



County Facilities Cont.

*Anticipated Action from November 17, 2005 meeting*

1. *Adoption of Resolution No. 5129 approving a Main Extension Agreement and Amendment to Main Extension Agreement between Champaign County and Illinois-American Water Company for the new Champaign County Nursing Home.* 23-35
2. *Adoption of Resolution No. 5130 approving the Standard Form of Agreement between Champaign County and IGW Architecture related to the performance of a reuse/conversion study for the existing Champaign County Nursing Home Facility.* 36-46

**C. POLICY, PERSONNEL & APPOINTMENTS COMMITTEE**

Summary of Action from November 9, 2005 Meeting: 47-48

1. Adoption of Resolution No. 5139 awarding the Martin Luther King, Jr. – Doris Hoskins Prestigious Community Service Award to the Reverend Dr. Harold Davis. 49
2. Adoption of Resolution No. 5140 awarding the Martin Luther King, Jr. – James R. Burgess, Sr. Humanitarian Award to Ann Einhorn. 50

**D. HIGHWAY & TRANSPORTATION COMMITTEE**

Summary of Action from November 10, 2005 Meeting: 51-52

**E. FINANCE COMMITTEE**

Summary of Action from November 10, 2005 meeting: 53-55

1. Adoption of Resolution No. 5148 imposing a tax on the Privilege of Transferring Real Estate and Beneficial Interest in Real Estate. 56-57  
G17-18
2. \*\*Adoption of Resolution No. 5149 - Budget Amendment 58-59  
A. Budget Amendment No. 05-00110 G21  
Fund/Dept: 080-041 General Corporate – State’s Attorney  
Increased Appropriations: \$1,220  
Increased Revenue: \$1,220  
This revenue neutral amendment reflects reimbursement from the Attorney General’s Office of expenses incurred by the attendance of Dan Clifton at the Association of Government Attorneys in Capital Litigation 26<sup>th</sup> Annual Conference in Washington D.C. – July 20-23, 2005.



**XIII NEW BUSINESS**

**XIV ADJOURN**

- \*Roll Call
- \*\*Roll call and 18 votes
- \*\*\*Roll call and 21 votes
- \*\*\*\*Roll call and 14 votes

Except as otherwise stated, approval requires the vote of a majority of those County Board members present.

*County Board members and guests are encouraged to park in the north parking lot, off Lierman Avenue, and enter the Brookens facility through the north door. The Brookens Administrative Center is an accessible facility. For additional information, contact Kay Rhodes in the County Administrator's Office at (217) 384-3776.*

RESUME OF MINUTES OF A REGULAR MEETING OF THE COUNTY BOARD,  
CHAMPAIGN COUNTY, ILLINOIS  
October 20, 2005

The County Board of Champaign County, Illinois met at a Regular Meeting, Thursday, October 20, 2005 at 7:14 P.M. in Meeting Room 1, Brookens Administrative Center, 1776 East Washington Street, Urbana, Illinois, with Barbara Wysocki presiding and Sasha Green, as Secretary of the Meeting.

**ROLL CALL**

Roll call showed the following Board Members Present: Gross, Jay, Knott, Langenheim, McGinty, Moser, O'Connor, Putman, Sapp, Schroeder, Weibel, Anderson, Beckett, Bensyl, Betz, Busboom, Carter, Cowart, Doenitz, Fabri, Feinen, Greenwalt, and Wysocki - 23; Absent: Hogue, James, Tapley, Avery - 4. Thereupon, the Chair declared a quorum present and the Board competent to conduct business. Board Members Tapley and Avery arrived after roll call.

**PRAYER & PLEDGE OF ALLEGIANCE**

Chair Wysocki announced the Board would observe a moment of silence for the victims of the Earthquake in Pakistan. The Pledge of Allegiance to the Flag was given.

**READ NOTICE OF MEETING**

The Clerk read the Notice of the Meeting, said Notice having been published in the *Southern Champaign County* and *Fisher Reporter* on October 5, 2005; *The Leader* on October 6, 2005; *Mahomet Citizen* and *Rantoul Press* on October 12, 2005; County Star and Savoy Star on October 13; and *News Gazette* on October 18, 2005. Board Member Betz offered a motion to approve the notice; seconded by Board Member Langenheim. Approved by voice vote.

**APPROVAL OF MINUTES**

Board Member Betz offered the motion to approve the Minutes of the September 22, 2005 Regular Meeting, and the October 11, 2005 Study Session; seconded by Board Member Carter. Approved by voice vote.

**APPROVAL OF AGENDA/ADDENDUM**

Board Member Beckett offered the motion to approve the Agenda/Addendum; seconded by Board Member Langenheim. Approved by voice vote.

## **DATE/TIME OF NEXT REGULAR MEETING**

Chair Wysocki announced that the next County Board Meeting will be held on November 17, 2005 at 7:00 P.M. Chair announced the Meeting is a week earlier than the normal schedule due to the Thanksgiving holiday.

## **PUBLIC PARTICIPATION**

Fred Heinrich spoke regarding the adoption of Resolution 5109 denying petition to amend the Zoning ordinance by reclassifying certain property. Eric Thorsland spoke regarding the adoption of Resolution 5109 denying petition to amend the Zoning ordinance by reclassifying certain property.

## **ANNOUNCEMENTS/COMMUNICATIONS**

Board Member Betz announced the nominee deadline for the Martin Luther King, Jr. awards is November 2, 2005. Board Member Putman announced there is a bin to collect books for the new jail library. Board Member Carter thanked the Board for their support in his time of grief. Chair Wysocki discussed the Visioning Project.

## **CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE**

Board Member Langenheim requested the adoption of Resolution 5109 denying petition to amend the Zoning ordinance by reclassifying certain property; be removed from the Consent Agenda. Discussion followed. Board Member Fabri requested the adoption of Resolution 5102 approving a contract for Law Enforcement Services for the Village of Savoy; be removed from the Consent Agenda.

### **JUSTICE & SOCIAL SERVICES**

Adoption of **Resolution No. 5090** approving the Application for and, if Awarded, Acceptance of Renewal of National Children's Alliance Program Support Grant.

### **POLICY, PERSONNEL & APPOINTMENTS**

Adoption of **Resolution No. 5093** appointing Norman Uken to the Longbranch Mutual D.D. term ending 8-31-2008.

### **FINANCE**

Adoption of **Resolution No. 5101** - Budget Amendments:

**Budget Amendment #05-00100**

Fund/Dept: 091-047 Animal Control – Animal Control

Increased Appropriations: \$4,600

Increased Revenue: \$4,600

Monies required to reimburse entities for impoundment and penalty fees.

Budget Amendment #05-00101

Fund/Dept: 080-040 General Corporate – Sheriff

Increased Appropriations: \$45,599

Increased Revenue: \$45,599

Funds reimbursed from the Champaign County Fair and 80% advance payment from security at the U of I football games need transferred to pay for overtime in FY2005.

Budget Amendment #05-00104

Fund/Dept: 080-042 General Corporate – Coroner

Increased Appropriations: \$25,000

Increased Revenue: \$0

Due to increase in number of autopsies and increase in laboratory fees.

Budget Amendment #05-00105

Fund/Dept: 628-022 Election Assistance/Accessibility Fund – County Clerk

Increased Appropriations: \$1,096,611.00

Increased Revenue: \$873,464

To cover expenses in the above line items.

Adoption of **Resolution No. 5103** approving a contract for Law Enforcement Services for the Village of St. Joseph.

Adoption of **Resolution No. 5104** approving submission of loan to the Illinois Funds-Local Government Short Term Program for the benefit of the Champaign County Nursing Home.

HIGHWAY & TRANSPORTATION

Adoption of **Resolution No. 5105** for Contract Award Authority for a Bridge located in Sadorus Township.

Adoption of **Resolution No. 5106** for Contract Award Authority for a Bridge located on the Rantoul-Somer Township Line.

Adoption of **Resolution No. 5107** for Contract Award Authority for a Bridge located in Crittenden Township.

Adoption of **Resolution No. 5108** for Contract Award Authority for a Bridge located on the Champaign-Douglas County Line.

COUNTY FACILITIES

Adoption of **Resolution No. 5115** appropriating \$828.40 from the Champaign County Nursing Home Construction Fund for Invoice #87052 from Farnsworth,

Inc.

Adoption of **Resolution No. 5116** appropriating \$45,364.00 from the Champaign County Nursing Home Construction Fund for Pay Request #32 from PKD, Inc.

Adoption of **Resolution No. 5117** appropriating \$16,994.60 from the Champaign County Nursing Home Construction Fund for Invoice #1113580 from Duane Morris, LLP.

Adoption of **Resolution No. 5118** appropriating \$28,611.91 from the Champaign County Nursing Home Construction Fund for Invoice #1117985 from Duane Morris, LLP.

Adoption of **Ordinance No. 762** for the exception to the Champaign County Purchasing Policy Ordinance No. 323

Adoption of **Resolution No. 5119** approving the Lease Agreement between the County of Champaign and the Regional Planning Commission.

Board Member Beckett offered the motion to approve the Consent Agenda; seconded by Board Member Betz. Chair Wysocki asked the Clerk to call the roll.

Consent Agenda approved by roll call vote.

Yeas: Gross, Jay, Knott, Langenheim, McGinty, Moser, O'Connor, Putman, Sapp, Schroeder, Tapley, Weibel, Anderson, Avery, Beckett, Bensyl, Betz, Busboom, Carter, Cowart, Doenitz, Fabri, Feinen, Greenwalt, and Wysocki- 25;

Nays: None.

## **COMMITTEE REPORTS**

### **JUSTICE & SOCIAL SERVICES**

Board Member Anderson, Chair, announced there was no business requiring Board action.

### **POLICY, PERSONNEL & APPOINTMENTS**

Board Member Betz, Chair, recommended the adoption of **Resolution No. 5089** appointing John Chato to the Champaign-Urbana Mass Transit District Board, term ending 12/31/2008; seconded by Board Member Beckett. Board Member Tapley abstained due to a personal relationship with one of the involved parties. Discussion followed. A roll call was requested. Discussion followed. Adopted by voice vote.

Board Member Betz recommended the approval of the Hurricane Katrina

Proclamation; seconded by Board Member Avery. Discussion followed.  
Approved by voice vote.

Board Member Betz recommended the adoption of **Resolution No. 5091** approving the Classifications of the Zoning and Enforcement Department Positions; seconded by Board Member Putman. Discussion followed. Adopted by voice vote.

Board Member Betz recommended the adoption of **Resolution No. 5092** designating Trick-or-Treat Hours, Rules and Guidelines for the Annual Observance; seconded by Board Member Fabri. Discussion followed. Adopted by voice vote.

#### FINANCE

Board Member McGinty, Chair, recommended the adoption of **Resolution No. 5094** - Budget Amendments:

##### Budget Amendment #05-00102

Fund/Dept: 081 (Nursing Home) – 410 (Administrative), 430 (Nursing Service), 425 (Maintenance), 450 (Dietary), 462 (Alzheimer's Unit)

Increased Appropriations: \$930,060

Increased Revenue: \$0

In conjunction with budget presentation, line items need to be increased. IMRF was budgeted at 5.5% instead of 8.13%. Administrative costs increased due to turnover in Director positions and temp staffing to cover during transition and reclassification of position. Remaining costs are related to additional wages in the nursing/diet departments as well as fringes.

##### Budget Amendment #05-00103

Fund/Dept: 628-022 Election Assist/Accessibility Fund – County Clerk

Increased Appropriations: \$15,000

Increased Revenue: \$0

To cover expenses in the above line items;

seconded by Board Member Beckett. Discussion followed. Board Member Tapley made a substitute motion to "cut in half" Budget Amendment #05-00102; seconded by Board Member Knott. Discussion followed. Board Member Langenheim made a motion to call the question; seconded by Board Member Betz. Discussion followed. Motion to call the question approved by voice vote. Discussion followed. A roll call was requested.

Substitute motion failed by roll call vote.

Yeas: Jay, Knott, Moser, O'Connor, Tapley, Avery, Bensyl, Busboom, Carter, Doenitz, and Feinen - 11;

Nays: Gross, Langenheim, McGinty, Putman, Sapp, Schroeder, Weibel, Anderson, Beckett, Betz, Cowart, Fabri, Greenwalt, and Wysocki - 14.

Discussion followed.

Main motion adopted by 2/3 required roll call vote.

Yeas: Gross, Jay, Knott, Langenheim, McGinty, Moser, O'Connor, Putman, Sapp, Tapley, Weibel, Anderson, Avery, Beckett, Bensyl, Betz, Busboom, Carter, Cowart, Doenitz, Fabri, Feinen, Greenwalt, and Wysocki- 24;

Nays: None;

Absent: Schroeder - 1.

Board Member McGinty recommended the adoption of **Resolution No. 5095** - Budget Transfer:

Budget Transfer #05-00021

Fund/Dept: 080-010 General Corporate – County Board

Total amount of Transfer: \$2,000

To cover shortage in travel line item;

seconded by Board Member Fabri.

Adopted by 2/3 required roll call vote.

Yeas: Gross, Jay, McGinty, Moser, O'Connor, Putman, Sapp, Weibel, Anderson, Beckett, Bensyl, Betz, Busboom, Carter, Cowart, Doenitz, Fabri, Feinen, Greenwalt, and Wysocki- 20;

Nays: Tapley and Avery - 2;

Absent: Knott, Langenheim, and Schroeder - 3.

Board Member McGinty recommended the adoption of **Resolution No. 5096** - Emergency Budget Transfer:

Budget Transfer #05-00022

Fund/Dept: 080-071 General Corporate – Public Properties

Total amount of Transfer: \$20,000

Transfers necessary to cover building repair and maintenance Costs.

Funds available in the salary line due to vacancies in some of the positions at different periods throughout the fiscal year;

seconded by Board Member Beckett.

Adopted by 2/3 required roll call vote.

Yeas: Gross, Jay, McGinty, Moser, O'Connor, Putman, Sapp, Tapley, Weibel, Anderson, Avery, Beckett, Bensyl, Betz, Busboom, Carter, Cowart, Doenitz, Fabri, Feinen, Greenwalt, and Wysocki- 22;

Nays: None;

Absent: Knott, Langenheim, and Schroeder - 3.

Board Member McGinty recommended the adoption of **Resolution No. 5097** -

Emergency Budget Amendment:

Budget Amendment #05-00106

Fund/Dept: 681-051 Juvenile Information Sharing System Grant –  
Juvenile Detention Center

Increased Appropriations: \$30,000

Increased Revenue: \$30,150

Amendment is necessary to place federal funds allocated to department  
Pursuant to Illinois Criminal Justice Information Grant #502005 (Received  
And approved by Champaign County in May 2005) into operating Budget  
for this fiscal year;

seconded by Board Member Beckett.

Adopted by 2/3 required roll call vote.

Yeas: Gross, Jay, Knott, Langenheim, McGinty, Moser, O'Connor,  
Putman, Sapp, Tapley, Weibel, Anderson, Avery, Beckett, Bensyl,  
Betz, Busboom, Carter, Cowart, Doenitz, Fabri, Feinen, Greenwalt,  
and Wysocki- 24;

Nays: None;

Absent: Schroeder - 1.

Board Member McGinty recommended the adoption of Resolution No. 5098 -  
Emergency Budget Amendments:

Budget Amendment #05-00107

Fund/Dept: 083-060 County Highway – Highway

Increased Appropriations: \$198,840

Increased Revenue: \$198,840

For the asphaltting of Art Bartell Drive

Budget Amendment #05-00108

Fund/Dept: 080-075 General Corporate – General County

Increased Appropriations: \$198,840

Increased Revenue: \$0

Funds required to transfer to the Highway Fund for the purchase of  
Asphalt for Art Bartell Drive – this expense to be covered by the General  
Corporate Fund;

seconded by Board Member Langenheim. Discussion followed.

Adoption failed by 2/3 required roll call vote.

Yeas: Gross, Jay, Langenheim, McGinty, Moser, Putman, Sapp, Weibel,  
Anderson, Beckett, Betz, Busboom, Cowart, Fabri, Greenwalt, and  
Wysocki - 16;

Nays: O'Connor, Schroeder, Tapley, Avery, Bensyl, Carter, Doenitz, and  
Feinen - 8;

Absent: Knott - 1.

Discussion followed. Board Member Doenitz made a motion to reconsider the adoption of **Resolution No. 5098**; seconded by Board Member Betz. Approved by voice vote. Discussion followed.

Adoption by 2/3 required roll call vote.

Yeas: Gross, Jay, Knott, Langenheim, McGinty, Moser, O'Connor, Putman, Sapp, Schroeder, Weibel, Anderson, Beckett, Bensyl, Betz, Busboom, Carter, Cowart, Doenitz, Fabri, Greenwalt, and Wysocki- 22;

Nays: Avery and Feinen - 2;

Absent: Tapley - 1.

Board Member McGinty recommended the adoption of **Resolution No. 5099** approving the elimination of positions currently budgeted at \$0; seconded by Board Member Moser. Discussion followed. Adopted by voice vote.

Board Member McGinty recommended the adoption of **Resolution No. 5100** Payment of Claims Authorization; seconded by Board Member Bensyl. Adopted by voice vote.

Board Member McGinty recommended the adoption of **Resolution No. 5121** Purchases not following Purchasing Policy; seconded by Board Member Betz. Discussion followed. Adopted by voice vote.

Board Member McGinty recommended the adoption of **Resolution No. 5102** approving a contract for Law Enforcement Services for the Village of Savoy; seconded by Board Member Moser. Discussion followed. Adopted by voice vote.

#### **HIGHWAY & TRANSPORTATION**

Board Member Cowart, Chair, announced there was no business requiring Board action.

#### **ENVIRONMENT & LAND USE**

Board Member Langenheim, Chair, recommended the adoption of Resolution No. 5109 denying petition to amend the Zoning ordinance by reclassifying certain property; seconded by Board Member Doenitz. Discussion followed. Board Member Tapley made a substitute motion to replace Resolution No. 5109 with Ordinance No. 763 amending zoning ordinance establishing a rural residential overlay zoning district in the CR conservation recreation zoning district; seconded by Board Member Sapp. Discussion followed. Board Member Jay abstained due to business relationship with one of the involved parties. Substitute motion approved by show of hands, as the voice vote was undeterminable. Discussion followed. A roll call was requested.

Announced as adopted by roll call vote. No action pursuant to State's Attorney's letter dated October 25, 2005.

Yeas: Gross, Langenheim, O'Connor, Sapp, Schroeder, Tapley, Avery, Beckett, Bensyl, Betz, Carter, Feinen, and Greenwalt - 13;

Nays: Knott, McGinty, Moser, Putman, Weibel, Anderson, Busboom, Doenitz, Fabri, and Wysocki - 10;

Absent: Cowart - 1;

Abstentions: Jay - 1.

### COUNTY FACILITIES

Board Member Beckett, Chair, recommended the adoption of **Resolution No. 5110** appropriating \$112,096.00 from the Champaign County Nursing Home Construction Fund for Invoice #6015 from Delta Service, Inc; seconded by Board Member Sapp. Adopted by voice vote.

Board Member Beckett recommended the adoption of **Resolution No.5111** appropriating \$25,841.00 from the Champaign County Nursing Home Construction Fund for Invoice #6022 from Delta Services, Inc; seconded by Board Member Sapp. Adopted by voice vote.

Board Member Beckett recommended the adoption of **Resolution No. 5112** approving the contract between Champaign County and Luse Companies for Microbial Remediation; seconded by Board Member Weibel. Discussion followed. Adopted by voice vote.

Board Member Beckett recommended the adoption of **Resolution No. 5113** approving the award of contract for Architectural/Engineering services to perform a reuse conversion study of the existing nursing home; seconded by Board Member Knott. Discussion followed. Adopted by voice vote.

Board Member Beckett recommended the adoption of **Resolution No.5114** approving the Memorandum of Understanding with Urbana Park District; seconded by Board Member Jay. Adopted by voice vote.

### OTHER BUSINESS

Board Member Carter thanked Board Members for the NACO reports. Discussion followed.

Board Member Langenheim recommended the adoption of **Resolution No. 5120** approving acceptance of Department of Justice Drug Court Grant, Grant Number 2005-DC-BX-0032 and Designation of Authorized Agent on Behalf of Champaign County; seconded by Board Member Schroeder. Discussion followed. Adopted by voice vote.

October 20, 2005

Board Member Beckett moved to enter into executive session pursuant to 5 ILCS 120/2 (c)1 to consider the employment, compensation, discipline, performance or dismissal of an employee, further moving that the following individuals remain present: Recording Secretary and County Administrators; seconded by Board Member Weibel.

Executive Session approved by roll call vote.

Yeas: Gross, Jay, Langenheim, McGinty, Putman, Sapp, Schroeder, Tapley, Weibel, Anderson, Beckett, Bensyl, Betz, Busboom, Doenitz, Fabri, Greenwalt, and Wysocki - 18;

Nays: Moser, O'Connor, and Feinen - 3;

Absent: Knott, Avery, Carter, and Cowart - 4.

The Board reentered into Open Session at 9:55 P.M.

**NEW BUSINESS**

There was no New Business.

**RECESS**

Chair Wysocki recessed the Meeting at 9:56 P.M.

