the State of Illinois. Private pay revenue is projected to decrease from \$2,151,675.00 this year to \$1,985,600.00 in

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Fiscal Year 2008. In accordance with the Resolution Establishing the Budget Policy for Fiscal Year 2008, the Nursing Home's private pay rate has been calculated by dividing the annual operating budget by the number of patient days. Using this formula, the private pay rate is calculated to increase from \$131.00 to \$136.00 per day. The Nursing Home's capital improvement budget includes funding to continue renovating patient rooms and common areas. The single largest capital improvement expense in 2008 will be replacing the roof at the Nursing Home.

The Full-Time Equivalent Staffing level at the Nursing Home includes the following changes in the Fiscal Year 2008 Recommended Budget.

<u>Job Title</u>	<u>2007 FTE Level</u>	<u>2008 FTE Level</u>	<u>Net Increase</u>
Registered Nurse	7.00	8.00	1.00
Licensed Practical Nurse:	9.00	8.00	(1.00)
Domestic Services Assistant I:	10.00	11.00	1.00

Overview of the Metro McLean County Centralized Communications Center ("MetCom"):

The Fiscal Year 2008 Recommended Budget for MetCom totals \$2,270,678.00, which reflects an increase of \$197,010.00 or 9.50% over the Fiscal Year 2007 Adopted Budget. McLean County's share of MetCom's Fiscal Year 2008 budget increases from \$536,426.00 to \$583,362.00, which represents an 8.75% increase. The MetCom budget was prepared in accordance with the terms and conditions of the Intergovernmental Agreement approved in 2005 by the City of Bloomington, the Town of Normal, the Emergency Telephone Systems Board and the County. The Full-Time Equivalent Staffing level at MetCom decreases from 31.00 FTE's in the Fiscal Year 2007 Adopted Budget to 30.80 FTE's in the Fiscal Year 2008 Recommended Budget. This slight decrease reflects the 0.20 FTE allocation of the MetCom Director to the Emergency Telephone Systems Board.

The Fiscal Year 2008 Recommended Budget includes for the first time the Emergency Telephone Systems Board (the “ETSB”) 2008 Recommended Budget. This is the first year that the ETSB budget has been prepared and reviewed using the same budget calendar as County offices and departments. Even though the County Board does not have budgetary authority over the ETSB, by including both the MetCom and ETSB budgets in the Fiscal Year 2008 Recommended Budget, the Board will be able to gain a greater appreciation and understanding of the total expense to operate the enhanced 911 emergency communications and dispatch system.

Law Library Fund

For the first time, the Fiscal Year 2008 Recommended Budget includes the Law Library Fund. The Circuit Court has prepared a balanced budget for the Law Library Fund, which totals \$76,850.00. By including this fund in the Recommended Budget, the Board will have an opportunity to review the projected revenues and expenses to be incurred by the Law Library Fund. The audited financial statements as of December 31, 2006 report that this Fund ended the year with a deficit of \$7,386.00, which is a significant decrease from the prior year deficit of \$30,318.00. During 2008, it is anticipated that the Law Library Fund will erase the current deficit and report a positive fund balance at year-end.

Overview of the General Fund:

The General Fund is the County’s primary operating fund. Under generally accepted governmental accounting standards, by definition, the General Fund accounts for all of the County’s financial resources for those County offices and departments which are not required to be accounted for in another fund. The Fiscal Year 2008 Recommended Budget for the General Fund totals \$31,842,907.00, which represents an increase of \$1,751,194.00 or 5.81% over the Fiscal Year 2007 Adopted Budget. The General Fund property tax levy remains the largest single revenue source in the Fiscal Year 2008 Recommended Budget. The proposed General Fund property tax levy for property taxes due and payable in September, 2008 is \$7,599,184.00, which represents an increase of \$555,865.00 or a 7.89% increase from the prior year tax levy of \$7,043,319.00. The Fiscal Year 2008 Recommended Budget projects a General Fund tax rate of \$0.23819 per

\$100.00 of equalized assessed valuation. The statutory maximum tax rate for the General Fund is \$0.25 per \$100.00 of equalized assessed valuation.