*Mark Shelden*

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Mark Shelden, Champaign County Clerk  
and ex-Officio Clerk of the Champaign County Board

Champaign County, Illinois

**JUSTICE & SOCIAL SERVICE COMMITTEE**  
**Summary of Action taken at 11/7/05 Meeting**

<u>ITEM</u>	<u>ACTION TAKEN</u>
1. <u>Call to Order</u>	Meeting called to order at 7:02 p.m.
2. <u>Approval of Agenda/Addendum</u>	Approved.
3. <u>Approval of Minutes</u>	Regular session minutes of September 7, 2005 and October 3, 2005; closed session minutes of October 3, 2005; Performance Appraisal Subcommittee closed session minutes of August 24, 2005 and August 31, 2005 approved as presented.
4. <u>Public Participation</u>	None
5. <u>Monthly Reports</u>	Motion approved to receive and place on file the Children's Advocacy Center September 2005 & October 2005 report, Circuit Clerk September 2005 report, Court Services September 2005 report, Coroner May 2005 & June 2005 report, EMA October 2005 report; Mental Health Board September 6, 2005 minutes, Mental Health Board and Developmental Disabilities Board COW September 21, 2005 Study Session minutes, and the Public Defender September 2005 report.
6. <u>Juvenile Delinquency Grant Monthly Reports</u>	Motion approved to receive and place on file the Best Interest of Children September 2005 report, CASA September 2005 report, Don Moyer Boys & Girls Club August 2005 report, Mental Health Center September 2005 report, and the Regional Planning Commission September 2005 report.
7. <u>Animal Control</u>	
a. Request Approval of Intergovernmental Agreement for Animal Control Services with the Village of Royal	<b><i>*RECOMMEND TO THE COUNTY BOARD APPROVAL of Intergovernmental Agreement for Animal Control Services with the Village of Royal</i></b>
b. Request Approval of Intergovernmental Agreement for Animal Impound Services with the Village of Royal	<b><i>*RECOMMEND TO THE COUNTY BOARD APPROVAL of Intergovernmental Agreement for Animal Impound Services with the Village of Royal</i></b>
8. <u>Sheriff</u>	
a. Request Approval of Live Scan Equipment Program Grant from Illinois Criminal Justice Information Authority, Agreement Number 402405 in the amount of \$12,792	<b><i>*RECOMMEND TO THE COUNTY BOARD APPROVAL of Live Scan Equipment Program Grant from Illinois Criminal Justice Information Authority, Agreement Number 402405 in the amount of \$12,792</i></b>

*\*Denotes Consent Agenda Item.*

9. **Mental Health Board**  
a. Request Approval of Job Content Evaluation Committee Recommendation for Classification and Title Change for Accountant/Fiscal Manager position Motion approved to accept the Job Content Evaluation Committee’s recommendation for classification and title change for Accountant/Fiscal Manager position.
10. **Head Start**  
a. Monthly Report Received and placed on file.
11. **Nursing Home**  
a. Monthly Report Received and placed on file.
12. **Administrator’s Report**  
a. Update and Discussion Regarding Options for Delinquency Grants Funding Process for FY2006 **RECOMMEND TO THE COUNTY BOARD APPROVAL of Memorandum of Understanding between the Champaign County Mental Health Board and the Champaign County Board regarding the Management and Administration of the Quarter Cent for Public Safety Funding**
13. **Other Business**  
a. Juvenile Delinquency Prevention Specialist Grant Proposal for FY2006 ***\*RECOMMEND TO THE COUNTY BOARD APPROVAL of award of funding for Juvenile Delinquency Prevention Specialist for FY2006***
- b. Agreement to Provide Grant Monitoring Services to the County of Champaign ***\*RECOMMEND TO THE COUNTY BOARD APPROVAL of Agreement to Provide Grant Monitoring Services to the County of Champaign***
- Addendum**  
c. Request from Circuit Court to submit Administrative Legal Secretary Position to Job Content Evaluation Committee for Review Motion approved to submit Administrative Legal Secretary Position to Job Content Evaluation Committee for Review.
14. **Chair’s Report**  
Chair informed committee that Bill Keller, EMA Director, would make a presentation at the County Board Study Session on November 15<sup>th</sup> at 7:00 p.m.
15. **Determination of Items to be Placed on County Board Consent Agenda**  
Items VII A&B, VIII A, and XIII A&B will be placed on the County Board Consent Agenda.
16. **Adjournment**  
Meeting adjourned at 8:40 p.m. Chair declared meeting back in session at 8:41 p.m. Meeting adjourned at 8:42 p.m.

*\*Denotes Consent Agenda Item.*

**RESOLUTION NO. 5122**

**RESOLUTION APPROVING MEMORANDUM of UNDERSTANDING BETWEEN THE  
CHAMPAIGN COUNTY MENTAL HEALTH BOARD AND THE CHAMPAIGN  
COUNTY BOARD REGARDING THE MANAGEMENT AND ADMINISTRATION OF  
THE QUARTER CENT FOR PUBLIC SAFETY FUNDING SUPPORTING JUVENILE  
JUSTICE POST-DETENTION PROGRAMS**

**WHEREAS**, the Champaign County Mental Health Board has a statutory responsibility to plan, fund, monitor and evaluate mental health, substance abuse, and developmental disability services in Champaign County; and

**WHEREAS**, the Mental Health Board has a statutory responsibility for the planning for programs for persons adjudicated delinquent minors under the Juvenile Court Act or the Juvenile Court Act of 1987 who are found to be persons with mental illnesses, for persons with a developmental disability and for the substance abuser; and

**WHEREAS**, the Champaign County Board and the Justice and Social Services Committee on behalf of the Champaign County Board is responsible for implementation of the Quarter Cent for Public Safety Funding; and

**WHEREAS**, there is an overlap of responsibility between the Mental Health Board and the Champaign County Board pertaining to prevention, intervention and diversion of delinquent youth; and

**WHEREAS**, the parties agree that a collaborative arrangement will result in integrated planning for delinquent youth and youth at-risk for delinquency, more effective allocation of funds; inclusion in system of care development and implementation, increased financial and programmatic accountability, and opportunities for participation in the SAMHSA Children's Initiative grant application process.

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Champaign County that it authorizes a Memorandum of Understanding is entered into with the Champaign County Mental Health Board in order to assure an efficient, ongoing, cooperative effort that will benefit delinquent youth and youth at-risk for delinquency in Champaign County; and

**BE IT FURTHER RESOLVED** by the County Board of Champaign County that the County Board Chair is hereby authorized and directed to execute on behalf of the County of Champaign, the Memorandum of Understanding with the Champaign County Mental Health Board Regarding the Management and Administration of the Quarter Cent for Public Safety Funding Supporting Juvenile Justice Post-Detention Programs.

**PRESENTED, ADOPTED, APPROVED and RECORDED** this 17<sup>th</sup> day of  
November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board of Champaign County, Illinois

**ATTEST:**

\_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the County Board

# MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING, is entered into this \_\_\_\_ day of \_\_\_\_\_, 2005, by and between the Champaign County Mental Health Board (hereinafter the "Mental Health Board") and the Champaign County Board. The parties hereby enter into this MEMORANDUM OF UNDERSTANDING to delineate respective roles, responsibilities and financial obligations associated with the management and administration of the Quarter Cent for Public Safety Funding SUPPORTING JUVENILE JUSTICE POST-DETENTION PROGRAMS.

## WITNESSETH

WHEREAS, the Mental Health Board has a statutory responsibility to plan, fund, monitor and evaluate mental health, substance abuse, and developmental disability services in Champaign County;

WHEREAS, the Mental Health Board has a statutory responsibility for the planning for programs for persons adjudicated delinquent minors under the Juvenile Court Act or the Juvenile Court Act of 1987 who are found to be persons with mental illnesses, for persons with a developmental disability and for the substance abuser;

WHEREAS, consultant Harry Shallcross, Ph.D. recommended that the Mental Health Board pool resources with other funding agencies and public systems to produce better outcomes for children involved with the juvenile justice system;

WHEREAS, the Champaign County Board and the Justice and Social Services Committee on behalf of the Champaign County Board is responsible for implementation of the Quarter Cent for Public Safety Funding;

WHEREAS, there is an overlap of responsibility between the Mental Health Board and the Champaign County Board pertaining to prevention, intervention and diversion of delinquent youth; and

WHEREAS, the parties agree that a collaborative arrangement will result in integrated planning for delinquent youth and youth at-risk for delinquency, more effective allocation of funds; inclusion in system of care development and implementation, increased financial and programmatic accountability, and opportunities for participation in the SAMHSA Children's Initiative grant application process; and

NOW, THEREFORE, it is the agreement of the parties that this Memorandum of Understanding is entered into in order to assure an efficient, ongoing, cooperative effort that will benefit delinquent youth and youth at-risk for delinquency in Champaign County.

**The Parties Agree to these Good Faith Provisions:**

1. The Champaign County Board shall assign the Mental Health Board authority for management and administration of Quarter Cent for Public Safety Funding SUPPORTING JUVENILE JUSTICE POST-DETENTION PROGRAMS for FY07 contracts (July 1, 2006 through June 30, 2007). All funds associated with this project shall be transferred to the Community Mental Health Fund.
2. The Mental Health Board shall incorporate the Quarter Cent for Public Safety Funding SUPPORTING JUVENILE JUSTICE POST-DETENTION PROGRAMS as a component of the FY07 contract allocation process. Decision support criteria shall be revised to include specific provisions pertaining to delinquency prevention, intervention and diversion. In addition, these funds shall not supplant support for programs currently funded by the Mental Health Board.
3. The primary emphasis of the Quarter Cent for Public Safety Funding SUPPORTING JUVENILE JUSTICE POST-DETENTION PROGRAMS shall be realigned to focus on reduction of recidivism at the Juvenile Detention Center and other post-detention programs and services. This realignment is necessary to meet the original intent of this program.
4. The Mental Health Board shall make FY07 allocation decisions for Quarter Cent for Public Safety Funding SUPPORTING JUVENILE JUSTICE POST-DETENTION PROGRAMS based on established Mental Health Board decision support criteria, organization eligibility and Funding Guidelines. The contract format and all other aspects of the contracting process shall follow established Mental Health Board policies and procedures.
5. The Mental Health Board executive director shall attend the Justice and Social Services Committee and provide verbal status reports and answer questions about the process. Copies of all Mental Health Board meeting packets pertaining to the allocation process will be provided to the Champaign County Administrator.
6. The Mental Health Board shall continue the Quarter Cent for Public Safety Funding SUPPORTING JUVENILE JUSTICE POST-DETENTION PROGRAMS monitoring contract with Champaign Urbana Area Project through June 30, 2007.

7. Either party may terminate this Memorandum of Understanding with 180 days written notice to the other. Upon the mutual written consent of both parties, the agreement may be terminated sooner.
8. Nothing contained herein serves to limit, alter, or amend either party's duties, rights, or responsibilities as set out in applicable State and federal statutes, law or regulation.

IN WITNESS WHEREOF, the Parties have caused this Memorandum of Understanding to be executed by their authorized representatives on the (DATE).

**For the Champaign County Board:**

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**For the Champaign County Mental Health Board:**

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Ernest Gullerud, President

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Peter Tracy, Executive Director

COUNTY FACILITIES COMMITTEE  
Summary of Action Taken at 11/8/05 joint meeting with Highway Committee

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<u>Agenda Item</u>	<u>Action Taken</u>
III <u>Approval of Minutes</u>	Regular session minutes of October 12, 2005 approved as amended; Regular Session minutes of October 20, 2005 & Closed Session minutes of October 12, 2005, August 23, 2005 and August 31, 2005 approved as presented.
IV <u>Public Participation</u>	There was no public participation.
V <u>Joint Meeting of County Facilities &amp; Highway Committees: - Fleet Maintenance/ Highway Facility Presentations</u>	*RECOMMEND COUNTY BOARD APPROVAL of the construction of a Fleet Maintenance/Highway Facility presented as "Recommended Final Design Concept" on November 8, 2005 with the 40,580 square foot facility being constructed on County property with a total project cost not to exceed \$7,085,691.00.
VI <u>Champaign County Nursing Home Construction Project</u>	
A.    PKD, Inc. Pay Request #33	<i>*RECOMMEND COUNTY BOARD APPROVAL of Pay Request #33 from PKD, Inc. in the amount of \$53,690.00 for professional services provided through October 20, 2005 per agreement dated February 2003 (\$7,088 - Staff; \$6,751 - Construction Fee; \$427 - Reimbursables; \$39,424 General Conditions)</i>
B.    Alliance Environmental Group, Inc. Invoice #5	<i>*RECOMMEND COUNTY BOARD APPROVAL of Invoice #5 from Alliance Environmental Group, Inc. in the amount of \$21,284.10 for professional services provided through July 31, 2005; invoice is for mold remediation issues.</i>

Nursing Home Cont.

- C. Alliance Environmental Group, Inc.  
Invoice #6 *\* RECOMMEND COUNTY BOARD APPROVAL of Invoice #6 from Alliance Environmental Group, Inc. in the amount of \$22,812.75 for professional services provided through August 31, 2005; invoice is for mold Remediation issues.*
- D. Alliance Environmental Group, Inc.  
Invoice #7 *\* RECOMMEND COUNTY BOARD APPROVAL of invoice #7 from Alliance Environmental Group, Inc. in the amount of \$4,258.25 for professional services provided through September 30, 2005; invoice is for mold remediation issues.*
- E. Duane Morris Invoice #1123872 *\* RECOMMEND COUNTY BOARD APPROVAL of Invoice #1123872 from Duane Morris in the amount of \$32,909.05 for professional services provided through September 30, 2005; Invoice is for legal representation on mold remediation issues.*
- F. Environmental Engineers Invoice #12080 *\* RECOMMEND COUNTY BOARD APPROVAL of invoice #12080 from Environmental Engineers in the amount of \$16,812.39 for professional services provided through September 15, 2005; invoice for mold remediation issues.*
- G. Environmental Engineers Invoice #12082 *\* RECOMMEND COUNTY BOARD APPROVAL of invoice #12082 from Environmental Engineers in the Amount of \$2,452.50 for professional Services provided through September 30, 2005; invoice is for mold remediation issues.*

Nursing Home Cont.

- H. Environmental Engineers Invoice #12091      *\*RECOMMEND COUNTY BOARD APPROVAL of invoice #12091 From Environmental Engineers in the amount of \$14,180.00 for professional services provided through October 15, 2005; invoice is for mold remediation issues.*
- VII Physical Plant Reports      No Action Taken
- A. Monthly Budget Report
- B. Manpower Report – Capital Projects
- VIII Chair’s Report/Issues
- A. Clock & Bell Tower Project Update      No Action Taken
- B. League of Women Voters- Proposal for upgrading family waiting room      MOTION carried to approve pages 1-3 design concepts, as amended, for upgrading of the Champaign County Courthouse Family Waiting Room.
- C. Museum Update      No Action Taken
- IX Other Business
- A. United Way Storage Request      MOTION carried to approve the United Way storage request.
- B. Review of Champaign County Parking Policy      MOTION carried to direct the County Administrators to review the Current Champaign County parking Policy and return to the committee with an updated version.
- C. Attorney General Lease      *\*RECOMMEND COUNTY BOARD APPROVAL of the Attorney General Lease.*

X Determination of Committee Actions to be Placed on the County Board Consent Agenda

Committee consensus to include items VI A-H and item IX C on the November 17, 2005 County Board Consent Agenda.

ADDENDUM

IX Other Business

- D. Chair appointment of technical proposal Evaluation Team: RFP 2005-016: A/E Services for Champaign County Courthouse Masonry Stabilization & Restoration Project

MOTION carried to approve the appointments of Mr. James, Mr. Beckett, Mr. Inman, Mr. Reinhart, Ms. Busey and Judge Harold Jensen to the Technical Proposal evaluation team for RFP 2005-016: A/E Services for Champaign County Courthouse Masonry Stabilization & Restoration Project.

\*Denotes County Board Action Required  
*\*Denotes County Board Consent Agenda Item*

**RESOLUTION NO. 5128**

**RESOLUTION APPROVING THE CONSTRUCTION OF A FLEET  
MAINTENANCE/HIGHWAY FACILITY**

**WHEREAS**, pursuant to a contract with the Champaign County Board, BLDD Architects have prepared a programming analysis and conceptual design for a Fleet Maintenance/Highway Facility for Champaign County, as presented November 8, 2005; and

**WHEREAS**, the Highway Committee and County Facilities Committee of the County Board have approved a recommendation to the Champaign County Board for the construction of a Fleet Maintenance/Highway Facility for Champaign County as presented by BLDD Architects November 8, 2005; and

**WHEREAS**, the Fleet Maintenance/Highway Facility for Champaign County as presented by BLDD Architects November 8, 2005 is a 40,580 square foot facility to be constructed on County property with a total project cost not to exceed \$7,085,691.

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Champaign County that the County Board approves the construction of a Fleet Maintenance/Highway Facility for Champaign County, as presented by BLDD Architects November 8, 2005, said facility to be a 40,580 square foot facility to be constructed on County property with a total project cost not to exceed \$7,085,691.

**PRESENTED, ADOPTED, APPROVED and RECORDED** this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
County Board of Champaign County, Illinois

**ATTEST:**

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Mark Shelden, County Clerk  
and ex-officio Clerk of the County Board

RESOLUTION NO. 5129

RESOLUTION APPROVING MAIN EXTENSION AGREEMENT AND AMENDMENT TO MAIN EXTENSION AGREEMENT BETWEEN CHAMPAIGN COUNTY AND ILLINOIS-AMERICAN WATER CORPORATION

WHEREAS, Champaign County is constructing a new Nursing Home Facility; and

WHEREAS, it is necessary to perform site work at the County's East Campus in order to construct the necessary utilities for the said facility; and

WHEREAS, the present site does not have sufficient water extensions to serve the said facility; and

WHEREAS, it is in the best interest of the safety and health of the residents who will be in the new facility to have the proper water extensions at the site; and

WHEREAS, the County can enter into an agreement with Illinois-American Water Corporation to provide the necessary water extensions to the site for the said facility, which said agreement will also include a provision for a partial refund of the cost of the said water extensions.

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board authorize the Champaign County Board Chair to execute the Main Extension Agreement and Amendment to Main Extension Agreement between Champaign County and Illinois-American Water Corporation for the purpose of providing the necessary water extensions to the site for the new Nursing Home facility.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board of Champaign County, Illinois

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk  
And *ex-officio* Clerk of the County Board

No. \_\_\_\_\_

**MAIN EXTENSION AGREEMENT  
ILLINOIS-AMERICAN WATER CORPORATION  
EASTERN DIVISION, CHAMPAIGN DISTRICT**

THIS AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2005 between **THE COUNTY OF CHAMPAIGN, STATE OF ILLINOIS**, hereinafter referred to as the "Applicant" and **ILLINOIS-AMERICAN WATER COMPANY**, hereinafter referred to as the "Company,"

WITNESSETH:

For and in consideration of the covenants and agreements herein contained, it is hereby covenanted and agreed by and between the parties hereto as follows:

1. Applicant hereby applies to the Company for an extension of water mains to be located and installed to serve the **NEW CHAMPAIGN COUNTY NURSING HOME** located in the *City of Urbana, Champaign County, State of Illinois* as Follows:

**THE CHAMPAIGN COUNTY NURSING HOME SITE LOCATED IN THE SOUTHEAST CORNER OF CHAMPAIGN COUNTY'S EAST CAMPUS LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, URBANA, CHAMPAIGN COUNTY, ILLINOIS.**

*{The installation will include an 8-inch diameter main extension from the southwest corner of the New Nursing Home site westerly, along Art Bartell Drive to an existing 12-inch diameter water main along Lierman Avenue to complete a distribution loop through Champaign County's East Campus Property.}*

For a total of approximately **{1,150}** feet and a total estimated cost, including overheads, of **{FORTY-ONE THOUSAND EIGHT HUNDRED DOLLARS}** (**\$41,800**) in order to supply 1 customer who will attach to the main extension.

2. The Company agrees to contribute as its share of the construction cost the sum of Zero Dollars (\$0), comprising an amount equal to (a) one and one-half (1-1/2) times the Company's estimate of the first year's revenue to be received from such customers who immediately will attach to the extension, which amount is Zero Dollars (\$0), and (b) the amount of **ZERO Dollars (\$0.00)**, being the difference between the estimated cost of *[1,150]* feet of *[EIGHT] (8)* inch water main installed and *[ONE THOUSAND ONE HUNDRED FIFTY]* feet of eight (8) inch main installed.

3. The Applicant will, simultaneously with the execution and delivery of this Agreement, pay to the Company the sum of **ZERO Dollars (\$0.00)**, being the difference between the total estimated cost of the said main extension and the amount, if any, to be contributed by the Company pursuant to Paragraph 2 above. The said amount so paid by the Applicant shall be retained by the Company without interest.

4. The Company will proceed with due diligence to make the said extension. If after completion and ascertainment of the entire cost thereof, it shall appear that such entire actual cost is less than the total estimated cost, the Company will forthwith repay to the Applicant the difference between such entire actual cost of said extension less the amount contributed by the Company as its share of the construction costs and the amount paid by the Applicant. If the actual cost of an eight (8) inch main so determined exceeds the Applicant's deposit, Applicant shall pay the difference to the Company immediately in cash. If, in connection with the aforesaid extension, at the Company's request and for a purpose other than the Applicant's service requirements a main larger than eight (8) inches in diameter is to be installed, the Company shall pay the additional cost of the larger main. The difference between the cost of the larger main and the cost of an eight (8) inch main shall initially be determined on the basis of the Company's estimate of the cost of installation of an eight (8) inch main. In such cases, the determination of the actual cost of the installation of an eight (8) inch main for the purpose of determining the payment or refund provided for in this paragraph shall be based on the following formula:

Actual cost of larger main installed divided by estimated cost of larger main installed times the estimated cost of an eight (8) inch main installed equals the actual cost of an eight (8) inch main installed.

If the actual cost of an eight (8) inch main so determined exceeds the Applicant's deposit, Applicant shall pay the difference to the Company immediately in cash. If the actual cost is less, the difference shall be refunded to the Applicant by the Company.

5. The Company further agrees that, upon completion of the first yearly billing period of the immediate new commercial, industrial or other non-residential customers considered above, it shall repay to the Applicant one and one-half (1-1/2) times the difference between the annual revenue originally estimated for such customers and the actual revenue received by the Company for such customers, provided the actual revenue is greater than the estimated revenue. If actual revenue is less than the estimated revenue, the difference shall be used as an offset against revenues which would otherwise become the basis for refund from

additional new customers, providing such potential exists.

6. The Company further agrees that it shall make refunds to the Applicant to be determined by multiplying by one and one-half (1-1/2) the average annual residential revenue for each additional new residential customer and by multiplying by one and one-half (1-1/2) the actual first year's billing for each new commercial, industrial and other non-residential customers who shall attach to and take service from the extension within ten (10) years from the date of completion of such extension, provided such additional new customers shall make application for Regular Metered Water Service Connections.

7. Total refunds to be made by the Company under this Agreement shall in no event exceed in the aggregate the amount paid to the Company by the Applicant for the extension. No interest shall be payable by the Company on the Applicant's advance or any unrefunded balance thereof.

8. On or after ten (10) years from the date of completion of such extension, all rights of Applicant to refunds, as provided for in Paragraphs 5 through 7 above, shall cease and terminate and any amounts not then refunded shall belong to and be retained by the Company.

9. If the extension abuts property which the Applicant does not own or have an interest in, the Company shall prorate the cost of the extension on a front-foot basis, and if during the term of this Agreement, the Owner or occupant of such property requests water service, the Company shall collect from such new Applicant an amount equal to his pro rata cost of the extension less one and one-half (1-1/2) times the estimated annual revenue to be received from such new Applicant. The Company shall refund money so collected to the original Applicant. Ten (10) years from the date of completion of this extension, all rights of the original Applicant to refunds under this paragraph shall terminate unless specifically agreed to in a separate agreement.

10. Except as provided in Paragraphs 4, 5, 6 and 9, the Company shall make no refunds of the advance, or any portion thereof, paid by the Applicant under Paragraph 3.

11. The Company shall determine the necessary size, location, and characteristics of the main and of all valves, fittings, and other appurtenances thereto. The Company shall make an estimate of the cost of the proposed extension including mains, valves, fittings, all other appurtenances and materials, and all other costs such as labor, permits, etc., including the Company's expenses for supervision, engineering, insurance, taxes, tools, equipment, accounting, and other overhead expenses. The determination of the Company with respect to the necessary size and characteristics of the mains, valves, fittings, other appurtenances, and materials shall be final.

12. All mains, valves, fittings, and other appurtenances or materials installed in accordance with this Agreement shall be and remain the sole property of the Company.

13. The Company reserves the right to further extend its water mains from and beyond each water main extension made under this Agreement, and the person paying for the original extension under this Agreement in the manner provided for shall not be entitled to a

refund for additional new customers of the Company attached to any such further extension, except and unless water service was available in the public highway and adjacent and available to the premises and to the structure or other point of service on the premises of such customer from the original extension made by the Company pursuant to this Agreement, in which case Applicant who paid for the original extension shall be entitled to receive any refund due on account of such customer.

14. This Agreement and any rights to refund hereunder shall not be assignable or assigned by the Applicant without the prior written consent of the Company thereto.

15. This Agreement shall be binding upon the respective heirs, executors, administrators, successors, and assigns of the parties hereto.

16. This Agreement is subject to the grant by the Illinois Commerce Commission of any certificate of public convenience and necessity or other approval that may be required under the law and the grant of all necessary permits and approvals from other regulatory agencies and governmental authorities having jurisdiction. Applicant agrees to cooperate with the Company in obtaining such permits and approvals.

IN WITNESS WHEREOF, the Applicant has signed and sealed this Agreement and the Company has caused this Agreement to be executed in its behalf by its \_\_\_\_\_ President and attested by its \_\_\_\_\_ Secretary, and its corporate seal thereto attached, the day and year first hereinabove written.

APPLICANT (AS AN INDIVIDUAL):

\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Printed Name)

=====

APPLICANT (AS A CORPORATION OR TRUST):

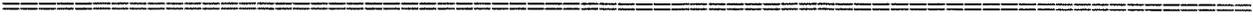
By:  
\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Print Name)

Its \_\_\_\_\_  
(Title)

(SEAL)  
ATTEST:

By: \_\_\_\_\_

Its \_\_\_\_\_  
(Title)



**ILLINOIS-AMERICAN WATER COMPANY**

By:

\_\_\_\_\_

Its

\_\_\_\_\_

(Title)

(SEAL)  
ATTEST:

By: \_\_\_\_\_

Its \_\_\_\_\_ Secretary

**AMENDMENT TO MAIN EXTENSION AGREEMENT  
ILLINOIS-AMERICAN WATER COMPANY  
EASTERN DIVISION, CHAMPAIGN DISTRICT**

THIS AMENDMENT TO MAIN EXTENSION AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2005, between *THE COUNTY OF CHAMPAIGN, STATE OF ILLINOIS*, (Developer") and *ILLINOIS-AMERICAN WATER COMPANY* ("Company"),

WHEREAS, Developer and the Company entered into a Main Extension Agreement ("Agreement") for *THE NEW CHAMPAIGN COUNTY NURSING HOME*, \_\_\_\_\_ dated \_\_\_\_\_, 2005; and

WHEREAS, pursuant to Paragraph 3 of the Agreement, Developer is required to make a cash payment for construction of certain water facilities; and

WHEREAS, in lieu of making the cash payment, Developer desires to construct these facilities to coordinate with Developer's development construction activities.

WITNESSETH:

For and in consideration of the covenants and agreements herein contained the parties amend the Agreement as Follows:

1. Developer shall construct, at Developer's expense, all mains, valves, and appurtenances thereto provided for in the Agreement necessary for the Company to provide adequate water service from existing public streets, public roads, other public ways, and/or easements to all structures to be located on a parcel of land, hereinafter referred to as the "Development," legally described on Exhibit A attached hereto.

2. All plans, specifications, and construction shall be in accordance with Illinois-American Water Company requirements for labor and materials, with the Company's plan for the area, and with all rules, regulations, and requirements of the Company and regulatory agencies asserting jurisdiction. All plans and specifications shall have all necessary approvals in writing from all necessary agencies and the approval in writing of the Company before any construction is commenced. Plans and specifications as approved by the Company for water facilities to be constructed hereunder will be herein incorporated by reference and made part of this Agreement when so approved and as if set out in full herein.

3. Developer and the Company agree that construction hereunder may proceed in "Units" or "Phases," and that all of the terms and conditions of this Amendment and the Agreement shall apply to construction by Developer and to each such Unit or Phase to the same extent as the terms and conditions apply to construction by Developer for the entire development.

4. Developer shall obtain all requisite permits, easements, and approvals in advance of construction. Such easement shall be in a form acceptable to the Company. Developer shall provide

all engineering, plans and specifications, materials, transportation, equipment, power, labor, supervision, testing, insurance, bonds, and all else required to construct and place into satisfactory operation all water mains, valves, and appurtenances thereto within the development to connect to the Company's existing facilities.

5. Developer agrees to furnish the Company, within sixty (60) days after completion of construction in each Unit or Phase of the development, "as-built" drawings certified as to correctness by an engineer registered in the State of Illinois showing by measurement the locations of all water mains, valves, and service connections to all structures served from facilities constructed pursuant to this Amendment and the Agreement.

6. Developer shall comply with the inspection and testing requirements of the Company, which requirements shall be reasonable and shall not cause Developer any unwarranted material delays in the ordinary course of construction. Developer shall promptly notify the Company when facilities under construction are ready for inspection and testing, and the Company shall inspect promptly after being so notified. The company specifically reserves the right to withhold approval and to forbid connection of any of the facilities constructed pursuant to this Amendment and the Agreement to any part of the Company's then existing system unless such facilities have been constructed in accordance with the plans and specifications approved by the Company. Developer agrees that it will promptly correct all defects and deficiencies in construction, materials, and workmanship upon request by the Company made subsequent to inspection by the Company. Inspection and approval of facilities by the Company shall not waive any right of the Company under this Amendment and the Agreement.

7. Developer and the Company agree that, during the construction by Developer hereunder, the Company may provide and Developer shall pay for and cooperate with an inspector reporting to the Company regarding compliance with the plans and specifications under which said construction is performed. An invoice for the estimated cost of inspection shall be paid by Developer in advance of the commencement of construction.

8. All materials installed, facilities constructed, and equipment provided by Developer in connection with construction of facilities under this Amendment and the Agreement, and the completed facilities, shall become the sole property of the Company as installed, and full legal and equitable title thereto shall be then vested in the Company, free and clear of any liens, without the requirement of any written document of transfer to the Company or acceptance by the Company. Developer agrees to execute or cause to be executed promptly such documents as counsel for the Company may request to evidence good and merchantable title to said facilities free and clear of all liens. Developer's failure to provide such documentation within thirty (30) days of the Company's request shall give the Company the right to refuse service to the Developer.

9. Developer guarantees all construction, materials, and workmanship provided under this Amendment and the Agreement for one (1) year after final acceptance by the Company. Developer warrants that all construction, materials, and workmanship provided under this Agreement will be completed substantially in accordance with the plans and specifications for said facilities as approved by the Company. In addition, Developer shall assign to the Company all warranties from suppliers of installed materials and facilities.

10. Developer shall pay for the repair by others of all water main breaks, hydrant damage, and any other damage to the Company's water facilities and appurtenances thereto attributable directly or indirectly to construction by or for Developer, any of its corporate affiliates or subcontractors during the period of time terminating one (1) year after all construction by or for Developer, any of its corporate affiliates or subcontractors in the development has been completed and accepted, in writing, by the Company.

11. Developer shall save and hold the Company harmless from and against all suits or claims against the Company that may be based upon any injury or alleged injury to any person or property that may occur, or that may alleged to have occurred, in the course of the performance of this Amendment and the Agreement by Developer or by any subcontractor, whether such claims shall be made by an employee of Developer or by a third person and whether or not it shall be claimed that the alleged injury was caused through a negligent act or omission of Developer or of any subcontractor, and Developer shall, at its own costs and expense, pay all charges of attorneys and all costs and other expenses arising therefrom, or incurred in connection therewith, and if any judgment shall be rendered against the Company in any such action or actions, Developer shall, at its own cost and expense, satisfy and discharge the same. The Company shall give Developer prompt notice of threat or institution of any such suit or claim.

12. As part of this Addendum, Developer shall execute the Insurance Agreement attached as Exhibit B. The Company reserves the right to require such other insurance coverage as it may deem necessary, and it reserves the right to waive any insurance requirement as it may deem appropriate.

13. Upon completion of the work, Developer shall remove all equipment belonging to it or used under its direction or by its subcontractors, and shall dispose of all unused materials, rubbish, surplus excavated materials and debris in a manner acceptable to the Company. Developer shall repair all roads, sidewalks, and all else affected by its work, which repair shall be made in accordance with the requirements of governmental agencies having jurisdiction there over.

14. Developer shall submit invoices, together with its corresponding lien waivers, monthly to the Company for all engineering and other services, materials installed, construction performed, equipment provided, and materials purchased for construction pursuant to this Amendment and the Agreement in the preceding calendar

month at the actual cost thereof. The form of such invoice used by Developer shall be as provided by the Company. Developer shall also submit to the Company the originals, or complete and clear copies, of all bills, statements, invoices, and all other evidences of expense received by Developer from subcontractors, vendors, and others during said preceding month for all engineering and other services, materials installed, construction performed, equipment provided, and materials purchased for construction pursuant to this Amendment and the Agreement together with corresponding lien waivers for these or other evidences of payment by Developer acceptable to the company and all additional supporting data relative to these which the Company may reasonably request.

15. It is specifically provided by and between the parties hereto that it is the express intention and agreement of the parties that the legal effect of this Amendment and the Agreement shall be that no mechanics' lien or claim may be filed or maintained by anyone including, but not limited to, any of the parties hereto, any subcontractor or materialman performing labor or furnishing materials in any way relative to any of the covenants and agreement of this Agreement. In furtherance of the foregoing provision, the parties agree that no subcontract for either labor or materials performed or furnished in furtherance of this Agreement has been or shall be entered into prior to the expiration of ten (10) days from the date of the execution hereof, and the parties further agree that a written memorandum of the Amendment and the Agreement may be prepared, executed, and placed of record in the office of the Recorder of Deeds for the county in which the lands on which construction is to be performed hereunder is situated.

~~16. Developer shall provide the Company, not later than thirty (30) days before the commencement of construction by Developer hereunder, a bond in form and issued by a surety company acceptable to the Company, or a letter of credit and issued by a bank in form acceptable to the Company, in an amount equal to 100 percent of the cost of construction, as estimated by the Company, of all facilities to be constructed by Developer pursuant to this Amendment and Agreement. Said bond to serve as security for Developer's performance of its obligation hereunder, and the full and faithful payment by Developer to all persons performing labor and services and furnishing materials for said construction.~~

17. No provision of this Agreement shall relieve Developer of responsibility for negligence or faulty material or workmanship; or the consequences thereof, with the extent and period provided by law.

18. Developer shall provide the Company with a performance bond issued by surety company acceptable to the Company in the amount of **ZERO** and no/100 Dollars (**\$0.00**) as security for Developer's full and faithful performance under Paragraphs 5, 6, 8, 9, 10, 13, and 14 hereof.

19. The failure of either party hereto to enforce any of the provisions of this Agreement or the waiver thereof in any instance shall not construed as a general waiver or relinquishment on its part of any such provision but the same shall, nevertheless, be and remain in full force and effect.

20. The Company may record this Amendment and Agreement, or a memorandum thereof, in accordance with the laws of Illinois.

21. Neither party to this Agreement shall be liable to the other for failure, default, or delay in performing any of its obligations hereunder, other than for the payment of money obligations specified herein, in case such failure, default, or delay is caused by strikes or other labor problems; by forces of nature; unavoidable accident; fire; acts of the public enemy; interference by civil authorities; passage of laws; orders of the court; adoption of rules, ordinances, acts, failures to act, decisions or orders or regulations of any governmental or military body or agency, office, or commission; delays in receipt of materials; or any other cause, whether of similar nature, not within the control of the party affected and which, by the exercise of due diligence, such party is unable to prevent the outcome. Should any of the foregoing occur, the parties hereto agree to proceed with diligence to do what is reasonable and necessary so that each party may perform its obligations under this Agreement. The Company shall not in any event incur any liability to Developer or to any other party for consequential or other interruptions or other malfunctions of service if such damages result from the foregoing.

22. Communications hereunder shall be sent to Developer, addressed as follows:

*ALAN REINHART  
1776 EAST WASHINGTON  
URBANA, IL 61802*

or to such other addresses as Developer shall advise the Company in writing, and to the Company at:

## **Illinois-American Water Company**

**Jim M. Brown**

201 Devonshire Drive  
Champaign, IL 61826

or such other addresses as the Company may advise Developer in writing.

23. It is agreed that the Company is not an agent of Developer and shall not incur any costs or expenses on behalf of Developer and that Developer is not an agent of the Company and shall not incur any cost or expenses on behalf of Company.

24. Developer agrees that any corporate entity or entities owned or controlled

by them in connection with construction of the development and related facilities are and shall become additional parties to this Amendment and the Agreement, and Developer agrees to inform the Company promptly of the names and states of incorporation of such corporations and to cause said

corporations to execute documents satisfactory to the Company's counsel acknowledging the effect of the Paragraph 24. This Amendment and the Agreement may not be assigned by Developer without the written prior approval of the Company. In the event that Developer transfers or sells all or any part of the land described in Exhibit A hereto, Developer, without in any way being relieved of any of its obligations hereunder, shall require the transferee or purchaser also to become obligated to the Company for the performance of this Amendment and the Agreement, which obligation the Developer shall require the transferee or purchaser to acknowledge to the Company in writing. Developer agrees that if it shall enter into a contract to sell the Development or a major portion thereof, such contract shall incorporate this Amendment and the Agreement, and the obligations imposed thereunder on the purchaser.

25. In the event of any conflict between the terms of this Amendment and the terms of this Agreement, the terms of this Amendment shall take priority. This amendment and the Agreement shall be governed by Illinois law.

IN WITNESS WHEREOF, the Applicant has signed this Agreement and the Company has caused this Agreement to be executed in its behalf by its \_\_\_ President and attested by its \_\_\_\_\_ President and attested by its \_\_\_\_\_ Secretary, and its corporate seal thereto attached, the day and year first hereinabove written.

**DEVELOPER: COUNTY OF  
CHAMPAIGN, STATE OF ILLINOIS**

**By:**

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Print Name)

Its

\_\_\_\_\_

(Title)

(SEAL)

ATTEST:

By: \_\_\_\_\_

Its \_\_\_\_\_ Secretary

ILLINOIS-AMERICAN WATER  
COMPANY

By:

\_\_\_\_\_

Its

\_\_\_\_\_

(Title)

(SEAL)

ATTEST:

By: \_\_\_\_\_

Its \_\_\_\_\_ Secretary

RESOLUTION NO. 5130

RESOLUTION APPROVING STANDARD FORM OF AGREEMENT BETWEEN  
CHAMPAIGN COUNTY AND IGW ARCHITECTURE RELATED TO THE  
PERFORMANCE OF A REUSE/CONVERSION STUDY FOR THE EXISTING  
CHAMPAIGN COUNTY NURSING HOME FACILITY

WHEREAS, the County of Champaign is presently constructing a new nursing home facility for the benefit of the nursing home residents; and

WHEREAS, the County anticipates that the new facility will be operational in April 2006; and

WHEREAS, the County will vacate the existing nursing home facility at the time the new facility is operational; and

WHEREAS, the County wishes to determine the appropriate reuse and/or conversion of the existing nursing home facility; and

WHEREAS, reuse and/or conversion of the existing nursing home facility would benefit the citizens of Champaign County; and

WHEREAS, the Champaign County Board has previously approved an award to IGW Architecture to perform the said study in an amount not to exceed \$45,000; and

WHEREAS, the Champaign County Board now needs to approve a contract for the performance of the said study;

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board authorize the Champaign County Board Chair to execute the Standard Form of Agreement between Champaign County and IGW Architecture to conduct a reuse/conversion study of the existing Champaign County Nursing Home Facility at 1701 East Main Street, Urbana, Illinois, in an amount not to exceed \$45,000.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board of Champaign County, Illinois

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk  
And *ex-officio* Clerk of the County Board

 **AIA® Document B727™ – 1988**

**Standard Form of Agreement Between Owner and Architect  
for Special Services**

**AGREEMENT** made as of the Fourth day of November in the year of Two Thousand and Five

**BETWEEN** the Owner:  
(Name and address)

Champaign County Board and Administrative Services  
1776 East Washington Street  
Urbana, Illinois 61802

and the Architect:  
(Name and address)

IGW Architecture  
Isaksen Glerum Wachter, LLC  
114 West Main Street  
Urbana, Illinois 61801

For the following Project:  
(Include detailed description of Project, location, address and scope.)

Reuse/Conversion Study  
Existing Champaign County Nursing Home Facility  
1701 East Main Street  
Urbana, Illinois

The Owner and the Architect agree as set forth below.

**ADDITIONS AND DELETIONS:**

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

**ARTICLE 1 ARCHITECT'S SERVICES**

*(Here list those services to be provided by the Architect under the Terms and Conditions of this Agreement. Note under each service listed the method and means of compensation to be used, if applicable, as provided in Article 8.)*

**Service to be provided**

See attached proposal letter dated November 4, 2005.

**Method and means of compensation**

Compensation shall be hourly according to the attached rate schedule based on the actual hours expended.

**ARTICLE 2 OWNER'S RESPONSIBILITIES**

§ 2.1 The Owner shall provide full information regarding requirements for the Project. The Owner shall furnish required information as expeditiously as necessary for the orderly progress of the Work, and the Architect shall be entitled to rely on the accuracy and completeness thereof.

§ 2.2 The Owner shall designate a representative authorized to act on the Owner's behalf with respect to the Project. The Owner or such authorized representative shall render decisions in a timely manner pertaining to documents submitted by the Architect in order to avoid unreasonable delay in the orderly and sequential progress of the Architect's services.

**ARTICLE 3 USE OF ARCHITECT'S DOCUMENTS**

§ 3.1 The documents prepared by the Architect for this Project are instruments of the Architect's service for use solely with respect to this Project and, unless otherwise provided, the Architect shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright. The Owner shall be permitted to retain copies, including reproducible copies, of the Architect's documents for the Owner's information, reference and use in connection with the Project. The Architect's documents shall not be used by the Owner or others on other projects, for additions to this Project or for completion of this Project by others, unless the Architect is adjudged to be in default under this Agreement, except by agreement in writing and with appropriate compensation to the Architect.

**ARTICLE 4 ARBITRATION**

§ 4.1 Claims, disputes or other matters in question between the parties to this Agreement arising out of or relating to this Agreement or breach thereof shall be subject to and decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association currently in effect unless the parties mutually agree otherwise.

§ 4.2 A demand for arbitration shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statutes of limitations.

§ 4.3 No arbitration arising out of or relating to this Agreement shall include, by consolidation, joinder or in any other manner, an additional person or entity not a party to this Agreement, except by written consent containing a specific reference to this Agreement signed by the Owner, Architect and any other person or entity sought to be joined. Consent to arbitration involving an additional person or entity shall not constitute consent to arbitration of any claim, dispute or other matter in question not described in the written consent or with a person or entity not named or described therein. The foregoing agreement to arbitrate and other agreements to arbitrate with an additional person or entity duly consented to by the parties to this Agreement shall be specifically enforceable in accordance with applicable law in any court having jurisdiction thereof.

§ 4.4 The award rendered by the arbitrator or arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

**ARTICLE 5 TERMINATION OR SUSPENSION**

§ 5.1 This Agreement may be terminated by either party upon not less than seven days' written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination.

**§ 5.2** If the Owner fails to make payment when due the Architect for services and expenses, the Architect may, upon seven days' written notice to the Owner, suspend performance of services under this Agreement. Unless payment in full is received by the Architect within seven days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services, the Architect shall have no liability to the Owner for delay or damage caused the Owner because of such suspension of services.

**§ 5.3** In the event of termination not the fault of the Architect, the Architect shall be compensated for services performed prior to termination, together with Reimbursable Expenses then due and all Termination Expenses as defined in Section 5.4.