On the revenue side of the ledger in the General Fund, the Fiscal Year 2008 Recommended Budget reflects strong growth in the County's share of the State Income Tax and the Personal Property Replacement Tax. Interest earned on Investments is projected to increase by 10% over the prior year. In Fiscal Year 2008, the total revenue projected to be generated by Interest on Investments in the General Fund equals \$1,934,571.00. This is an increase of \$75,190.00 over the Fiscal Year 2007 Adopted Budget.

As noted earlier, the Retailers' Occupation Tax (Sales Tax) is the one major Intergovernmental Revenue source that is not projected to show strong growth in the coming year. In fact, based on the year-to-date Sales Tax revenue through August 31, 2007, the Fiscal Year 2008 Recommended Budget projects a decrease from \$6,010,400.00 in the 2007 Adopted Budget to \$5,900,450.00. Based on the County Treasurer's Statement of Revenues, Expenditures, and Fund Balance through August 31, 2007, current year Sales Tax revenue is projected to total approximately \$5.62 million by year-end. This conservative estimate of sales tax growth is consistent with the national projections for a decrease in consumer spending attributable to anxiety over the housing market and higher interest rates. One year ago, uncertainty in the manufacturing sector, especially in the U.S. automobile industry, continued fluctuation in the price of oil, and projected double digit increases in the price of electricity and natural gas were cited as the basis for a conservative increase in Sales Tax revenues. Today, there is still uncertainty in the U.S. automobile industry and the price of oil continues to fluctuate as a result of tropical weather systems and political instability in the Middle East.

McLean County's share of the State Income Tax is projected to increase to \$1,850,400.00 in Fiscal Year 2008. This represents an increase of \$254,975.00 or 15.9% over the fiscal year 2007 adopted budget. Year-to-date State Income Tax revenue totals \$1,296,725. In fiscal year 2006, State Income Tax revenues totaled \$1,658,652.00. State Income Tax dollars are distributed to local governments from the Local Government Income Tax Distributive Fund using a per capita formula. Local governments receive 10 distributions during the year. The Illinois Municipal League estimates that the local government share of State Income Tax will increase to \$88.30 per capita, or 4.8% more than in fiscal year 2007.

In the Fiscal Year 2008 Recommended Budget, the Personal Property Replacement Tax Revenue is projected to increase to \$1,590,750.00. This \$195,700.00 increase over the fiscal year 2007 Adopted Budget is based on a review of the fiscal year 2006 actual revenue received, the year-to-date revenue received through August 31, 2007 and the Illinois Department of Revenue's estimate of the County's share of Personal Property Replacement Tax dollars. In fiscal year 2006, Personal Property Replacement Tax revenues totaled \$1,375,231.00. Through August 31, 2007, the Treasurer's Statement of Revenues, Expenditures and Fund Balance reports year-to-date Personal Property Replacement Tax revenues of \$1,278,057.00. The Illinois Department of Revenue is forecasting an increase in the County's share of Personal Property Replacement Tax revenues to \$1.66 million. The IMRF Fund 0131 is the only other County Fund where Personal Property Replacement Tax dollars are budgeted.

In the County Treasurer's Office, Interest earned on Investments is projected to increase from \$1,030,000.00 this year to \$1,188,000.00 in Fiscal Year 2008. The Treasurer's Monthly Investment Report reports the higher investment rates that the Treasurer is earning on certificate of deposits and money market accounts. As the Federal Reserve Bank increased the federal funds rate from 2.50% in February, 2005 to 5.25% in June, 2006, the County Treasurer has invested County funds at a significantly higher rate of return. In the General Fund, Interest earned on Investments is projected to increase from \$1,859,381.00 this year to \$1,934,571.00 in Fiscal Year 2008

The single largest non-tax source of revenue in the General Fund is licenses, permits, fees and fines, accounting for \$5,655,260.00 of total revenues. The overall increase in revenues from licenses, permits, fees and fines is \$52,420.00, which represents less than a 1% increase over the current year. In nearly office and department, revenues derived from licenses, permits, fees and fines is projected at the same level as in 2007 or at a nominal increase. In the Fiscal Year 2008 Recommended Budget, the following County offices illustrate the projected revenue to be derived from licenses, permits, fees, and fines.