**§ 5.4** Termination Expenses shall be computed as a percentage of the compensation earned to the time of termination, as follows:

- .1 For services provided on the basis of a multiple of Direct Personnel Expense, 20 percent of the total Direct Personnel Expense incurred to the time of termination; and
- .2 For services provided on the basis of a stipulated sum, 10 percent of the stipulated sum earned to the time of termination.

## **ARTICLE 6 MISCELLANEOUS PROVISIONS**

**§ 6.1** Unless otherwise provided, this Agreement shall be governed by the law of the principal place of business of the Architect.

**§ 6.2** Causes of action between the parties to this Agreement pertaining to acts or failures to act shall be deemed to have accrued and the applicable statute of limitations shall commence to run not later than the date payment is due the Architect pursuant to Section 8.4.

**§ 6.3** The Owner and Architect, respectively, bind themselves, their partners, successors, assigns and legal representatives to the other party to this Agreement and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Agreement. Neither Owner nor Architect shall assign this Agreement without the written consent of the other.

**§ 6.4** This Agreement represents the entire and integrated agreement between the Owner and Architect and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Owner and Architect.

**§ 6.5** Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Owner or Architect.

**§ 6.6** Unless otherwise provided in this Agreement, the Architect and Architect's consultants shall have no responsibility for the discovery, presence, handling, removal or disposal of or exposure of persons to hazardous materials in any form at the Project site, including but not limited to asbestos, asbestos products, polychlorinated biphenyl (PCB) or other toxic substances.

## **ARTICLE 7 PAYMENTS TO THE ARCHITECT**

### **§ 7.1 DIRECT PERSONNEL EXPENSE**

**§ 7.1.1** Direct Personnel Expense is defined as the direct salaries of the Architect's personnel engaged on the Project and the portion of the cost of their mandatory and customary contributions and benefits related thereto, such as employment taxes and other statutory employee benefits, insurance, sick leave, holidays, vacations, pensions, and similar contributions and benefits.

### **§ 7.2 REIMBURSABLE EXPENSES**

**§ 7.2.1** Reimbursable Expenses are in addition to the Architect's compensation and include expenses incurred by the Architect and Architect's employees and consultants in the interest of the Project for:

- .1 expense of transportation and living expenses in connection with out-of-town travel authorized by the Owner;
- .2 long-distance communications;

- .3 fees paid for securing approval of authorities having jurisdiction over the Project;
- .4 reproductions;
- .5 postage and handling of documents;
- .6 expense of overtime work requiring higher than regular rates, if authorized by the Owner;
- .7 renderings and models requested by the Owner;
- .8 expense of additional coverage or limits, including professional liability insurance, requested by the Owner in excess of that normally carried by the Architect and the Architect's consultants; and
- .9 Expense of computer-aided design and drafting equipment time when used in connection with the Project.

**§ 7.3 PAYMENTS ON ACCOUNT OF THE ARCHITECT'S SERVICES**

§ 7.3.1 Payments on account of the Architect's services and for Reimbursable Expenses shall be made monthly upon presentation of the Architect's statement of services rendered or as otherwise provided in this Agreement.

§ 7.3.2 An initial payment as set forth in Section 8.1 is the minimum payment under this Agreement.

**§ 7.4 ARCHITECT'S ACCOUNTING RECORDS**

§ 7.4.1 Records of Reimbursable Expenses and expenses pertaining to services performed on the basis of a multiple of Direct Personnel Expense shall be available to the Owner or the Owner's authorized representative at mutually convenient times.

**ARTICLE 8 BASIS OF COMPENSATION**

The Owner shall compensate the Architect as follows:

§ 8.1 AN INITIAL PAYMENT OF Zero Dollars and Zero Cents ( \$ 0.00 ) shall be made upon execution of this Agreement and credited to the Owner's account at final payment.

§ 8.2 COMPENSATION FOR THE ARCHITECT'S SERVICES, as described in Article 1, Architect's Services, shall be computed as follows:

*(Insert basis of compensation, including stipulated sums multiples or percentages, and identify the services to which particular methods of compensation apply, if necessary.)*

Hourly compensation and reimbursable expenses not-to-exceed \$45,000.00.

§ 8.3 FOR REIMBURSABLE EXPENSES, as described in Article 7, and any other items included in Article 9 as Reimbursable Expenses, a multiple of One ( 1.00 ) times the expenses incurred by the Architect, the Architect's employees and consultants in the interest of the Project.

§ 8.4 Payments are due and payable Thirty ( 30 ) days from the date of the Architect's invoice. Amounts unpaid Sixty ( 60 ) days after the invoice date shall bear interest at the rate entered below, or in the absence thereof, at the legal rate prevailing from time to time at the principal place of business of the Architect.

*(Insert rate of interest agreed upon.)*

per annum

*(Usury laws and requirements under the Federal Truth in Lending Act, similar state and local consumer credit laws and other regulations at the Owner's and Architect's principal places of business, the location of the Project and elsewhere may affect the validity of this provision. Specific legal advice should be obtained with respect to deletions or modifications, and also regarding other requirements such as written disclosures or waivers.)*

§ 8.5 IF THE SCOPE of the Project or of the Architect's services is changed materially, the amounts of compensation shall be equitably adjusted.

**ARTICLE 9 OTHER CONDITIONS**

1. STANDARD OF CARE – The Architect will perform the services under this agreement in accordance with generally accepted practice, in a manner consistent with the level of care and skill ordinarily exercised by members of this profession under similar circumstances in this locality. No other warranties implied or expressed, in fact or by law, are made or intended in this agreement.

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User Notes:

(118277455)

2. **CONFIDENTIALITY** – The Architect shall hold confidential the business and technical information obtained or generated in performance of services under this agreement, and as identified in writing by the Client as confidential.
3. **SURVEYS/TESTS** – The Architect shall recommend to the Client the appropriate investigation, surveys, tests, analyses and reports to be obtained as necessary for the proper execution of the Architect's services.
4. **AUTHORITY AND RESPONSIBILITY** – The Architect shall not have control or charge of, and shall not be responsible for, construction means, methods, techniques, sequences or procedures, for safety precautions and programs in connection with the Work, for the acts or omissions of the Contractor, Subcontractors or any other persons performing any of the Work, or for the failure of any of them to carry out the Work in accordance with the Contract Documents.
5. **RESPONSIBILITY FOR CONSTRUCTION COST** – It is recognized that neither the Architect nor the Client has control over the cost of labor, materials or equipment over the Contractor's method of determining bid prices, or over competitive bidding, marketing or negotiating conditions. Accordingly, the Architect cannot and does not warrant or represent that bids or negotiated prices will not vary from any Opinion of Construction Cost or evaluation prepared or agreed to by the Architect.
6. **INSURANCE** – The Architect shall maintain comprehensive general liability and professional liability insurance coverage and the Architect's employees are covered by Workers Compensation Insurance. Certificates of Insurance can be provided to the Client upon written request.
7. **LIMITATION OF PROFESSIONAL LIABILITY** – Neither the Architect, the Architect's consultants, nor their agents or employees shall be jointly, severally or individually liable to the Client in excess of the compensation to be paid pursuant to this agreement by reason of any act or omission, including breach of contract or negligence not amounting to a willful or intentional wrong.
8. **HAZARDOUS MATERIALS** – The Architect and the Architect's consultants shall have no responsibility for discovery, presence, handling, removal or disposal of or exposure of persons to hazardous materials in any form at the project site, including but not limited to asbestos, asbestos products, polychlorinated biphenyl (PCB) or other toxic substances. If required by law, the client shall accomplish all necessary inspections and testing to determine the type and extent, if any, of hazardous materials at the project site. Prior to the start of services, or at the earliest time such information is learned, it shall be the duty of the client to advise the Architect (in writing) of any known or suspected hazardous materials. Removal and proper disposal of all hazardous materials shall be the responsibility of the client.
9. **CLIENT'S CONSULTANTS** – Contracts between the Client and Client's consultants shall request the consultants to coordinate their drawings and other instruments of service with those of the Architect and to advise the Architect of any potential conflict. The Architect shall have no responsibility for the components of the project designed by the Client's consultants. The Client shall indemnify and hold harmless the Architect, Architect's Consultants and their employees from and against claims, damages, losses and expenses arising out of services performed for this project by other consultants of the Client.

This Agreement entered into as of the day and year first written above.

**OWNER**

**ARCHITECT**

*(Signature)*

Barbara Wysocki, County Board Chair

*(Printed name and title)*



*(Signature)*

Riley D. Glerum, CEO

*(Printed name and title)*

114 WEST MAIN STREET  
URBANA, ILLINOIS 61801

T / 217 328 1391  
F / 217 328 1401

File: 0550

November 5, 2005

Mr. Denny Inman  
County Administrator  
Champaign County Administrative Services  
1776 E. Washington Street  
Urbana, IL 61801

Re: Reuse/Conversion Study  
Existing Champaign County Nursing Home Facility  
Urbana, Illinois

Dear Mr. Inman:

In response to your request, IGW Architecture is pleased to submit the following proposal for professional services in connection with the referenced project. Given the anticipated opening of the new Champaign County Nursing Home in March of 2006, we understand that the Champaign County Board wants to consider the feasibility of converting the existing Nursing Home to general institutional office use. Further, the County has determined that the study should explore the reuse and occupancy of the existing facility by multiple tenants based on the significant amount of space that will become available and current interest being expressed by several parties.

The study will look at the entire existing Nursing Home complex including the Administrative Wing, the Main Buildings, the Power Plant, Annex/A.R.D. Buildings, the A.R.D. Activity Addition, the 1971 Addition - Wings A, B, and C and the surrounding site. We also note that the study should address certain project goals and planning and design requirements mentioned in the County's recent RFQ, dated October 11, 2005. The goal of this study is to provide the County with the necessary information to help them establish a plan for the timely disposition of the existing facility.

### **SCOPE OF SERVICES**

Based on the information and understanding above, IGW Architecture will provide the following planning, architectural and engineering services summarized below:

1. Collect and review the County's existing plans and other available information regarding the site and building which are pertinent to the work.
2. Prepare existing site and building base plans to facilitate the work of the study.
3. Conduct a cursory review of the applicable codes and standards requirements that apply to the reuse/conversion of the facility including the Illinois Accessibility Code and the ADA.
4. Conduct an on-site inspection of the existing site and buildings.
5. Evaluate the existing site conditions and the general, mechanical and electrical building systems relative to their service characteristics, functional deficiency, suitability for continued use and potential level of required additions and/or modifications.

6. Meet with the County's Supervisor of Building Maintenance to review findings above and discuss any other outstanding issues relevant to the reuse/conversion.
7. Conduct cursory programming meetings to discuss the functional and space needs of possible tenants in order to estimate their gross area requirements within the converted facility. Meetings will be held with the following groups: Champaign-Urbana Public Health District, Champaign County Coroner/Morgue, Prairie Center, Mental Health Board and Children's Advocacy Center.
8. Conduct a cursory Historical Building Assessment as may be relevant to the reuse/conversion of the facility.
9. Based on all the information developed above, develop alternative concept site and building organization plans that consider the reuse/conversion of the facility to meet the general institutional office and related uses of the potential tenants.
10. Review and evaluate the site and building concept alternatives with the County Facilities Committee leading to a preferred concept or set of concepts.
11. Refine the preferred site and building organization concept and use it as a basis for making preliminary site and building system selections and identifying the scope of required facility improvements.
12. Based on the preferred site and building concept and scope of work identified above, develop a preliminary project cost estimate and implementation schedule.
13. Review the preferred site and building concept, scope of identified work, cost estimate and schedule with the County Facilities Committee, making any minor revisions to the findings as a result of the review.
14. Review the preferred site and building concept, scope of identified work, cost estimate and schedule with the Champaign County Board, making any minor revisions to the findings as a result of the review.
15. Prepare a draft summary report of the study findings including sketch graphics and text for review and approval by the County Facilities Committee, making any minor revisions to the findings as a result of the review.
16. Upon approval, print and distribute the final report to the County.
17. Present the final report to the Champaign County Board.
18. Provide the necessary scheduling, coordination and monitoring of consultant team personnel and interface with the County personnel to ensure the proper course of work during the study.

## **COMPENSATION**

For Tasks 1-18 above, we propose compensation on an hourly basis according to the attached rate schedule with a total cost not-to-exceed \$45,000.00 with payments made monthly based on the actual hours expended. The total cost above also includes \$1,750.00 for normal out-of-pocket expenses incurred by the Architect and his consultants in the performance of the work. For this job, reimbursables include minor postage, reproduction and travel-related expenses which shall be reimbursed at cost.

Not included in our costs is the printing of draft and final reports which we understand the County will accomplish. Additional hourly compensation will be requested for any services requested that are in addition to those outlined in Tasks 1-18 above.

**CONSULTANTS**

IGW Architecture will employ the following consultants for portions of the work and have included their fees in our total:

JJR LLC, planners, landscape architects, civil engineers - Chicago, Illinois  
GHR Engineers and Assoc. Inc., mechanical/electrical engineers - Champaign, Illinois  
Delon Hampton and Associates, Chartered, structural engineers - Champaign, Illinois

Thank you for the opportunity to make this proposal. We look forward to a great working relationship and assisting in the further development of Champaign County's East Campus.

If you have any questions or require additional information, please call.

Sincerely,

ISAKSEN GLERUM WACHTER . LLC



Riley D. Glerum AIA  
Principal/CEO

Encl: Task/Fee Analysis  
IGW Rate Schedule

**Task/Fee Analysis**

**Reuse/Conversion Study**

**Existing Champaign County Nursing Home Facility**

Task Description	IGW				JJR				GHR			DHA			Totals		Tentative Mtgs	
	R. Glerum	S. Wachter	D. Milburn	N. Cheatham	P. Wiese	R. Macheliski	Staff			J. Gleason	DLS	SMH	G. Kellog	F. Coleman		Hours		Cost
Rate	140	120	65	50	145	125	75			140	84	60	135	100				
1 Collect, Dist and Review Owner's Data	4			2	2											8	950	
2 Prepare Site and Building Base Plans			32													32	2080	
3 Cursory Review Applicable Codes & Stds	4			1	4											9	1190	
4 On-Site Inspection Existing Site & Bldg	6			1		8			6	6	2		8			37	4434	TBD
5 Existing Systems Condition & Use Analysis	6			1		8			4	4	2		8			33	3986	
6 Mtg w/ Alan Reinhart Review Findings Abv	3			1					3		1					8	950	TBD
7 Programming Meetings (5 @ 2 Hrs Each)	10			2												12	1500	TBD
8 Cursory Historical Building Assessment	4			1												5	610	
9 Develop Alt Site/Bldg Concept Plans	4	15	15		1	10	8									53	5330	
10 Review Site/Bldg Concept Alts w/FC	4					6			3				2			15	1930	Tues 12/6/2005
11 Dev Preferred Concept-ID Systems/Scope	6	15	15			2	8		10	6	3					65	6549	
12 Develop Prelim Project Cost/Schedule	2	7			1				8	6	2					26	3009	
13 Review Pref Concept, Cost, & Sched w/FC	4				1	8	12		3		1		2			31	3285	Tues 1/3/2006
14 Review Pref Concept, Cost, & Sched w/FB	4					6			3		1					14	1790	Thurs 1/19/2006
15 Revise Findings/Prepare Draft Report	4	4	4	8		2	4									26	2250	
16 After Revisions, Print & Distribute				4	1											5	345	
17 Present Final Report to FB	4					6							2			12	1510	Thurs 2/23/2006
18 Provide Project Coordination & Admin	9								3							12	1680	
<b>Total Tasks 1-18</b>	<b>78</b>	<b>41</b>	<b>66</b>	<b>21</b>	<b>10</b>	<b>56</b>	<b>32</b>	<b>0</b>	<b>43</b>	<b>22</b>	<b>12</b>	<b>0</b>	<b>16</b>	<b>6</b>	<b>0</b>	<b>403</b>	<b>\$43,378</b>	

4  
51

FC = Facilities Committee, FB = Full County Board

Estimated Reimbursable Expenses

Travel-Related/Misc Printing/Postage

(Note: Review Copies/Final Report Printing by County)

**ESTIMATED PROJECT TOTAL INCLUDING ALL EXPENSES**

1,750
0
<b>\$45,128</b>

NTE \$45K



ISAKSEN GLERUM WACHTER . LLC

114 WEST MAIN STREET  
URBANA, ILLINOIS 61801

T / 217 328 1391  
F / 217 328 1401

## Isaksen Glerum Wachter . LLC

Principals.....	\$ 120 - 145
Project Architect 1.....	\$ 95 - 120
Project Architect 2.....	\$ 85 - 95
Architect/Designer 1.....	\$ 75 - 85
Architect/Designer 2.....	\$ 65 - 75
Architect/Designer 3.....	\$ 55 - 65
Construction Observer.....	\$ 65 - 85
Administrative/Accounting.....	\$ 60 - 75
Technical Data Processing.....	\$ 40 - 50
Secretarial/Clerical.....	\$ 35 - 50
Reimbursables.....	@ 1.1 x Cost
Consultants.....	@ Cost
Mileage Rate.....	40.5 cents/mile

Effective 1 January 2005

**POLICY, PERSONNEL & APPOINTMENTS COMMITTEE**  
**Summary of Action taken at 11/9/05**

<u>ITEM</u>	<u>ACTION TAKEN</u>
II. <u>Approval of Agenda/Addendum</u>	Approved
III. <u>Public Participation</u>	None
IV. <u>Approval of Minutes</u>	Approved
V. <u>Monthly Reports</u>	
A. County Clerk Fees Report	Motion approved to receive and place on file.
VI. <u>County Board</u>	
A. Appointments / Re-Appointments	
1. Silver Creek Drainage District - term ending 8-31-2008	<b><i>*RECOMMEND TO THE COUNTY BOARD approval of Cecil Hudson to the Silver Creek Drainage District term ending 8-31-2008.</i></b>
2. Dewey Community Public Water District term ending 5-31-2009 (to replace Wayne Todd)	<b><i>*RECOMMEND TO THE COUNTY BOARD approval of J.L. Knell to the Dewey Community Public Water District term ending 5-31-2009</i></b>
3. Zoning Board of Appeals term ending 11- 30-2010	<b><i>*RECOMMEND TO THE COUNTY BOARD approval of Doug Bluhm to the Zoning Board of Appeals term ending 11-30-2010.</i></b>
4. MLK Subcommittee Recommendation for the Nomination of Recipients for the 2006 Champaign County MLK Awards	<b>RECOMMEND TO THE COUNTY BOARD approval of Rev. Harold Davis as recipient of the 2006 MLK Doris Hoskins Award and Ann Einhorn as recipient 2006 MLK James Burgess Award.</b>
VII. <u>Administrator's Report</u>	
A. Vacant Positions Listing	Information only (no action)
B. Champaign County Assessments Office	Information only (no action)
C. 2006 Insurance Recommendation	<b><i>*RECOMMEND TO THE COUNTY BOARD approval of 2006 Insurance Recommendation</i></b>
D. Workforce Profile by Race & Gender Report	No action
<u>ADDENDUM</u>	
E. Award of Contract: RFP 2005-014, Office of the Sheriff , Inmate Food Service	<b><i>*RECOMMEND TO THE COUNTY BOARD approval of RFP 2005-014, Inmate Food Service Contract to Aramark Correctional Services</i></b>
VIII. <u>Chair's Report</u>	
A. Policy Development for public information made available through electronic media	Motion approved to defer to next meeting
B. Eastern Illinois Economic Development Authority Appointment	No action

- |   |  |
|---|--|
| <b>IX. <u>LEGISLATIVE REPORT</u></b>  | No action  |
| <b>X. <u>ANTICIPATED ACTION REQUEST<br/>MADE FROM JUSTICE &amp; SOCIAL<br/>SERVICES</u></b>   |  |
| A. Approval of Recommendation for<br>Evaluation, Classification and Title<br>Change for Accountant/Fiscal Manager<br>position at Champaign County Mental<br>Health Board, assigned to Salary Grade<br>Range I | <b><i>*RECOMMEND TO THE COUNTY BOARD<br/>approval of Recommendation for Evaluation,<br/>Classification and Title Change for the<br/>Accountant/Fiscal Manager position at the<br/>Champaign County Mental Health Board</i></b> |
| <b>XI. <u>OTHER BUSINESS</u></b>  | None   |
| <b>XII. <u>Determination of Items for County Board<br/>Consent Agenda</u></b>   | All action items will be on consent agenda except Item<br>VI-4.  |
| <b>XIII. <u>Adjournment</u></b>   | Approved   |

*\*Denotes County Board Consent Agenda Item*

**\*Denotes County Board Action Required**

RESOLUTION NO. 5139

RESOLUTION AWARDING THE MARTIN LUTHER KING JR. – DORIS HOSKINS  
PRESTIGIOUS COMMUNITY SERVICE AWARD TO THE REVEREND DR. HAROLD DAVIS

WHEREAS, the Champaign County Board presents the Martin Luther King Jr. – Doris Hoskins Prestigious Community Service Award in recognition for an individual's humanitarian efforts in special community service in Champaign County; and

WHEREAS, the Policy, Personnel, and Appointments Committee has approved the nomination of the Reverend Dr. Harold Davis to be the recipient of the 2006 Martin Luther King Jr. – Doris Hoskins Prestigious Community Service Award.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that the Reverend Dr. Harold Davis is the recipient of the 2006 Martin Luther King Jr. – Doris Hoskins Prestigious Community Service Award.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5140

RESOLUTION AWARDING THE MARTIN LUTHER KING JR. – JAMES R. BURGESS, SR.  
HUMANITARIAN AWARD TO ANN EINHORN

WHEREAS, the Champaign County Board presents the Martin Luther King Jr. – James R. Burgess, Sr. Humanitarian Award to honor an individual who contributes to the furtherance of civil rights in Champaign County; and

WHEREAS, the Policy, Personnel, and Appointments Committee has approved the nomination of Ann Einhorn to be the recipient of the 2006 Martin Luther King Jr. – James R. Burgess, Sr. Humanitarian Award.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that Ann Einhorn is the recipient of the 2006 Martin Luther King Jr. – James R. Burgess, Sr. Humanitarian Award.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

HIGHWAY & TRANSPORTATION COMMITTEE  
Summary of Action Taken at November 10, 2005 Meeting

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<u>Agenda Item</u>	<u>Action Taken</u>
3. <u>Approval of Minutes</u>	Minutes of October 7, 2005 approved as amended; closed session minutes of October 7, 2005; August 23, 2005 and August 31, 2005 approved as presented.
4. <u>Public Participation</u>	There was no public participation
5. <u>Monthly Reports</u>	
A. County & Township Motor Fuel Tax Claims – October 2005	MOTION carried to receive and place on file the County & Township Motor Fuel Tax Claims for October 2005.
B. Final Bridge Reports	MOTION carried to receive and place on file the final bridge reports.
6. <u>County Engineer</u>	
A. Ordinance for the establishment of an Altered speed zone in Philo Road District	<i>*RECOMMEND COUNTY BOARD APPROVAL of an Ordinance for the establishment of an altered speed zone in Philo Road District.</i>
B. New Highway Department Facility	No Action Taken
C. Fringe Roads	No Action Taken
D. Pavement Management Program	MOTION carried to provide the County Engineer the authority to begin contract negotiations with ARA, to start the process of implementing a pavement management/pavement asset program for Champaign County.

E. Resolution for Award Authority  
For Township Materials Letting

*\*RECOMMEND COUNTY BOARD APPROVAL of the Resolution for Contract Award Authority Furnishing Materials for the 2006 maintenance of various road districts in Champaign County (with the County Engineer accepting the low bid for materials on behalf of Champaign County in concurrence with the recommendation of the Road District Commissioners)*

7. Other Business

There was no other business.

8. Determination of Consent Agenda Items

Committee consensus to include items 6 A and E on the November 17, 2005 County Board consent agenda.

\*Denotes County Board Action Required

\*Denotes County Board Consent Agenda Item

**FINANCE COMMITTEE**  
**Summary of Action Taken at 11/10/05 Meeting**

<u>ITEM</u>	<u>ACTION TAKEN</u>
1. <b><u>Call to Order</u></b>	Meeting called to order at 7:03 p.m.
2. <b><u>Approval of Agenda/Addendum</u></b>	Approved.
3. <b><u>Approval of Minutes</u></b>	Finance Committee minutes of September 8, 2005; Audit Selection Subcommittee minutes of August 30, 2005; and Legislative Budget Hearing minutes of August 22, 2005 approved as presented.
4. <b><u>Public Participation</u></b>	None
5. <b><u>Recorder</u></b>	
a. Request Approval of Resolution Imposing a Tax on the Privilege of Transferring Real Estate and Beneficial Interest in Real Estate	<b>*RECOMMEND TO THE COUNTY BOARD APPROVAL of Resolution Imposing a Tax on the Privilege of Transferring Real Estate and Beneficial Interest in Real Estate.</b>
6. <b><u>Budget Amendments/Transfers</u></b>	
	<b>*RECOMMEND TO THE COUNTY BOARD APPROVAL of Budget Amendments #05-00109, #05-00111, #05-00114, and #05-00115.</b>
	<b>*RECOMMEND TO THE COUNTY BOARD APPROVAL of Budget Amendments #05-00110 and #05-00113.</b>
7. <b><u>State's Attorney</u></b>	
a. Request Approval of Resolution to Designate the Office of State's Attorneys Appellate Prosecutor as Agent	<b>*RECOMMEND TO THE COUNTY BOARD APPROVAL of Resolution to Designate the Office of State's Attorneys Appellate Prosecutor as Agent</b>
b. Request Approval of Litigation Assistance Agreement	<b>*RECOMMEND TO THE COUNTY BOARD APPROVAL of Litigation Assistance Agreement</b>
8. <b><u>Sheriff</u></b>	
a. Request Approval of Staffing Change – Elimination of One Inmate Services Aide position and Addition of One Clerk position	Motion approved to approve staffing change in the Sheriff's Office by the elimination of one Inmate Services Aide position and addition of one Clerk position
9. <b><u>Treasurer</u></b>	
a. Monthly Report	Received and placed on file.
	Committee agreed to hold a meeting on Nov. 17 <sup>th</sup> at 6:15 p.m. to discuss a loan to the Nursing Home from the General Corporate Fund.

*\*Denotes Consent Agenda Item.*

- b. Request Approval of Resolution for Authorization to Borrow and Loan Funds within Combined Bank Accounts
  - \*RECOMMEND TO THE COUNTY BOARD APPROVAL of Resolution for Authorization to Borrow and Loan Funds within Combined Bank Accounts***
  
- c. Request Approval of Resolution Designating Depositories for Funds
  - \*RECOMMEND TO THE COUNTY BOARD APPROVAL of Resolution Designating Depositories for Funds.***
  
- d. Request Approval of Resolution Authorizing a Loan to the Election Assistance/Accessibility Fund from the General Corporate Fund
  - \*RECOMMEND TO THE COUNTY BOARD APPROVAL of Resolution Authorizing a Loan to the Election Assistance/Accessibility Fund from the General Corporate Fund.***
  
- 10. **Auditor**
  - a. Purchase Not Following Purchasing Policy
    - Provided for information.
  
  - b. Monthly Report
    - Received and placed on file.
  
  - c. Approval of 2005 Official Ballot Vote for IMRF Executive Trustee
    - \*RECOMMEND TO THE COUNTY BOARD APPROVAL of 2005 Official Ballot Vote for W. Thomas Ross as IMRF Executive Trustee.***
  
- 11. **County Administrator**
  - a. General Corporate Fund FY2005 Revenue/Expenditure Projection Report
    - No action taken.
  
  - b. General Corporate Fund Budget Change Report
    - No action taken.
  
  - c. Staffing Recommendation for Zoning and Enforcement Department and County Board Office for FY2006
    - \*RECOMMEND TO THE COUNTY BOARD APPROVAL of the transfer of Administrative Secretary position currently assigned to the County Board Office to the Zoning & Enforcement Department effective December 1, 2005. It is further recommended the following positions be assigned to the Zoning & Enforcement Department effective December 1, 2005 – 1 Director, 1 Associate Planner, 1 Zoning Officer, and 2 Zoning Technicians.***
  
  - d. Updated Report of Changes to FY2006 Budget Since Adoption of Tentative
    - Provided for information.
  
    - Motion to amend the 2006 Annual Budget Ordinance by changing the appropriation to fund a Champaign County Disparity Study from \$25,000 to \$50,000 failed.
  
  - e. Request Approval of 2006 Annual Tax Levy Ordinance
    - \*RECOMMEND TO THE COUNTY BOARD APPROVAL of 2006 Annual Tax Levy Ordinance.***

*\*Denotes Consent Agenda Item.*

f. Request Approval of 2006 Annual Budget Ordinance

**\*RECOMMEND TO THE COUNTY BOARD APPROVAL of 2006 Annual Budget Ordinance.**

Motion to amend 2006 Annual Budget Ordinance to reflect appropriation of \$50,000, instead of \$25,000, to fund a Champaign County Disparity Study declared out of order by Chair.

Motion to challenge ruling of Chair failed. Chair's ruling stands.

g. Request Approval of Ordinance Authorizing the Issuance of General Sales Tax Alternate Revenue Source Bonds of the County of Champaign, Illinois, for the Purpose of Funding Certain Pension Obligations

**\*RECOMMEND TO THE COUNTY BOARD APPROVAL of Ordinance Authorizing the Issuance of General Sales Tax Alternate Revenue Source Bonds of the County of Champaign, Illinois, for the Purpose of Funding Certain Pension Obligations.**

12. **Chair's Report**

a. Appointment of Negotiating Team for Negotiations with AFSCME for Head Start Bargaining Agreement – Tom Betz, David DeThorne, Mary Hodson, Elizabeth Murphy, and Kathleen Liffick

***\*RECOMMEND TO THE COUNTY BOARD APPROVAL of the Appointment of Tom Betz, David DeThorne, Mary Hodson, Elizabeth Murphy, and Kathleen Liffick as the Negotiating Team for Negotiations with AFSCME for Head Start Bargaining Agreement.***

13. **Other Business**

None.

14. **Designation of Items to be Placed on County Board Consent Agenda**

Items VI A, VI C, VI E, VI F, VII A, VII B, IX B, IX D, X C, XI C, and XII A.

15. **Adjournment**

Meeting adjourned at 9:16 p.m.

*\*Denotes Consent Agenda Item.*

RESOLUTION NO. 5148

RESOLUTION IMPOSING A TAX ON THE  
PRIVILEGE OF TRANSFERRING REAL ESTATE  
AND BENEFICIAL INTEREST IN REAL ESTATE

WHEREAS, the 93<sup>rd</sup> General Assembly of the State of Illinois has amended the "Property Tax Code" and the "Counties Code" pursuant to Public Act 93-657 and Public Act 93-1099; and

WHEREAS, said amendments empower counties, by action of the County Board, to impose a tax upon the privilege of transferring title to real estate as represented by the deed or the transfer of beneficial interest as defined in Section 31-5 of the "Property Tax Code", regardless of whether a document is recorded. Said tax shall be applied at a rate of 25 cents per each \$500.00 of value or fraction thereof stated in the Declaration required by Section 31-25 of the "Property Tax Code"; and

WHEREAS, if the real estate or beneficial interest is transferred subject to a mortgage, the amount of the mortgage remaining outstanding at the time of the transfer shall not be included in the basis of computing the tax; and

WHEREAS, a tax authorized by the "Counties Code", as amended, shall be collected by the County Recorder prior to recording the deed or the transfer of a taxable beneficial interest in real property subject to the tax. All documents exempted in Section 31-45 of the Property Tax Code shall also be exempt from any tax imposed pursuant to this Ordinance. A tax imposed pursuant to this Ordinance shall be in addition to all other occupation and privilege taxes imposed by the State of Illinois or any municipal corporation or political subdivision thereof.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Public Act 93-657 and Public Act 93-1099, that the Champaign County Board hereby imposes a tax upon the privilege of the transfer of beneficial interest in real property, as defined in Section 31-5 of the Property Tax Code, at a rate of 25 cents per each \$500 of Value or fraction thereof as stated in the Declaration required by Section 31-25 of Property Tax Code, regardless of whether a document is recorded, effective immediately. If, however, the transferring document states that the real estate or beneficial interest is transferred subject to a mortgage, then the amount of the mortgage remaining outstanding at the time of transfer shall not be included in the basis of computing the tax; and

BE IT FURTHER RESOLVED that a tax imposed pursuant to this Resolution shall be collected by the County Recorder and paid at the time of recordation or, if a document is not recorded, at the time of presentation of the transfer declaration to the County Recorder, as provided in Section 31-25 of the Property Tax Code. All documents exempted in Sections 31-45 or 31-46 of the Property Tax Code shall also be exempt from any tax imposed pursuant to this Resolution. A tax imposed pursuant to this Resolution shall be in addition to all other occupation and privilege taxes imposed by the State of Illinois or any municipal corporation or political subdivision thereof; and

BE IT FURTHER RESOLVED that the proceeds from such tax shall be deposited in the County General Fund; and

BE IT FURTHER RESOLVED that the tax imposed herein shall be effective on the date of the passage of this Resolution; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be distributed to the County Board, County Recorder, County Treasurer, and Supervisor of Assessments; and

BE IT FURTHER RESOLVED that this Resolution may be amended by the County Board from time to time as it becomes legally necessary; and

BE IT FURTHER RESOLVED that if any part of this Resolution is found to be illegal or unauthorized, the remaining sections of the Resolution shall still be in effect. The tax imposed by the County of Champaign shall be in addition to all other occupation and privilege taxes imposed by the County of Champaign or the State of Illinois; and

BE IT FURTHER RESOLVED that such 25 cents shall not be included within any statutory limitation of rate or amount for other County purposes, but shall be excluded therefrom and be in addition thereto and in excess thereof.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Sheldon, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5149

BUDGET AMENDMENT

November, 2005

FY 2005

WHEREAS, the Finance Committee has approved the following amendment to the 2004-2005 budget.

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board approves the following amendment to the 2004-2005 budget; and

BE IT FURTHER RESOLVED that the County Auditor be authorized and is hereby requested to make the following amendment to the 2004-2005 budget:

Budget Amendment #05-00110

<u>ACCOUNT DESCRIPTION</u>		<u>AMOUNT</u>
Fund 080 General Corporate Dept. 041 State's Attorney		
Increased Appropriations		
533.95 Conference & Training		<u>\$1,220</u>
	Total	<u>\$1,220</u>
Increased Revenue		
335.60 State Reimbursement		<u>\$1,220</u>
	Total	<u>\$1,220</u>

REASON: This revenue neutral amendment reflects reimbursement from the Attorney General's Office of expenses incurred in the attendance of Dan Clifton of the Association of Government Attorneys in Capital Litigation 26<sup>th</sup> Annual Conference in Washington D.C. on July 20-23, 2005.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: 

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Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5150

BUDGET AMENDMENT

November, 2005

FY 2005

WHEREAS, the Finance Committee has approved the following amendment to the 2004-2005 budget.

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board approves the following amendment to the 2004-2005 budget; and

BE IT FURTHER RESOLVED that the County Auditor be authorized and is hereby requested to make the following amendment to the 2004-2005 budget:

Budget Amendment #05-00113

<u>ACCOUNT DESCRIPTION</u>		<u>AMOUNT</u>
Fund 080 General Corporate Dept. 075 General County		
Increased Appropriations		
533.07 Professional Services		\$45,000
	Total	\$45,000
Increased Revenue		
None (From Fund Balance)		\$0
	Total	\$0

REASON: To pay for the Nursing Home Re-Use Study contract.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5151

RESOLUTION DESIGNATING DEPOSITORIES FOR FUNDS

WHEREAS, Daniel J. Welch, County Treasurer of the County of Champaign, State of Illinois, Pursuant to Section 3-11002 of Act 5 or Chapter 55 of the Illinois Compiled Statutes, requests the County Board of the County of Champaign to designate a bank or banks, or other depositories in which the funds and other public monies in his custody may be deposited; and

WHEREAS, the designation of depositories for the keeping of County Funds and other public monies in the custody of the County Treasurer of the County of Champaign is a valid exercise of power and duties of said County Board.

NOW THEREFORE BE IT RESOLVED by the County Board of the County of Champaign, State of Illinois, that the following Financial Institutions are hereby designated as depositories for the County Funds and other public monies in the custody of Daniel J. Welch, County Treasurer of the County of Champaign:

Bank of Rantoul	Rantoul
J.P. Morgan Chase Bank	Champaign
Bank Champaign	Champaign
Main Street Bank & Trust	Champaign
Busey Bank	Urbana
Central Illinois Bank	Champaign
Dewey State Bank	Dewey
First Federal Savings Bank	Champaign
First Mid-Illinois Bank & Trust	Urbana
First Midwest Bank	Champaign
Sidell State Bank	Homer
First National Bank of Ivesdale	Ivesdale
First National Bank of Ogden	Ogden
First Bank of Savoy	Savoy
Fisher National Bank	Fisher
The Gifford State Bank	Gifford
Heartland Bank & Trust Co.	Champaign
Hickory Point Bank & Trust	Champaign
Centrue Bank	Champaign
Longview State Bank	Sidney
National City Bank	Champaign
Peoples State Bank	Mansfield
Philo Exchange Bank	Philo
Strategic Capital Bank	Champaign
U of I Employees Credit Union	Champaign
Regions Bank	Champaign
Illinois Funds C/O U.S. Bank	Springfield

**BE IT FURTHER RESOLVED** that this resolution shall supersede and cancel all previous resolutions relating to the designation of depositories for funds in the custody of the Champaign County Treasurer.

**PRESENTED, ADOPTED, APPROVED and RECORDED** this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

## ORDINANCE NO. 766

### 2006 ANNUAL TAX LEVY ORDINANCE

**WHEREAS**, we the County Board of Champaign County, Illinois, have determined that for County purposes, it will be necessary to levy a tax in the total amount of \$21,905,372 on the real property and railroad property, in Champaign County, Illinois, for raising of monies for the several objects and purposes specified in the 2006 Annual Budget and Appropriation Ordinance,

**NOW, THEREFORE, BE IT ORDAINED** that there is hereby levied a tax in the amount of \$6,281,072 for the County General Corporate purposes;

\$ 109,969 for salaries and operating budget of the Board of Review  
\$ 600,405 for salaries and operating budget of the County Clerk's Office  
\$ 873,138 for salaries and operating budget of the Circuit Court  
\$4,697,560 for salaries and operating budget of the Correctional Center.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax in the amount of \$565,781 for the purpose of purchasing insurance against any loss or liability which may be imposed upon the County, in accordance with 745 ILCS 10/9-107, said \$565,781 is exclusive of and in addition to those sums heretofore levied; and

\$290,781 levied for liability/property insurance/claims reserve  
\$275,000 levied for Worker's Compensation claims reserve.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$1,540,793 as the County Highway Tax, as provided in the Illinois Highway Code, being for the purpose of improving, repairing, maintaining, constructing, and reconstructing highways in this county required to be repaired, maintained, and constructed by the County in accordance with 605 ILCS 5/5-601, said sum raised to be placed in a separate fund known as the County Highway Fund, which \$1,540,793 is exclusive of and in addition to those sums heretofore levied; and

\$1,116,277 levied for Highway Department employee salaries  
\$ 254,873 levied for Highway Department employee fringe benefits  
\$ 100,000 levied for heavy equipment maintenance  
\$ 69,643 levied for road improvements.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$782,756 as provided in the Illinois Highway Code, for the County Bridge Fund for expenditures payable from the County Bridge Fund and for the purpose of constructing and repairing bridges,

culverts, drainage structures or grade separations, including approaches thereto, on public roads in the County, required to be so constructed and repaired by the County under the Illinois Highway Code, in accordance with 605 ILCS 5/5-602, said sum of \$782,756 being exclusive of and in addition to those sums heretofore levied; and

\$782,756 levied for bridges and culverts construction match funds.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$2,883,369 for the purpose of providing community mental health facilities and services in Champaign County, pursuant to an election held November 7, 1972, authorizing a levy of a tax not to exceed 10 percent of the full assessed valuation, and amendments to the Community Mental Health Act, 405 ILCS 20/4, authorizing an increase to the maximum levy of tax not to exceed .15 percent of the full assessed valuation, said sum shall be placed into a special fund in the Champaign County Treasury to be designated as the "Community Mental Health Fund" and shall be used only for the purpose specified in the Illinois Compiled Statutes; said sum of \$2,883,369 is exclusive of and in addition to those sums heretofore levied; and

\$ 245,054 levied for Mental Health Board employee salaries  
\$ 63,356 levied for Mental Health Board employee fringe benefits  
\$2,499,135 levied for Mental Health grants to service providers  
\$ 19,379 levied for professional services  
\$ 18,226 levied for facilities/office rentals  
\$ 17,900 levied for dues and licenses  
\$ 7,006 levied for commodities  
\$ 4,122 levied for capital outlay  
\$ 9,068 levied for conferences and training  
\$ 123 levied for legal notices.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$2,230,500 in accordance with an act entitled Illinois Municipal Retirement Fund Act, as amended, 40 ILCS 5/7-171, and being for the purpose of making county contributions to said Illinois Municipal Retirement Fund as required by law, said \$2,230,500 being exclusive of and in addition to those sums heretofore levied; and

\$2,230,500 levied for General Corporate Employer Retirement Costs.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$1,340,000 for the purpose of participation in the Federal Social Security Insurance Program and Federal Medicare Program, in accordance with 40 ILCS 5/21-110 to 5/21-110.1, said \$1,340,000 is exclusive of and in addition to those sums heretofore levied; and

\$1,340,000 levied for General Corporate Employer Social Security and Medicare.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$5,493, for the purpose of providing funds to pay expenses in the construction and maintenance of highways in the federal aid network or County highway network in accordance with 605 ILCS 5/5-603, and said sum of \$5,493 shall be placed in a separate fund known as the Matching Fund and is exclusive of and in addition to those sums heretofore levied; and

\$5,493 levied for road improvement match funds.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$379,181 for the purpose of the County's share of the Cooperative Extension service programs, in accordance with 505 ILCS 45/8, said \$379,181 is exclusive of and in addition to those sums heretofore levied; and

\$379,181 levied for Cooperative Extension Education Programs.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$733,318 for the purpose of the County Health Fund in accordance with 70 ILCS 905/15 and 55 ILCS 5/5-25010 to 5-25011, said \$733,318 shall be held in a separate fund known as the County Health Fund and is exclusive of and in addition to those sums heretofore levied; and

\$432,062 levied for professional services contract with Champaign-Urbana Public Health District

\$301,256 levied for rebate to the Champaign-Urbana Public Health District.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$788,249 for the purpose of the County Nursing Home Fund in accordance with 55 ILCS 5/5-21001, said \$788,249 shall be held in a separate fund known as the Champaign County Nursing Home Fund, and is exclusive of and in addition to those sums heretofore levied; and

\$575,052 levied for Nursing Home Employer Retirement Costs

\$213,197 levied for Nursing Home Employer Social Security and Medicare.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$1,594,369 for the purpose of paying the principal and interest due on Nursing Home Construction Bonds dated February 26, 2003, issued pursuant to County Board Resolution No. 4644 adopted February 6, 2003, said sum of \$1,594,369 is exclusive of and in addition to those sums heretofore levied; and

\$1,594,369 levied for bond principal/interest payments.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$2,780,491 for the purpose of providing facilities or services for the benefit of residents in Champaign County who are mentally retarded or under a developmental disability and who are not eligible to participate in any such program conducted under Article 14 of the School Code, pursuant to an election held November 2, 2004, authorizing a levy of a tax not to exceed .1 percent of the full assessed valuation, said sum shall be placed into a special fund in the Champaign County Treasury to be designated as the "Fund for Persons With a Developmental Disability" and shall be used only for the purpose specified in 55 ILCS 105; said sum of \$2,780,491 is exclusive of and in addition to those sums heretofore levied; and

- \$2,692,081 levied for grants to service providers
- \$ 53,706 levied for Developmental Disabilities Board employee salaries
- \$ 13,499 levied for Developmental Disabilities Board employee fringe benefits
- \$ 1,494 levied for commodities
- \$ 18,833 levied for services
- \$ 878 levied for capital outlay.