In the County Recorder's Office, revenue from Recording Fees is projected at \$600,000.00, the same amount approved in the Fiscal Year 2007 Adopted Budget. Year-to-date Recording Fee revenue totals \$379,041.00, which is 63.2% of the budgeted amount. Sale of Revenue Stamps is projected at \$425,000.00 in Fiscal Year 2008, the same amount approved

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in the Fiscal Year 2007 Adopted Budget. Year-to-date Sales of Revenue Stamps revenue as of August 31, 2007 totals \$305,931.00, which is equal to 71.9% of the budgeted amount. Total revenue in the Recorder's Office remains constant at \$1,073,000.00, the same amount budgeted this year.

In the Circuit Clerk's Office, total revenue in all categories is projected to increase from \$3,311,943.00 to \$3,430,175.00, an increase of 3.56% over the Fiscal Year 2007 Adopted Budget. Year-to-date revenues in the Circuit Clerk's Office are tracking at 72.8% of budget through August 31st.

Revenue in the Coroner's Office is projected to decrease from \$45,375.00 this year to \$38,688.00 in Fiscal Year 2008. This decrease is attributable to a projected 16.7% decline in the Morgue Fees revenue line item. In the Fiscal Year 2008 Recommended Budget, Morgue Fee revenues are budgeted at \$33,438.00, a decrease of \$6,437.00. As more and more Counties have built new morgue facilities, there is no longer the need to use McLean County's morgue. In addition, the x-ray equipment and other medical equipment in McLean County's morgue facility is original equipment that was installed in 1991. The Fiscal Year 2008 Recommended Budget includes funding to purchase new x-ray equipment, transport carts, and handheld medical instruments used in the morgue.

The Building and Zoning Department fee revenues are projected to decrease 30% in Fiscal Year 2008. This decrease is attributable to the reduction in building permit fees. Building permit fees are budgeted at \$95,000.00, a decrease of \$55,000.00 from the \$150,000.00 figure budgeted this year. With the completion of the High Trail Wind Farm and the Old Trail Wind Farm in eastern McLean County, building permit fees are expected to decline in 2008.

One exception to the flat growth in revenue is the Parks and Recreation Department. Fee revenue in this department is projected to increase 10% next year. Boat Registration Fees are projected to grow from \$64,400 this year to \$70,000 in 2008. Beach Receipts are anticipated to increase by \$4,000 from the 2007 Adopted Budget amount of \$21,000 this year to \$25,000 next year. Year-to-date Camp Ground Fees have generated \$127,715.00. Projecting the year-to-date revenue to year-end, Camp Ground Fees are on pace to set a record in 2007. The Fiscal Year 2008 Recommended Budget projects Camp Ground Fees to increase to \$162,000.00, an increase of 11.7% over this year.

The State of Illinois Fiscal Year 2008 Budget approved by the Illinois General Assembly increased by 4.0% the funding levels for the salary reimbursement for the grant-in-aid and monthly subsidy Probation Officers in the Court Services Department. Unfortunately, the Governor's budget veto deleted this increase in funding and reduced the appropriation for the salary reimbursement for the grant-in-aid and monthly subsidy Probation Officers to the same level as in 2007. In the Fiscal Year 2008 Recommended Budget, a transfer of funds equal to \$125,000.00 has been budgeted from the Adult Probation Fee Services Fund to the General Fund to help make up the difference between the State reimbursement amount and the actual salary expense.

For all County Funds, the Elected Officials and Appointed Department Heads requested 15.5 full-time equivalent new positions. Within the General Fund, the Elected Officials and Appointed Department Heads requested 11.0 full-time equivalent new positions. The Fiscal Year 2008 Recommended Budget includes 3.00 full-time equivalent new positions. In reviewing all requests for new positions against the available funds, the decision process focused on policy decisions already made by the Board and the impact those policy decisions will have on staffing within County offices and departments. The Fiscal Year 2008 Recommended Budget annualizes the costs of 4.66 FTE new positions that were approved in the Fiscal Year 2007 Adopted Budget. The salary expense to annualize these positions in 2008 is \$221,414.00.

The Fiscal Year 2008 Recommended Budget includes the following new positions:

Department 0021 – Public Defender's Office

1.00 FTE Legal Assistant 1

Because of the changes in State law and an increase in criminal cases, an additional Legal Assistant I position has been added in the Public Defender's Office. This position will assist the attorneys with preparation of documents, legal research, preparation of pleadings and preparation of information needed for trial. In addition, over the past three years,

the frequency of transcription requests has increased significantly. Existing support staff are no longer able to keep up with the demand for transcription services.

Department 0029 – Sheriff's Department

1.0 FTE Correctional Officer

This new position will perform multiple tasks and duties within the expanded Jail Booking area and assist in the new Work Release area that are under construction on the west side of the first floor. This additional position is requested to assist in receiving, processing, retaining and releasing all persons admitted to the Adult Detention Facility. This new position will also assist in the intake and processing of Work Release and Weekend detainees. The increase in the number of inmates being booked into the Adult Detention Facility requires an increase in staffing to insure safe custodial care and decrease liability issues.

1.0 FTE Correctional Sergeant

This new position will be used as a supervisor and coordinator for the special assigned Correctional Officers and their details. This position would supervise the Correctional Medical Officer, the Court Officer, the four members of the Transport Team, the Jail Training Officers and the Fire Inspectors. As daily activities grow and as the inmate population continues to increase, it is difficult for the Watch Commander to stay informed on all of these special assignments and handle their assigned duties and responsibilities. This new position would also be responsible for supervision of the inmate property room.

For your information and review, a table listing the recommended new positions with the itemized salary and benefit expense is included after the Budget Message.

Personnel Costs:

McLean County government continues to be well-served by dedicated, hard-working employees who strive on a daily basis to provide the best service to the citizens. The Budget Policy Resolution states that employee salaries shall be budgeted in accordance with the County's Personnel Policies and Procedures Ordinance. The Resolution also states that employees' salaries shall be budgeted consistent with the principles of equity vis-à-vis the approved contract increases provided to employees covered by collective bargaining agreements, the general impact of inflation, and employee morale. In accordance with the Budget Policy, the Fiscal Year 2008 Recommended Budget includes an across the board increase of 2.5% for all County employees, other than the Elected Officials and those employees covered by collective bargaining agreements. According to statistics published by the U.S. Bureau of Labor Statistics, the consumer price index has increased by 2.6% for calendar year 2007.

The County's Illinois Municipal Retirement Fund (the "IMRF") employer contribution rate for regular employees will decrease from 7.98% this year to 7.83% in Fiscal Year 2008. The Sheriff's Law Enforcement Personnel IMRF employer contribution rate will increase from 19.96% to 21.51% in Fiscal Year 2008.

The Fiscal Year 2008 Recommended Budget totals \$79,771,821.00 for all County funds. As compared to the Fiscal Year 2007 Adopted Budget, the Fiscal Year 2008 Recommended Budget reflects an increase of \$6,251,239.00 or an 8.50% increase. As noted earlier, the increase in the Fiscal Year 2008 Recommended Budget for the Nursing Home accounts for 55% of the overall increase. In addition, the Fiscal Year 2008 Recommended Budget includes the Emergency Telephone Systems Board and the Law Library.