**BE IT FURTHER ORDAINED** that the sums heretofore levied in the total amount of \$21,905,372 be raised by taxation upon property in this County and the County Clerk of Champaign County is hereby ordered to compute and extend upon the proper books of the County Collector for the said year, the sums heretofore levied for so much thereof as will not in the aggregate exceed the limit established by law on the assessed valuation as equalized for the year 2005.

**PRESENTED, PASSED, APPROVED, AND RECORDED** by the County Board of Champaign County, Illinois, on the 17<sup>th</sup> day of November, A.D. 2005 session.

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Barbara Wysocki, Chair  
Champaign County Board

**AYE \_\_\_ NAY \_\_\_ ABSENT**

ATTEST:

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Mark Sheldon, County Clerk & ex-officio  
Clerk of the Champaign County Board

## ORDINANCE NO. 767

### 2006 ANNUAL BUDGET AND APPROPRIATION ORDINANCE

**WHEREAS**, the Finance Committee of the County Board of Champaign County, Illinois, has considered and determined the amounts of monies estimated and deemed necessary expenses to be incurred by and against the County of Champaign, State of Illinois, within and for the fiscal year beginning December 1, 2005 and ending November 30, 2006, and has further proposed County expenditures in the attached recommended Budget; and

**WHEREAS**, pursuant to 55 ILCS 5/6-1002, the attached recommended Budget includes the following:

- a. A statement of the receipts and payments and a statement of the revenues and expenditures of the fiscal year last ended.
- b. A statement of all moneys in the county treasury or in any funds thereof, unexpended at the termination of the fiscal year last ended, of all amounts due or accruing to such county, and of all outstanding obligations or liabilities of the county incurred in any preceding fiscal year.
- c. Estimates of all probably income for the current fiscal year and for the ensuing fiscal year covered by the budget, specifying separately for each of said years the estimated income from taxes, from fees, and from all other sources. The estimated income from fees shall indicate both the estimated total receipts from fees by county fee officers and the estimated net receipts from fees to be paid into the county treasury.
- d. A detailed statement showing estimates of expenditures for the current fiscal year, revised to the date of such estimate, and, separately, the proposed expenditures for the ensuing fiscal year for which the budget is prepared. Said revised estimates and proposed expenditures shall show the amounts for current expenses and capital outlay, shall specify the several objects and purposes of each item of current expenses, and shall include for each of said years all floating indebtedness as of the beginning of the year, the amount of funded debt maturing during the year, the interest accruing on both floating and funded debt, and all charges fixed or imposed upon counties by law.
- e. A schedule of proposed appropriations itemized as provided for proposed expenditures included in the schedule prepared in accordance with the provisions of paragraph (d) hereof, as approved by the county board.

**WHEREAS**, the level of appropriation for each fund and department is defined by the amount as listed with the following exceptions: the legal level of control in all departments (except the Regional Planning Commission) is by category, Personnel and Non-Personnel, for each department or group of departments within the same fund and headed by the same

administrator. Transfers between any line items in the Personnel category and transfers between any line items in the Non-Personnel category, in the same department or group of departments headed by the same administrator within the same fund, may be made by notifying the County Auditor on forms provided by the Auditor. Transfers between the Personnel and Non-Personnel categories, as well as transfers between different funds or departments headed by different administrators may be made only with the approval of a 2/3 vote of the full County Board.

- a. The Regional Planning Commission’s legal level of control on appropriations is defined as follows:
  - i. For departments which account for contracts with Champaign County, the legal level of budgetary control is by category, Personnel and Non-Personnel, within the individual department. Transfers between any line items in the Personnel category and transfers between any line items in the Non-Personnel category, in the same department, may be made by notifying the County Auditor on standardized forms. Transfers between the Personnel and Non-Personnel categories as well as transfers between different funds for departments, may be made only with the approval of a 2/3 vote of the full County Board.
  - ii. For all other departments, the legal level of budgetary control is the individual department’s total budget. Transfers between any line items within the same department may be made by notifying the County Auditor on standardized forms. Transfers between different funds or departments may be made only with the approval of a 2/3 vote of the full County Board.

**NOW, THEREFORE, BE IT ORDAINED** by the Champaign County Board that the attached recommended Budget is hereby adopted as the Annual Budget and Appropriation Ordinance of Champaign County for the fiscal year beginning December 1, 2005 and ending November 30, 2006.

**PRESENTED, PASSED, APPROVED and RECORDED** by the County Board of Champaign County, Illinois, at the recessed September, A.D. 2005 session.

Dated this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

AYE \_\_\_\_ NAY \_\_\_\_ ABSENT \_\_\_\_

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk & ex-officio  
Clerk of the Champaign County Board

ORDINANCE NO. 768

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL SALES TAX ALTERNATE REVENUE SOURCE BONDS OF THE COUNTY OF CHAMPAIGN, ILLINOIS, FOR THE PURPOSE OF FUNDING CERTAIN PENSION OBLIGATIONS**

**PREAMBLES**

**WHEREAS**, The County of Champaign, Illinois (the “**County**”), operates in accordance with the provisions of the Counties Code [Section 5/1-1001 *et seq.* of Chapter 55 of the Illinois Compiled Statutes, as supplemented and amended, including by the Local Government Debt Reform Act (collectively, the “**Act**”)] and is entitled to receive a certain distributive revenue share of proceeds of the Retailers’ Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes (collectively, and subject to any prior lien or pledge, “**General Sales Taxes**”) imposed, collected and distributed pursuant to applicable law; and

**WHEREAS**, the County Board (the “**Corporate Authorities**”) has determined that it is advisable, necessary and in the best interests of the County’s public health, safety and welfare to fund certain pension obligations of the County to the Illinois Municipal Retirement Fund (the “**Program**”); and

**WHEREAS**, the estimated cost of the Program, including necessary interest, engineering, legal, financial, bond discount, printing and publication costs and other expenses preliminary to and in connection with the Program is anticipated not to exceed the sum of \$2,750,000, which is to be paid from proceeds of the hereinafter described alternate Bonds, being general obligation in lieu of revenue bonds as authorized by Section 15 of the Local Government Debt Reform Act, but nevertheless expected to be paid from receipts of General Sales Taxes, rather than by any levy of taxes; and

**WHEREAS**, costs of the Program are expected to be paid from available funds therefor and from proceeds from the sale of alternate Bonds, to be payable from General Sales Taxes and issued pursuant to the Act, this ordinance and one or more ordinances supplemental to this ordinance authorizing and providing for the issuance of such alternate Bonds, prescribing the details of such alternate Bonds and providing for the collection, segregation and distribution of the General Sales Taxes derived by the County in lieu of any levy of general taxes; and

**WHEREAS**, the County has insufficient funds to pay costs of the Program and, therefore, must borrow money and issue alternate Bonds in evidence thereof, at one time or from time to time and in one or more series, up to the aggregate principal amount of \$2,750,000 for such purposes, pursuant to and in accordance with the provisions of the Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF CHAMPAIGN, ILLINOIS, as follows:**

**Section 1. Incorporation of Preambles and Determination to Issue Bonds.**

The Corporate Authorities hereby find that all of the recitals contained in the preambles to this ordinance are true, complete and correct and hereby incorporate them into this Section 1 of this ordinance by this reference thereto. It is necessary and in the best interests of the County to undertake the Program for the public health, safety and welfare, and that for the purpose of financing the Program there are hereby authorized to be issued and sold, at one time or from time to time as the Program funding may proceed in phases, general obligation bonds (General Sales Taxes alternate revenue source) of the County in an aggregate principal amount up to but in any event not to exceed \$2,750,000 (the "Bonds"). The alternate revenue source to pay debt service on the Bonds is receipts of General Sales Taxes.

**Section 2. Publication and Notice.** Within ten (10) days after the adoption of this ordinance by the Corporate Authorities, this ordinance, preceded by the notice hereinafter described, shall be published in *The News Gazette*, the same being a newspaper (as described in the Notice by Publication Act) published in Champaign, Illinois, and of general circulation within the County, and if no petition, signed by not less than the number of electors of the County being equal to the greater of (i) 7.5% of the registered voters within the County or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less, asking that the Program be undertaken and of issuing the alternate Bonds to pay the costs of the Program be submitted to the electors of the County, is filed with the County Clerk within thirty (30) days after the date of the publication of this ordinance, preceded by a notice conforming with the provisions of the Local Government Debt Reform Act, then this ordinance shall be in full force and effect and the Bonds shall be authorized to be issued. If such a petition is filed, an election on the question shall be held as set forth in a form of notice complying with Section 15 of the Local Government Debt Reform Act and not inconsistent with this ordinance, and this ordinance shall not become effective until such question shall have been duly approved by a majority of the votes cast on the question at the election held as set forth in such form of notice. The County Clerk shall have available and provide a form of petition to any person requesting one. The County Clerk shall give notice of the foregoing provisions as set forth in substantially the form of such notice as is presented before the meeting of the Corporate Authorities at which this ordinance is adopted, subject to completion and modification to conform with the Local Government Debt Reform Act.

**Section 3. Additional Ordinances.** If no petition meeting the requirements of applicable law is filed as provided above in Section 2, or if the question is approved as above set forth, then the Corporate Authorities in accordance with and pursuant to the Act may adopt additional ordinances or other proceedings supplemental to or amending this ordinance, at one time or from time to time as the Program may proceed in phases, providing for the issuance and sale of up to but in any event not to exceed the amount of the alternate Bonds set forth above, prescribing the details of such alternate Bonds, and providing for a levy of taxes and the collection, segregation and distribution of the General Sales Taxes for the payment of the alternate Bonds issued. Such additional or supplemental ordinances or other proceedings shall in all instances become effective in accordance with applicable law; and this ordinance, together

with such supplemental and additional ordinances or other proceedings, shall constitute complete authority for the issuance of the alternate Bonds under applicable law.

**Section 4. Severability and Repealer.** If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Upon motion by \_\_\_\_\_, seconded by \_\_\_\_\_, adopted and recorded in the County's records, this \_\_\_\_ day of \_\_\_\_\_, 2005.

AYES (names): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYS (names): \_\_\_\_\_

ABSENT (names): \_\_\_\_\_

Approved: \_\_\_\_\_, 2005:

Attest: \_\_\_\_\_  
County Board Chairman,  
Champaign County, Illinois

\_\_\_\_\_  
County Clerk, as *ex officio* clerk  
to the County Board, Champaign County,  
Illinois

(form of notice)

**NOTICE OF INTENT TO ISSUE BONDS  
AND RIGHT TO FILE PETITION**

Notice is hereby given that pursuant to an authorizing ordinance adopted \_\_\_\_\_, 2005 (the “**Ordinance**”), The County of Champaign, Illinois (the “**County**”), intends to issue its alternate bonds (the “**Bonds**”) at one time or from time to time as funds are needed up to the amount of but in any event not to exceed \$2,750,000 in aggregate principal amount, bearing interest at not to exceed the rate limitation provided by law, for the purpose of paying the costs of funding certain pension obligation to the Illinois Municipal Retirement Fund (the “**Program**”). The Bonds are to be paid from receipts of General Sales Taxes (as defined in the Ordinance) as the alternate revenue source, and not from any levy of general taxes.

In addition, notice is hereby given that if a petition signed by not less than \_\_\_\_\_ electors of the County [being equal to the greater of (i) 7.5% of the registered voters in the County or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less], requesting that the question of the issuance of the Bonds for the Program be submitted to the County Clerk within thirty (30) days of the date of publication hereof and of the above Ordinance, the question of the issuance of such Bonds for the Program shall be submitted to the electors of the County at the general primary election to be held on March 21, 2006, if such question can be and is presented at such election, and otherwise at the next election at which such question could be presented under the general election laws. A form of petition is available to any person requesting one in the County Clerk’s office.

/s/Mark Shelden \_\_\_\_\_  
County Clerk, Champaign County,  
Illinois

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**Note to publisher: The full text of the ordinance is to follow the above notice. Please check with Deb Busey ((217) 384-3776) as to any blanks in the notice or ordinance.** Send your publication statement to The County of Champaign, 1776 East Washington Street, Urbana, Illinois 61801 Attention: County Administrator, and send two certificates of publication to Evans, Froehlich & Beth, 44 Main Street, Third Floor, Champaign, Illinois, 61820.

To: County Clerk, The County of Champaign, Illinois.

**PETITION**

In accordance with and pursuant to Section 2 of an authorizing ordinance of The County of Champaign, Illinois (the "County"), adopted \_\_\_\_\_, 2005, and entitled:

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL SALES TAX ALTERNATE REVENUE SOURCE BONDS OF THE COUNTY OF CHAMPAIGN, ILLINOIS, FOR THE PURPOSE OF FUNDING CERTAIN PENSION OBLIGATIONS,**

each of the undersigned hereby certifies, as applicable to each, that each is an elector (a registered voter) of the County, and hereby petitions and asks that the question of issuing alternate bonds, payable from General Sales Taxes (as defined in the above ordinance) as the alternate revenue source, to pay the costs of certain pension obligations of the County to the Illinois Municipal Retirement Fund, as set forth in the above ordinance, be submitted to the electors of the County at the general primary election to be held on March 21, 2006, if such question can be and is presented at such election, and otherwise at the next election at which such question could be presented under the general election laws.

<u>Print Name</u>	<u>Address</u>	<u>City/Village/Town</u> <u>Illinois</u>	<u>Signature</u>
1. _____	_____	_____, IL	_____
2. _____	_____	_____, IL	_____
3. _____	_____	_____, IL	_____
4. _____	_____	_____, IL	_____
5. _____	_____	_____, IL	_____
6. _____	_____	_____, IL	_____
7. _____	_____	_____, IL	_____
8. _____	_____	_____, IL	_____
9. _____	_____	_____, IL	_____
10. _____	_____	_____, IL	_____

**Statement:** I, \_\_\_\_\_ [Name], of \_\_\_\_\_ [Address], of \_\_\_\_\_, Illinois, hereby state that I am now, and was at all times I circulated this petition, over 18 years of age and a registered voter of The County of Champaign, Illinois, that the above signatures on this sheet were signed in my presence in The County of Champaign, Illinois, and are genuine, and to the best of my knowledge and belief each of the persons so signing were at the time of signing registered voters of The County of Champaign, Illinois, and their addresses are correctly stated.

\_\_\_\_\_  
Signature

State of Illinois ) The above Statement was subscribed and sworn to  
) before me this \_\_\_\_ day of \_\_\_\_\_, 2005.  
County of Champaign )

\_\_\_\_\_  
Notary Public

(SEAL)  
My Commission Expires: \_\_\_\_\_

Sheet No. \_\_\_\_ of \_\_\_\_

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF CHAMPAIGN    )

**CERTIFICATION OF ORDINANCE**

I, the undersigned, do hereby certify that I am the duly elected, qualified and acting County Clerk of The County of Champaign, Illinois (the “County”), and as such official I am the keeper of the records and files of the County and of the County Board (the “Corporate Authorities”).

I do further certify that the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the \_\_\_\_ day of \_\_\_\_\_, 2005, insofar as same relates to the adoption of an authorizing ordinance numbered and entitled:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL SALES TAX ALTERNATE REVENUE SOURCE BONDS OF THE COUNTY OF CHAMPAIGN, ILLINOIS, FOR THE PURPOSE OF FUNDING CERTAIN PENSION OBLIGATIONS,**

a true, correct and complete copy of which ordinance (the “Preliminary Ordinance”) as adopted at such meeting appears in the transcript of the minutes of such meeting and is hereto attached. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify that the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the matter and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that the meeting agenda was duly posted at the County Administrative Building at least 48 hours before the meeting, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the open meeting laws of the State of Illinois, as amended, and the Counties Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such open meeting laws and such Code and their procedural rules in the adoption of such ordinance. \_\_\_\_\_ petition has been received as mentioned in Section 2 of such Preliminary Ordinance, a form thereof being at all relevant times available therefor in the County Clerk’s office.

**IN WITNESS WHEREOF**, I hereunto affix my official signature and the seal of The County of Champaign, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 200\_.

(SEAL)

\_\_\_\_\_  
County Clerk

Notice Form

The County Board of The County of Champaign will hold a public hearing on November 17, 2005 at 6:45 p.m. The hearing will be held in the County Board's meeting room in the Brooken's Administrative Center, 1776 East Washington Street, in Urbana, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds in the amount of up to \$2,750,000 for the purpose of funding certain pension obligations to the Illinois Municipal Retirement Fund, and related costs.

By: /s/Mark Shelden\_\_\_\_\_

Title: County Clerk

Note to Publisher: The above notice is to be published one time at least 7 days before the hearing, but not prior to 30 days before the hearing. **The publication may be in the "legals" or "classified" section of the paper. NO SPECIAL BORDER IS REQUIRED FOR THIS PUBLICATION. DO NOT USE ANY SPECIAL BORDER.** Please send your statement to:

The County of Champaign  
Brookens Administrative Center  
1776 East Washington Street  
Urbana, Illinois 61801  
Attn: County Administrator

and send two publication certificates (and text) to Evans, Froehlich, Beth & Chamley, 44 E. Main Street, Suite 310, Champaign, Illinois 61820-3649.

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**PUBLISHER: DO NOT PRINT THE FOLLOWING:**

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**County Board Chairman's Approval and Order Setting Public Hearing:**

**The undersigned, County Board Chairman of the above County hereby approves and orders the setting of the above Bond Issue Notification Act hearing.**

**Date: November 10, 2005**

\_\_\_\_\_  
**County Board Chairman**

When signed by the County Board Chairman, please fax back to Evans, Froehlich, Beth & Chamley at 217/359-6468 and file with the County Clerk.

RESOLUTION NO. 5152

PAYMENT OF CLAIMS AUTHORIZATION

November, 2005

FY 2005

WHEREAS, the County Auditor has examined the Expenditure Approval List of claims against the County of Champaign totaling \$4,615,363.11 including warrants 357566 through 358580; and

WHEREAS, the claims included on the list were paid in accordance with Resolution No. 1743; and

WHEREAS, claims against the Mental Health Fund do not require County Board approval and are presented for information only; and

WHEREAS, the County Auditor has recommended the payment of all claims on the Expenditure Approval List; and

WHEREAS, the County Board finds all claims on the Expenditure Approval List to be due and payable.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that payment of the claims totaling \$4,615,363.11 including warrants 357566 through 358580 is approved.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Sheldon, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5153

PURCHASES NOT FOLLOWING PURCHASING POLICY

November, 2005

FY 2005

WHEREAS, purchases by Champaign County offices and departments sometimes occur that are not in compliance with the Champaign County Purchasing Policy; and

WHEREAS, the Champaign County Auditor must present those purchases to the Champaign County Board for approval of payment.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that the purchases not following purchasing policy as presented by the Champaign County Auditor on November 17, 2005 are hereby approved for payment.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5154

**RESOLUTION AUTHORIZING A LOAN FROM THE GENERAL CORPORATE  
FUND TO THE NURSING HOME FUND**

**WHEREAS**, the Nursing Home will need a loan of up to \$400,000.00 for a period not to exceed one year to cover cash flow needs until the new Nursing Home facility is operational; and

**WHEREAS**, the General Corporate Fund has adequate reserves to make this loan; and

**WHEREAS**, the tax levy for the General Corporate fund is \$6,281,072.00 and there are no outstanding tax anticipation warrants or notes.

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to 55 ILCS 5/5-1006.5, 55 ILCS 5/5-1016, 55 ILCS 5/3-10014, and the authority recognized in Gates V. Sweiter, 347 Ill. 353, 179 NE 837 (1932), the Champaign County Board approves a loan of \$400,000.00 from the General Corporate Fund to the Nursing Home for a period not to exceed one year; and

**BE IT FURTHER RESOLVED** that the County Auditor and County Treasurer are hereby authorized and requested to advance the above sum and to repay this advance within one year from the Nursing Home.

**PRESENTED, ADOPTED, APPROVED AND RECORDED** this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

Attest: \_\_\_\_\_  
Mark Shelden, County Clerk and ex-officio  
Clerk of the County Board

ORDINANCE NO. 769

**AMENDING ORDINANCE NO. 255,  
ORDINANCE ESTABLISHING AN  
ENTERPRISE ZONE**

**WHEREAS**, on December 17, 1985, the County Board of Champaign County adopted Ordinance No. 255, entitled "An Ordinance Establishing an Enterprise zone;" and,

**WHEREAS**, the County Board now finds it necessary and desirable to amend the terms of the Ordinance pursuant to Section 5.4 of the *Illinois Enterprise Zone Act*; and,

**WHEREAS**, a public hearing on proposed additions to the Enterprise Zone was held on November 15, 2005 at a location within the boundaries of the Enterprise Zone for which notice had been published on October 31, 2005 in the *Champaign-Urbana News-Gazette*, a newspaper of general circulation within the certified Enterprise Zone and Champaign County;

**NOW THEREFORE, BE IT ORDAINED** by the Champaign County Board, Champaign County, Illinois as follows:

1. That Section 1 of the Ordinance entitled "Designation and Description of Zone Area; Term" be amended to alter the boundaries of the Zone by adding the following contiguous territory;

LEGAL DESCRIPTION  
TRACT 1

The North 30 acres of the Northeast Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 8 East of the Third Principal Meridian, in Champaign County, Illinois, except those portions conveyed for Interstate Highway 72 and other Highway purposes.

Said Tract 1 being more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 8 East of the Third Principal Meridian, Champaign County, Illinois; thence proceed South 00° 00' 14" East along the East line of said Southeast Quarter, 264.14 feet; thence South 89° 59' 46" West, 119.20 feet to the intersection of the Southerly Right-of-Way line of Interstate 72 and the Westerly Right-of-Way line of Staley Road as monumented and occupied by the State of Illinois for the True Point of Beginning; thence South 08° 23' 56" East along said Westerly Right-of-Way line 546.33 feet; thence South 00° 27' 25" West along said Westerly Right-of-Way line, 186.75 feet to the South line of the North 30 acres of the Northeast Quarter of the Southeast Quarter of said Section 8; thence North 89° 15' 36" West along said South line of the North 30 acres, 1276.15 feet to the West line of the Northeast Quarter of the Southeast Quarter of said Section 8; thence North 00° 03' 40" West along said West line of the Northeast Quarter of the Southeast Quarter, 791.08 feet to the Southerly Right-of-Way line of Interstate 72; thence South 83° 42' 57" East along said Southerly Right-of-Way line, 72.17 feet; thence continue along said Southerly Right-of-Way line on the arc of a curve, concave to the North, having a radius of 12397.67 feet, a chord bearing of South 86° 12' 57" East, an arc length of 1081.90 feet,

and a chord length of 1081.56 feet; thence continue along said Southerly Right-of-Way line South 88° 42' 57" East, 47.66 feet to the True Point of Beginning , encompassing 21.436 acres, more or less.

LEGAL DESCRIPTION  
TRACT 2

Beginning at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 8, Township 19 North of the Base Line, Range 8 East of the Third Principal Meridian, thence South 00 degrees 26.4 minutes East (S00°24.6'E) a distance of 4.29 feet on the east line of said SE¼ SE¼, thence S89°33.6'W 48.24 feet to a true point of beginning; thence southerly 237.62 feet on a circular curve bearing to the east with a radius of 16,090 feet and a chord bearing S00°01.0'E on the west line of the right of way of County Highway No. 57, thence S00°26.4E 88.34 feet on said west line, thence N89°44.4'W 608.20 feet, thence N00°28.5'W 330.85 feet on the east line of Stahly Subdivision, the plat of which is filed on page 73 of Plat Book 'AA' in the office of the Champaign County Recorder, thence N89°44.4'W 658.49 feet on the north line of said SE¼ SE¼, thence N00°30.3'W 331.18 feet on the West line of the Northeast Quarter of the Southeast Quarter of said Sec., thence S89°43.9'E 1275.64 feet on the North Line of the South Half of the South Half of said NE¼ SE¼, thence southerly 171.96 feet on said west line of R.O.W. on a circular curve bearing to the west with a radius of 16,010 feet and a chord bearing of S00°40.8'W, thence southerly 23.87 feet on said west line of R.O.W. on a circular curve bearing to the east with a radius of 16,090 feet and a chord bearing of S00°56.8'W, thence S 89°33.6'W 144.06 feet, thence S00°26.4'E 140.00 feet, and thence N89°33.6'E 141.39 feet to the true point of beginning; encompassing 13.834 acres, situated in Champaign County, Illinois.

LEGAL DESCRIPTION  
TRACT 3

Commencing at the Southeast corner of the Southeast Quarter of Section 8, Township 19 North, Range 8 East of the Third Principal Meridian; thence North 00 degrees 26 minutes 23 seconds West along the East line of the Southeast Quarter of Said Section 8, 1320.16 feet for a true place of beginning; thence South 89 degrees 33 minutes 37 seconds West, 189.46 feet; thence North 00 degrees 26 minutes 23 seconds West parallel with the East line of the Southeast Quarter of Said Section 8, 140.00 feet; thence North 89 degrees 33 minutes 37 seconds east, 189.46 feet to the East line of the Southeast Quarter of said section 8, thence South 00 degrees 26 minutes 23 seconds East along the East line of the Southeast Quarter of said Section 8, 140.00 feet to the place of beginning, situated in Champaign County, Illinois.

LEGAL DESCRIPTION  
TRACT 4

The South one-half of the North 10 acres of the East one-half of the Southeast Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 8 East of the Third Principal Meridian, in Champaign County, Illinois, EXCEPTING THEREFROM the following described property:

Part of the Southeast Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 8 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows: Beginning at a point on the East line of Section 8, Township 19 North, Range 8 East of the Third Principal Meridian, 664.11 feet North of the Southeast corner of said Section 8, said point being the Southeast corner of the South one-half of the North 10 acres of the East one-half of the Southeast Quarter of the Southeast Quarter of Section 8, and said point lying 10 feet East of Station 206+64 of the surveyed

centerline of County Highway 57 as recorded in Plat Book "X", Page 287, in the office of the Recorder, Champaign County; thence Westerly along the South line of said South one-half of the North 10 acres, 50 feet to a point lying 40 feet West of said Section 206+64; thence Northerly along a line parallel to and 40 feet West of the centerline of County Highway 57 to a point on the North line of said South one-half of the North 10 acres, said point lying 40 feet West of Station 209+93.07; thence Easterly 50 feet to a point on the East line of Section 8, 10 feet East of said Station 209+93.07; thence Southerly along the East line of said Section 8, to the point of beginning.

LEGAL DESCRIPTION  
TRACT 5

The South Five (5) acres of the North Fifteen (15) acres of the East Half of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section Eight (8) in Township Nineteen (19) North, Range Eight (8) East of the Third Principal Meridian, in Champaign County, Illinois, EXCEPTING that part conveyed to the State of Illinois for roadway right-of-way.

LEGAL DESCRIPTION  
TRACT 6

The South five acres of the East Half of the Southeast Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 8 East of the Third Principal Meridian in Champaign County, Illinois, EXCEPTING THEREFROM the following described tracts:

That part conveyed to the County of Champaign by Warranty Deed recorded January 30, 1975 in Book 1046 at Page 702 as Document No. 75R 1455;

That part conveyed to the State of Illinois, Department of Transportation, by Warranty Deed recorded October 28, 1982 in Book 1304 at Page 239 as Document No. 82R 14495;

That part conveyed to the State of Illinois, Department of Transportation, by Warranty Deed recorded December 14, 2001 as Document No. 2001R 36793.

2. That this Ordinance shall not become effective until the proposed amendment is approved by the Illinois Department of Commerce and Economic Opportunity and the Department issues an amended certificate for the Enterprise Zone established by the Ordinance pursuant to the Act, in which event this amending ordinance shall become effective on the first day of the calendar month following the date in which the amended certificate, together with the Ordinance as hereby amended, shall be filed, recorded, and transmitted as provided in Section 5.3 of the *Illinois Enterprise Zone Act*.
3. That is any section, paragraph or provision or this Ordinance is held to be invalid or unenforceable, such invalidity of unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance, or any other County Ordinance.
4. That provisions of this Ordinance shall take precedence and be interpreted as superceding any other Ordinance in conflict with the provisions of this Ordinance.

**I, MARK SHELDEN**, duly elected, qualified and acting County Clerk of Champaign County, Illinois and keeper of the records thereof, do hereby certify the foregoing is a true and correct copy of the original **ORDINANCE AMENDING ORDINANCE NO. 255, ORDINANCE ESTABLISHING AN ENTERPRISE ZONE.**

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my seal this \_\_\_\_\_ date of \_\_\_\_\_, A.D. 2005.

\_\_\_\_\_  
Champaign County Clerk

\_\_\_\_\_  
Deputy County Clerk

**ORDINANCE NO. 770  
ORDINANCE AMENDING ZONING ORDINANCE  
RECLASSIFYING CERTAIN PROPERTY**

**519-AM-05**

WHEREAS, the Champaign County Zoning Board of Appeals held a public hearing, made a formal recommendation for approval, and forwarded to this Board Zoning Case Number 519-AM-05;

WHEREAS, the Champaign County Board believes it is for the best interests of the County and for the public good and welfare to amend the Champaign County Zoning Ordinance in a manner hereinafter provided;

NOW, THEREFORE, BE IT ORDAINED, by the Champaign County Board, Champaign County, Illinois, as follows:

1. That Resolution No. 971, *The Zoning Ordinance of the County of Champaign, Illinois*, be amended by reclassifying from AG-2 Agriculture to I-1 Light Industry the following described real estate:

Part A. Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 8 East of the Third Principal Meridian, Champaign County, Illinois; thence proceed South 00° 00' 14" East along the East line of said Southeast Quarter, 264.14 feet; thence South 89° 59' 46" West, 119.20 feet to the intersection of the Southerly Right-of-Way line of Interstate 72 and the Westerly Right-of-Way line of Staley Road as monumented and occupied by the State of Illinois for the True Point of Beginning; thence South 08° 23' 56" East along said Westerly Right-of-Way line 546.33 feet; thence South 00° 27' 25" West along said Westerly Right-of-Way line, 186.75 feet to the South line of the North 30 acres of the Northeast Quarter of the Southeast Quarter of said Section 8; thence North 89° 15' 36" West along said South line of the North 30 acres, 1276.15 feet to the West line of the Northeast Quarter of the Southeast Quarter of Section 8; thence North 00° 03' 40" West along said West line of the Northeast Quarter of the Southeast Quarter, 791.08 feet to the Southerly Right-of-Way line of Interstate 72; thence South 83° 42' 57" East along said Southerly Right-of-Way line, 72.17 feet; thence continue along said Southerly Right-of-Way line on the arc of a curve, concave to the North, having a radius of 12397.67 feet, a chord bearing of South 86° 12' 57" East, an arc length of 1081.90 feet, and a chord length of 1081.56 feet; thence continue along said Southerly Right-of-Way line South 88° 42' 57" East, 47.66 feet to the True Point of Beginning, encompassing 21.436 acres, more or less.

Part B. Lot 3 of the James W. Townley Subdivision.

2. By changing the boundary lines of the Zoning Map in accordance with the provisions hereof.

PRESENTED, PASSED, APPROVED AND RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

SIGNED:

ATTEST:

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Barbara Wysocki, Chair  
Champaign County Board

Mark Shelden, County Clerk &  
*ex officio* Clerk of the County Board

RESOLUTION NO. 771

RESOLUTION ESTABLISHING REGIONAL POLLUTION CONTROL  
FACILITY SITING PROCEDURES

WHEREAS, as of August 15, 2005, An Act Relating to the Location of Sanitary Landfills and Hazardous Waste Disposal Sites, otherwise know as Public Act 94-591, became effective; and,

WHEREAS, Public Act 94-591 has been codified into Section 39.2 of the Illinois Environmental Protection Act (415 ILCS 5/39.2) and requires that the County Board of the County approve or disapprove the request for local siting approval for each regional pollution control facility which is subject to such review; and,

WHEREAS, said Act prohibits the Illinois Environmental Protection Agency from issuing permits for the development or construction of new regional pollution control facilities unless the applicant submits proof to the Agency that the location of said facility has been approved by the County Board of the County in which the proposed site is located; and,

WHEREAS, said Act requires an applicant to file its request for location approval with the County Board; and,

WHEREAS, the Act provides that the county board, in granting approval for a site, may impose such conditions as may be reasonable and necessary to satisfy the criteria contained in the Act so long as conditions imposed by the County Board are not inconsistent with regulations promulgated by the Illinois Pollution Control Board; and,

WHEREAS, in order to protect the public interest of the citizens of Champaign County and to promote the orderly conduct of the hearing process and to insure that full and complete information is made available to the Champaign County Board, it is necessary that procedures be established for conducting the public hearings and for making decisions regarding site approval requests for Regional Pollution Control Facilities proposed to be located in unincorporated areas of Champaign County.

NOW, THEREFORE BE IT RESOLVED by the Champaign County Board, Champaign County, as follows:

1. That Resolution No. 2122, Resolution for Creation of a Champaign County Regional Pollution Control Hearing Committee and Procedure for Hearing Site Approval Requests for New Regional Pollution Control Facilities in Unincorporated Areas of Champaign County, Illinois, as amended, and Resolution No. 3096, Resolution Establishing Regional Pollution Control Facility Siting Procedures, are repealed.
2. That the following Regional Pollution Control Facility Siting Procedures be adopted.

**CHAMPAIGN COUNTY REGIONAL POLLUTION CONTROL  
FACILITY SITING PROCEDURES**

**SECTION ONE: COUNTY BOARD APPROVAL REQUIRED**

A. No Regional Pollution Control Facility located in whole or in part in any unincorporated area of Champaign County shall be constructed or operated without the approval of the County Board (hereinafter, "Board") of Champaign County (hereinafter, "County").

B. The County Board shall approve, deny or approve subject to conditions, Regional Pollution Control Facilities only upon making findings of fact with respect to all of the criteria established by Section 39.2(a) of the Illinois Environmental Protection Act (415 ILCS 5/39.2) which are incorporated herein and attached as an appendix and only in conformance to the procedures and requirements set forth herein.

**SECTION TWO: DEFINITIONS**

The following words and phrases, when used in this Article, shall have the meanings respectively ascribed to them.

"Act" means the Illinois Environmental Protection Act (415 ILCS 5/3.01 *et seq.*)

"Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any waste or hazardous waste into or on any land or water or building or into any well so that such waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any water, including groundwaters (415 ILCS 5/3.185).

"Garbage" is waste resulting from the handling, processing, preparation, cooking, and consumption of food, and wastes from the handling, processing, storage and sale of produce (415 ILCS 5/3.200).

"Hazardous waste" means a waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed, and which has been identified, by characteristics or listing, as hazardous pursuant to Section 3001 of the Resource conservation and Recovery Act of 1976, or pursuant to Illinois Pollution Control Board regulations. (415 ILCS 5/3.225).

"Industrial process waste" means liquid, solid, semi-solid, or gaseous waste generated as a direct or indirect result of the manufacture of a product or the performance of a service. Any such waste which would pose a present or potential threat to human health or to the environment or with inherent properties which make the disposal of such waste in a landfill difficult to manage by

normal means is an industrial process waste. Industrial process waste includes but is not limited to spent pickling liquors, cutting oils, chemical catalysts, distillation bottoms, etching acids, equipment cleanings, paint sludges, incinerator ashes, core sands, metallic dust sweepings, asbestos dust, hospital pathological wastes and off-specification, contaminated or recalled wholesale or retail products. Specifically excluded are uncontaminated packaging materials, uncontaminated machinery components, general household waste, landscape waste and construction or demolition debris. (415 ILCS 5/3.235).

"Party" means any person, including the applicant and the County, who complies with the pre-hearing filing requirements set forth in Section 6(B) and who may be affected by the siting of the facility.

"Pollution control waste" means any liquid, solid, semi-solid or gaseous waste generated as a direct or indirect result of the removal of contaminants from air, water or land, and which pose a present or potential threat to human health or to the environment or with inherent properties which make the disposal of such waste in a landfill difficult to manage by normal means.

Pollution control waste includes but is not limited to water and wastewater treatment plant sludges, bag house dusts, landfill waste, scrubber sludges, chemical spill cleanings (415 ILCS 5/3.535).

"Regional pollution control facility" is any waste storage site, sanitary landfill, waste disposal site, waste transfer station, resource recovery facility, waste treatment facility or waste incinerator that accepts waste from or that serves an area that exceeds or extends over the boundaries of any local general purpose unit of government. This includes sewers, sewage treatment plants, and any other facilities owned or operated by sanitary districts organized under "An Act to create sanitary districts and to remove obstructions in the Des Plaines and Illinois Rivers," approved May 29, 1989, as now or hereafter amended. The following are not regional pollution control facilities:

- (1) Sites or facilities located within the boundary of a local general purpose unit of government and intended to serve only that entity;
- (2) Waste storage sites regulated under 40 CFR, Part 761.42;
- (3) Sites or facilities used by any person conducting a waste storage, waste treatment, waste disposal, waste transfer or waste incineration operation, or a combination thereof, for wastes generated by such person's own activities, when such wastes are stored, treated, disposed of, transferred or incinerated within the site or facility owned, controlled or operated by such person, or when such wastes are transported within or between sites or facilities owned, controlled or operated by such person;
- (4) Sites or facilities at which the State is performing removal or remedial action pursuant to Section 22.2 or 55.3 of the Act;
- (5) abandoned quarries used solely for the disposal of concrete, earth materials, gravel, or aggregate debris resulting from road construction activities conducted by a unit of government or

construction activities due to the construction and installation of underground pipes, lines, conduit or wires off of the premises of a public utility company which are conducted by a public utility;

(6) sites or facilities used by any person to specifically conduct a landscape composting operation;

(7) regional facilities as defined in the Central Midwest Interstate Low-Level Radioactive Waste Compact;

(8) the portion of a site or facility where coal combustion wastes are stored or disposed of in accordance with subdivision (s)(2) or (s)(3) of Section 21 of the Act; or (9) the portion of a site or facility used for the collection, storage or processing of waste tires as defined in Title XIV of the Act.

A new regional pollution control facility is:

(1) a regional pollution control facility initially permitted for development or construction after July 1, 1981; or

(2) the area of expansion beyond the boundary of a currently permitted regional pollution control facility; or

(3) a permitted regional pollution control facility requesting approval to store, dispose of, transfer or incinerate, for the first time, any special or hazardous waste (415 ILCS 5/3.330b).

"Resource recovery" means the recovery of material or energy from waste ( 415 ILCS 5/3.435).

"Resource recovery facility" means a facility required to be permitted by the Illinois Environmental Protection Agency and capable of the recovery of material or energy from waste.

"Sanitary landfill" means a facility permitted by the Agency for the disposal of waste on land meeting the requirements of the Resource Conservation and Recovery Act (P.L. 94-580), and regulations there under, and without creating nuisances or hazards to public health or safety, by confining the refuse to the smallest practical volume and covering it with a layer of earth at the conclusion of each day's operation, or by such other methods as the Illinois Pollution Control Board may provide by regulation (415 ILCS 5/3.425).

"Special waste" means any industrial process waste, pollution control waste or hazardous waste except as maybe determined pursuant to Section 22.9of the Act. (415 ILCS 5/22.9).

"Storage" when used in connection with hazardous waste, means the containment of hazardous waste, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal of such hazardous waste (415 ILCS 5/22.4).

"Waste" means any garbage, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility or other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations and from community activities, but does not include solid or dissolved material in domestic sewage or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Section 402 of the Federal Waste Pollution Control Act, or source, special nuclear, or by product materials as defined by the Atomic Energy Act of 1954, as amended, or any solid or dissolved material from any facility subject to the Federal Surface Mining Control and Reclamation Act of 1977 (P.L. 95-870) or the rules and regulations thereunder or any law or rule or regulation adopted by the State of Illinois pursuant thereto (225 ILCS 715/1 *et seq.*).

"Waste transfer station" means a facility or process required to be permitted by the Illinois Environmental Protection Agency that is so designed and operated so as to only transfer waste from vehicle to vehicle without any material or energy recovery or other processing of waste, exclusive of compacting or baling.

### **SECTION THREE: APPLICATION**

#### **3.1 Procedure**

(A) The original and a minimum of five complete copies of requests for site location approval, including six copies of all site plans, exhibits, and maps, along with the filing fee required in section 3.3 shall be submitted to the office of the County Clerk. Upon receipt of any such application for site location approval, the County Clerk shall date stamp the same and immediately deliver one (1) copy of the application for site location approval to the Chair of the County Board, the County Administrators, the Office of the State's Attorney, and the Director of the Department of Planning and Zoning. Within ten working days of the date of submission of the application to the County Clerk's office, the County Administrators, the County Clerk, the State's Attorney, and the Director of the Department of Planning and Zoning shall meet to determine whether the application is complete. If the application is determined not to be complete, the County Administrator shall notify the application in writing of the deficiencies in the application.

(B) No application for site location approval shall be deemed to have been completed and accepted for filing unless all of the requirements of this Section applicable thereto shall have been met, and the County Clerk shall not give a receipt or other indication of filing until such time as it is determined that the application is complete and complies with all the requirements of this Section. Within 15 working days after receipt of an application, the County Administrator shall advise the applicant either that the application is complete; or that the application is not complete, specifying wherein it is deficient.

(C) The time period designated in Section 39.2 of the Act shall not commence until the applicant has been informed that the application for site location approval is complete and the applicant shall have submitted 35 additional copies of the completed application to the office of the County Clerk. Upon receipt of the additional 35 copies of the application the County Clerk shall

provide the applicant with a receipt and certification that the application has been accepted for filing designating the date of filing.

(D) The acceptance of the application by the County Clerk is a pro forma acceptance. The applicant solely is responsible for providing sufficient technical information to meet their burden of proving the criteria cited in Section 39.2(a) of the Act (415 ILCS 5/39.2a).

(E) In order to give members of the public an opportunity to make informed written comment and to give the parties an opportunity to prepare adequately and fairly for the public hearing hereinafter described, any information not included in the completed application shall be inadmissible at said public hearing unless allowed by the hearing officer pursuant to Section 6 herein.

(F) A copy of the completed application for site location approval shall be made available for public inspection in the County Board Office, the Department of Planning and Zoning, the Champaign and Urbana public libraries, and the local public library located closest to the proposed site. Members of the public shall be allowed to obtain a copy of the completed application for site location approval or any part thereof upon payment of the actual cost of reproduction.