Five Year Capital Improvement Budget: Fiscal Year 2008 – Fiscal Year 2012:

Along with the Fiscal Year 2008 Recommended Budget, the Five-Year Capital Improvement Program for Fiscal Year 2008 through Fiscal Year 2012 is presented for your review and consideration. The Five-Year Plan includes improvements and Renovations to County facilities and buildings. The Highway Department's Five-Year Capital Improvement Program for

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the County's roads, bridges, and highways are also included in this Plan.

The preparation of the Fiscal Year 2008 Recommended Budget requires the cooperation and assistance of all of the Elected Officials and Appointed Department Heads. I wish to again thank the Elected Officials and Department Heads for their continued cooperation during the many weeks of budget preparation and review.

I would like to thank Terry Lindberg for his valuable assistance and counsel during the preparation of the Recommended Budget. I want to acknowledge and thank Ms. Erin Aubry, an intern from Illinois State University, and Ms. Aimee Rieger, an intern from Illinois Wesleyan University, who worked on many of the tasks required to complete the Recommended Budget. I would also like to thank Don Newby and his crew for their efforts to see that the Recommended Budget books are properly collated and bound.

Mr. Chairman and Members of the McLean County Board, I am pleased to present the Fiscal Year 2008 Recommended Budget to you for your consideration and review. I respectfully request that the Recommended Budget, the Five-Year Capital Improvement Budget, and the 2007 Combined Property Tax Levy be referred to the appropriate Oversight Committees for review and that the Fiscal Year 2008 Recommended Budget be laid on the table for public review and comment.

Members Owens/Bostic moved the County Board approve the request for the Recommended Budget, the Five-Year Capital Improvement Budget, and the 2007 Combined Property Tax Levy be referred to the appropriate Oversight Committees for review and that the Fiscal Year 2008 Recommended Budget be laid on the table for public review and comment. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

The McLean County Auditor presented the following and recommends it for payment:

MCLEAN COUNTY BOARD COMPOSITE

August 31, 2007

2007 Budget Expenditures

COMMITTEE	PENDING EXPENDITURES	PRE-PAID EXPENDITURES	TOTAL EXPENDITURES
Executive		\$211,673.17	\$211,673.17
Finance	\$615.91	\$760,179.03	\$760,794.94
Human Services		\$450,993.77	\$450,993.77
Justice	\$1,374.04	\$1,850,054.55	\$1,851,428.59
Land Use		\$38,146.58	\$38,146.58
Property		\$330,923.91	\$330,923.91
Transportation		\$1,082,224.06	\$1,082,224.06
Health Board		\$402,657.91	\$402,657.91
Disability Board		\$50,019.50	\$50,019.50
T. B. Board		\$23,577.35	\$23,577.35
Total	\$1,989.95	\$5,200,449.83	\$5,202,439.78

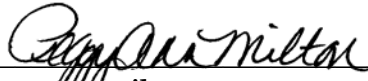
Matt Sorensen
Michael F. Sweeney
Michael F. Sweeney, Chairman
McLean County Board

Members Cavallini/Moss the County Board approve the bills as presented, cast unanimous ballot, and authorize Chairman Sweeney to sign them. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

The meeting was adjourned until October 16, 2007 at 9:00 a.m., in Government Center, Room 400, Bloomington, Illinois. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Time: 11:15 a.m.

Matthew Sorensen
County Board Chairman




PeggyAnn Milton
County Board Clerk

STATE OF ILLINOIS)
) ss.
COUNTY OF McLEAN)

I, PeggyAnn Milton, County Clerk in and for the State and County aforesaid, do hereby certify the foregoing to be a full, true, and correct copy of the proceedings had by the McLean County Board at a meeting held on the 18th day of September, 2007, and as the same appears of record.

IN WITNESS WHEREOF, I have set my hand and official seal this 8th day of October, 2007.



PeggyAnn Milton
McLean County Clerk