### **3.2 Submittal Requirements**

(A) Applications for site location approval shall be of the form as provided by the County Administrator and shall include the following:

1. A written petition on 8 1/2" x 11" paper which sets forth:
  - (a) The identification of:
    - (i) The site owner, and if the proposed site is owned in a land trust, each beneficiary of such land trust by name and address, and his or her defined interests therein;
    - (ii) The site operator;
    - (iii) The entity including all engineering, legal and other consultants Responsible for preparing the application;
  - (b) The legal description of the proposed site and a street address or some other reasonable description of where the proposed site is located;
  - (c) A description of the proposed facility, its operation and its expected period of operation and its expected period of operation;
  - (d) The area to be served by the proposed facility and a statement of the needs of such area for such a facility;
  - (e) A list of the existing regional pollution control facilities located within or

serving or capable of serving the same need to the area proposed to be served and, with respect to each such facility, the following information shall be provided: location, size, owner and/or operator, type of pollution control facility, remaining capacity, probable life of the proposed facility, and types of wastes received;

(f) The expected types and quantities of hazardous, non-hazardous and special waste amounts accepted intentionally or potentially present unintentionally in the facility, the methods of treatment or storage of all wastes proposed for the regional pollution control facility, the origin of these wastes and the applicant's plan to preclude acceptance of unauthorized wastes;

(g) In the case of a sanitary landfill, a description of the geologic and hydrogeologic character of the site including background analyses for groundwater, surface water and air;

(h) Reasons supporting approval of the application based on the nine criteria established by Section 39.2(a) of the Act (415 ILCS 5/39.2(a)) as may be amended from time to time;

(i) A prayer for site approval; and

(j) Certification that no less than 14 days prior to a request for site location approval, the applicant caused written notice either in person or by registered mail, return receipt requested, to be served on the owners of all property within the subject area not solely owned by the applicant; the owners of all property within 250 feet in each direction of the lot line of the subject property, said owners being such persons or entities which appear from the authentic tax records of the County in which said facility is to be located, provided that the number of all feet occupied by all private roads, streets, alleys and other public ways shall be excluded in computing the 250 feet requirement, and further provided that in no event shall this requirement exceed 400 feet, including public streets, alleys and other public ways; and members of the General Assembly from the legislative district in which the proposed facility is to be located. In addition, certification that no less than 14 days prior to a request for site location approval the applicant caused notice to be published in a newspaper of general circulation published in Champaign County. Such notice shall be made in accordance with Section 39.2(b) of the Act (415 ILCS 5/39.2b) and shall state the name and address of the applicant, the location of the proposed site, the nature and size of the development, nature of the activity proposed, the probable life of the proposed activity, the date when the request for site approval will be submitted, and a description of the right of persons to comment on such a request as hereafter provided.

2. The permit application made to the Illinois Environment Protection Agency, if any such application has been made, and any correspondence with the Agency relating thereto.

3. A site plan or plans drawn at a scale sufficient to show all details of the proposed regional pollution control facility including but not limited to:

- (a) fences, easements, utilities, railroad spurs, building and other structures;
- (b) roads, entrances, parking areas, and driveways;
- (c) planned landscaping and screening; and
- (d) in the case of a sanitary landfill:
  - (i) cross sections;
  - (ii) all existing wells within five hundred (500) feet of the site;
  - (iii) all monitoring wells, both existing and planned;
  - (iv) core sample locations on and within two hundred(200) feet of the site.

4. A detailed topographic survey at a contour interval of no more than two feet and the boundary of any Special Flood Hazard Area located on the subject site and the surrounding area within 500 feet of the site.

5. A depiction of the surface and subsurface drainage characteristics of the site and surrounding area, including the boundary of the watershed tributary to the site, delimitation of subwatersheds within the site, location an description of all known drainage tiles, a description of the efforts made to locate drainage tiles and a description of the drainage away from the site to the nearest perennial stream receiving runoff from the subject area and a description of the normal flow and seasonal fluctuations in such receiving stream.

6. A statement of the plan of operation for the proposed facility, including, but not limited to, the following:

- (a) Method of landfilling, incineration, resource recovery or other process including flow diagrams depicting waste flow by type and volume from initial acceptance at the facility to final disposition;
- (b) Hours of operation;
- (c) Personnel;
- (d) Litter, vermin, dust and odor control onsite and offsite within one and one-half (1.5) miles of the site;
- (e) Surface drainage, stormwater runoff, sedimentation, surface water pollution and erosion control;
- (f) Fire and hazardous material control;
- (g) Corrective action for spills and other operational accidents;

- (h) If applicable, the stages of development or use;
  - (i) Building floor plans illustrating material handling equipment and processes, as well as architectural elevations including exterior construction materials; and
  - (j) A plan for post-closure use or rehabilitation of the site.
7. A report of off-site traffic impact regarding the proposed site including the anticipated number of vehicles and their size, weight and directional distribution, and structural adequacy of affected pavements to include a traffic abatement and control plan to address negative traffic impacts completed by an engineer experienced in traffic engineering and registered in the State of Illinois.
  8. A stormwater management plan consistent with applicable ordinances or policies of Champaign County.
  9. An identification of the drainage district in which the site is located.
  10. A statement of the applicant's ability to acquire certificates of insurance to cover accidents, such as fires, explosions, non-sudden accidental occurrences and pollution impairment.
  11. If required for the proposed regional pollution control facility, a copy of the contingency plan prepared pursuant to the Resource Conservation and Recovery Act (42 U.S.C. §6901 *et seq.*) and a copy of the chemical safety contingency plan prepared pursuant to the Illinois Chemical Safety Act (430 ILCS 45/1 *et seq.*)
  12. A statement describing the past operating experience of the owner and, if operated by a separate entity, such operating entity (and the owner's and operator's subsidiaries, parent corporations, or subsidiaries of the parent corporations), in the field of solid waste management, if any.
  13. A statement citing the past record of convictions or admissions of violations of the owner and operating entity (and their subsidiaries, parent corporations, or subsidiaries of the parent corporations). Said statement shall include, but not be limited to, a citation of the applicable statute or ordinance violated; a brief written summary of the violation or conviction; and the penalty imposed.
  14. A statement assessing the proposed facility's conformance to the Champaign County Solid Waste Management Plan adopted by the County Board in Resolution 3077, and the five year update to the said Plan adopted by the County Board in Resolution 4497.
  15. A written summary of any testimony to be presented at the public hearing by the applicant, a list of all witnesses along with resumes of the qualifications of any expert witnesses the applicant intends to have testify, and all other evidence the applicant desires the Board to consider including, but not limited to: studies, maps, reports, permits, or

exhibits. A written description maybe substituted for any exhibit that will be presented in the public hearing that by virtue of its size, shape, inability to be reproduced or other characteristics cannot reasonably be made available for public inspection outside of the public hearing. It is intended that the applicant provide a full and complete disclosure of the case to facilitate early review and analysis by any person.

16. The full fee required by Section 3.3

(B) The pages of the application and all exhibits submitted to the County shall be consecutively numbered and the application shall contain a table of contents or index.

**3.3 Fees**

(A) An application fee in the form of a certified or cashier's check or a line of credit to the County at a local financial institution acceptable to the County shall be paid by the applicant upon filing pursuant to Section 3.1(A). Such fee may be used by the County to cover its reasonable and necessary costs including but not limited to, notice costs, court reporter costs, transcription costs, County consultant costs, hearing officer costs, and attorney's fees, and other expenses incurred by the County in conducting the review of the request for site location approval, the subsequent public hearing, and the site location approval decision, provided however, that any portion of the application fee that remains unexpended at the conclusion of the site location approval decision shall be returned to the applicant. Should there be any additional costs incurred by the County over the amount paid by the applicant in the application fee, the applicant shall bear any and all additional reasonable and necessary costs. The application fee and all other monies due the County shall be submitted to the County Clerk and made payable to Champaign County.

(B) The application fee to be submitted pursuant to this Section shall be as follows:

	New Facility	Expansion of an Existing Facility	Amendment to Original Application
Waste Transfer Station	\$50,000	\$10,000	\$2,500
Resource Recovery Facility, Sanitary Landfill, Waste Storage Site, Waste Treatment Facility, or Waste Incinerator	\$250,000	\$50,000	\$12,500

(C) In the event that at anytime prior to the conclusion of the site location approval decision, the County has expended such sums so as to reduce the balance of the application fee to a figure less than \$2,500.00, the petitioner, within seven calendar days of receipt of written notice thereof, shall contribute an additional \$2,500.00 to the application fee to cover costs as described

above. Any portion of the fees, including any additional fees that remain unexpended at the conclusion of the site location approval decision, shall be returned to the applicant as provided in Section 12.

#### **SECTION FOUR: AMENDED APPLICATION**

(A) At any time prior to completion by the applicant of the presentation of the applicant's factual evidence and an opportunity for cross-questioning by any party at the public hearing, the applicant may file not more than one amended application including appropriate application fees in which case the time limitation for final action set forth in Section 11(C) shall be extended for an additional period of 90 days. Said application shall conform to the requirements of Section 3.

(B) An applicant may not file a request for location approval which is substantially the same as a request which was disapproved within the preceding two years pursuant to a finding against the applicant as provided for in Section 11.

#### **SECTION FIVE: SITING APPLICATION REVIEW COMMITTEE**

(A) The County Board Chair shall appoint a Siting Application Review Committee, hereinafter ("Committee") and its Chair at the earliest date possible consistent with the rules of the County Board following acceptance for filing by the County Clerk.

(B) The Committee shall be comprised of one member from each County Board District for a total of 9 members. No County Board member who is currently appointed to any intergovernmental agency or other body appearing as an applicant maybe appointed to the Siting Application Review Committee.

(C) The Siting Application Review Committee shall be responsible for conducting the public hearing, reviewing the application, all testimony and exhibits pre-filed or submitted during the public hearing and all comments received at the public hearing or pursuant to Section 9. The Committee shall make findings of fact regarding the siting criteria contained in the Act (Appendix) and recommend approval or denial to the County and, if recommending approval, to recommend conditions to be imposed on that approval.

(D) To undertake its responsibilities the committee shall have authority to:

1. Attend the public hearing and to participate in the proceedings as provided in Section 6; call upon the State's Attorney's Office, the County Administrator or other County staff for advice and assistance; request additional or supplementary information from the applicant or any other party to the public hearing such additional information to be entered into the hearing record as provided in Section 6;
2. Consider requests for and grant waivers from the provisions of this resolution as provided in section 13.

(E) The Committee shall meet within 14 days of its creation by the County Board to review procedures for the public hearing and consider the need for independent review of the site approval request by County staff or consultants. The Committee shall meet at least once following the end of the public comment period established in Section 9.

(F) The Committee shall conduct its business in conformance with the Rules of the County Board provided, however, that for purposes of conducting the public hearing as provided for in Section 6, the quorum shall be 3 members.

(G) All meetings of the Siting Application Review Committee shall be conducted in accordance with the Illinois Open Meetings Act.

(H) The Siting Application Review Committee shall not accept spoken or written communication concerning the siting application. If any such communication is received by the Committee or by any Committee member such communication or a description of the contents thereof shall be entered into the public hearing record as provided in Section 6 or, if the hearing has been closed, submitted as public comment as provided in Section 9.

(I) The Committee shall make findings of fact and a recommendation to the full County Board within 45 days of the close of the public hearing. If there is no final action by the County Board within 180 days after the date on which the County Board received the request for site approval, the applicant may deem the request approved.

## **SECTION SIX: PUBLIC HEARING**

(A) The Siting Application Review Committee shall conduct a public hearing no sooner than 90 days but no later than 120 days from the date of acceptance for filing of the completed application by the County Clerk.

(B) Any party who desires to participate in the public hearing other than in the public comment period shall file an entry of appearance with the County Clerk at least 10 days prior to the public hearing. Any party, except the applicant, who has pre-filed pursuant to this Section, shall submit all written testimony to be presented at the public hearing and all other documentary evidence relating to the applicant requirements pursuant to Section 3.2(A)(15), including but not limited to reports, studies and exhibits that the party desires to submit for the record by filing them with the County Clerk at least ten days prior to the public hearing. In the event that the tenth day prior to the date set for public hearing falls on a Saturday, Sunday or holiday, the next business day shall be considered the day any appearance and/or evidence must be filed. The County Clerk shall date stamp any appearance and/or evidence upon receipt. In the case of documentary evidence, any person shall be allowed to obtain copies of said evidence upon payment of the actual cost of reproduction. Any party who has pre-submitted testimony shall bring at least one copy of that testimony and any exhibits to the public hearing.

(C) Within ten working days of the date a request for site location approval is accepted for filing, the Chair of the County Board shall determine the date, time and location upon which

such public hearing shall be held, but in any event the initial public hearing must be scheduled no sooner than 90 days but no later than 120 days from the date the completed application was accepted for filing by the County Clerk.

(D) The Chair of the County Board shall notify the County Administrators of the date upon which such hearing shall be held and shall request the County Administrators to cause notice of such hearing to be made as follows:

Publish two (2) legal notices in a newspaper of general circulation published in Champaign County. One such notice shall be published no later than 60 days from the date the completed application was accepted for filing by the County Clerk, and one such notice shall be published no later than 75 days from the date the completed application was accepted for filing by the County Clerk. Such notices shall consist of the following:

- (a) The names and addresses of the applicant;
- (b) The legal description of the site;
- (c) The street address of the property, or, if there is no street address applicable to the property, a description of the site with reference to location, ownership or occupancy or in some other manner that will reasonably identify the property to residents in the neighborhood;
- (d) The nature and size of the proposed development;
- (e) The nature of the activity proposed;
- (f) The probable life of the proposed activity;
- (g) The time and date of the public hearing;
- (h) The location of the public hearing; and
- (i) A statement that any person who may be affected by the siting of the facility may file an appearance 10 days before the hearing to become a party, and that a copy of all testimony and exhibits to be submitted at the public hearing by a party must be pre-filed with the County Clerk at least ten days prior to the public hearing.

2. Notice by certified mail to all members of the General Assembly from the district to which the proposed site is located at least ten days prior to the public hearing.

3. Notice by certified mail to the Illinois Environmental Protection Agency at least ten days prior to the public hearing.

4. Public hearing notice in a newspaper of general circulation in Champaign County published as a display advertisement at least once during the week preceding the public hearing. Such notice shall consist of all items described in Paragraph 1 above except for items (b) and (i).

(E) The Chair of the Siting Application Review Committee in consultation with the County Administrator and the State's Attorney's Office shall appoint a hearing officer. The hearing officer shall preside over the public hearing and shall make any decisions concerning the admission of evidence and the manner in which the hearing is conducted subject to this Section. The hearing officer shall make all decisions and rulings in accordance with a standard of fundamental fairness to all parties. The hearing officer may allow the submission of additional supplementary information requested by the Siting Application Review Committee pursuant to Section 5(D) but may exclude irrelevant, immaterial, incompetent or unduly repetitious evidence. No interlocutory appeal may be taken from a ruling by the hearing officer. The hearing officer shall cause to be made a verbatim written transcript of the hearing and may cause to be made a daily audiotape or videotape or other summary record of the same.

(F) The applicant for site location approval shall have the burden of proof of the suitability of the site location for the proposed use.

(G) Any party appearing at such public hearing shall have the right to give testimony or comment on the suitability of the site location for the proposed use subject to the provisions of this Resolution. Any party who has filed an entry of appearance as provided in Section 6(B) shall have the right to be represented by an attorney and to offer expert testimony at said public hearing and the right to reasonable cross examination. To fully participate as provided for in this paragraph, parties shall have complied with all requirements as set forth in paragraph B of this Section.

(H) Conduct of the public hearing shall be substantially as follows:

1. Call to order.
2. Introduction of the hearing officer and Siting Application Review Committee.
3. Acknowledgement of receipt of fees, certification of notices, and date of filing of the completed application for site location approval.
4. Identification of parties which pre-filed testimony and which pre-filed exhibits pursuant to this Section.
5. The applicant and other parties may make an opening statement.
6. The hearing officer shall then enter into the record as if read testimony from the applicant and/or any witnesses the applicant may wish to call and any evidence it wishes to present. Upon the close of the examination of the applicant's witnesses,

the hearing officer shall enter into the record as if read testimony by other parties and/or their witnesses and the evidence they wish to present. These other parties may or may not be represented by counsel. Upon the close of the applicant's and other parties' testimony and evidence, members of the Siting Application Review Committee may question the applicant or other party offering testimony and the hearing officer shall enter into the record as if read testimony by the County and/or its witnesses and the evidence it wishes to present. The hearing officer shall decide the order of presentation of testimony subject to this Section.

7. The testimony submitted prior to hearing will be entered into the record as if read, unless the hearing officer determines that it will aid public understanding to have the testimony read. Modifications to previously submitted testimony and exhibits may be allowed by the hearing officer at the hearing, provided that such modifications are either non-substantive in nature, or would not materially prejudice another person's participation at the hearing. Objections to such modifications are deemed to be waived unless raised at hearing.

8. Everyone shall testify under oath. Testimony may include the use of exhibits. Everyone shall be subject to reasonable questioning as follows: direct, cross questioning, redirect, recross, etc. After all parties have presented testimony, reasonable rebuttal, sur-rebuttal, etc., may be allowed at the discretion of the hearing officer.

9. Should any issues, facts, data, or other evidence arise during the course of the public hearing, which were not apparent or reasonably foreseeable by any party from the completed application as filed with the County Clerk, such situation may constitute grounds for a recess in the public hearing for a period not to exceed five working days and the hearing officer may allow admission of such additional information.

10. Closing statements including legal arguments by the applicant, other parties and the County may be made subject to limitations imposed by the hearing officer.

11. Rebuttal statements, if any, by the applicant, may be made subject to limitations imposed by the hearing officer.

12. A public comment period shall commence following the closing statements and any rebuttal statements allowed by the hearing officer. During the public comment period any person who has not filed an entry of appearance as provided in Section 6(B) shall be permitted to offer spoken or written comments. The hearing officer may require such persons to provide written notice of their intent to offer comments prior to the start of the public comment period and may set reasonable limits on the time permitted to anyone person to submit such comments. No questioning, cross-examination or rebuttal to testimony given in the public comment period shall be permitted during the public comment period.

- 13. The hearing shall be closed by action of the hearing officer.
- (I) The hearing may be recessed and reconvened by action of the hearing officer.
- (J) Any member of the County Board or other official of the County may attend the public hearing.
- (K) The hearing officer has the duty to conduct a fair hearing, to take all necessary action to avoid delay, to maintain order, and to ensure development of a clear, complete, and concise record sufficient to form the basis of appeal of any decision in accordance with Section 40.1 of the Act (415 ILCS 5/40.1).

**SECTION SEVEN: AUTHORITY OF THE HEARING OFFICER**

He or she shall have all powers necessary to these ends, including, but not limited to:

- (A) Preside over the public hearing to ensure fundamental fairness;
- (B) Require everyone to state his or her position with respect to administer oaths and affirmations;
- (C) Administer oaths and affirmations:
- (D) Examine witnesses and direct witnesses to testify for the sole purpose of clarifying the record established by the parties at the public hearing;
- (E) Regulate the course of the hearing as set forth in this Section 6 including the conduct of the parties, their counsel and other persons;
- (F) Establish reasonable limits on the duration of the testimony and questioning of any witness and limit repetitious or cumulative testimony and questioning; consider and rule upon objections and evidentiary questions;
- (G) Consider and rule upon objections and evidentiary questions;
- (H) Consider and rule as justice may require upon appropriate motions;
- (I) Grant recesses of the public hearing determined to be requested; and
- (J) Cause a written transcript to be made of the public hearing;
- (K) Cause a daily audiotape(s), videotape(s) or other summary records to be made; and
- (L) Cause such transcript and audiotape(s), videotape(s), or other summary record, if any, to be delivered to the County Clerk.

## **SECTION EIGHT: MOTION PRACTICE**

(A) All motions shall be in writing, unless made orally on the record during the public hearing. The original and 5 copies of any written motion and proof of service shall be filed with the County Clerk no less than ten days prior to the date of the public hearing and one copy shall be served upon the hearing officer and upon the applicant or any party named in the motion.

(B) At any time prior to the public hearing and after receipt of the motion, any other party may file a response to the motion. If no response is filed, the parties shall be deemed to have waived objection to the granting of the motion, but such waiver of objection does not bind the hearing officer in a decision on the motion. Unless undue delay or material prejudice would result, the hearing officer shall not grant or deny any motion before the opening of the public hearing.

(C) The moving party shall not have the right to reply, except as permitted by the hearing officer to present material prejudice.

(D) No oral argument will be heard on a motion before the hearing officer unless so directed by the hearing officer.

(E) No interlocutory appeal may be taken from a ruling on a motion by the hearing officer.

(F) The filing of any motion under this Section shall not stay the proceedings or extend the time for the performance of any act.

## **SECTION NINE: PUBLIC COMMENT**

(A) In addition to the public comment period of the public hearing, the County Clerk shall receive written comment from any person concerning the appropriateness of the proposed site location. Upon receipt of any such written comment, the County Clerk shall date stamp and file such written comment and the postmarked envelope in which comment is received.

(B) Copies of such written comments shall be made available for public inspection in the County Board Office, and any person shall be allowed to obtain copies of any written comment upon payment of actual cost of reproduction.

(C) Any written comment received by the County Clerk or postmarked not later than 30 days after the date of the last public hearing shall be made part of the record of the public hearing as hereinafter described, and the County Board shall consider any such timely written comments in making its final determination concerning said request. In the event that the 30th day falls on Saturday, Sunday, or holiday, the next business day shall be considered the 30th day for purposes of this paragraph.

**SECTION TEN: RECORD**

(A) The hearing officer shall be responsible for keeping the record of the said hearing and shall file the record with the County Clerk within thirty (30) days after the date the public hearing is closed.

(B) The record shall consist of the following:

1. The completed application for site location approval as described in Section 3 hereof.
2. Certificate of notice given by applicant pursuant to Section 39.2(b) of the said Act (415 ILCS 5/39.2).
3. Written comments filed by any person received by the county Clerk or postmarked within thirty (30) days after the date of the last public hearing.
4. All testimony, reports, studies, exhibits, written comments, or documents received into evidence at the public hearing.
5. The written transcript of the public hearing and the daily audiotape(s), if any.

(C) The County Clerk shall be responsible for certifying all copies of the record of the public hearing.

**SECTION ELEVEN: SITE LOCATION APPROVAL RESOLUTION**

(A) The County Clerk shall transmit a certified copy of the record of the public hearing to the County Administrators within ten (10) working days after the date that the hearing officer file the hearing record with the County Clerk and to each member of the County Board within fifteen (15) working days after the date the record is filed.

(B) The Siting Application Review Committee shall review the record of the public hearing and the public comments received pursuant to Section 9 and shall report to the County Board regarding the application for siting approval. Such report shall contain proposed findings of fact, a recommendation concerning the Board's determination, potential conditions to be imposed on any site approval, and a draft site location approval resolution.

(C) The County Board shall consider the certified record of the public hearing and the report of the Siting Application Review Committee, and shall make a determination concerning the completed application no later than 180 days after the County Clerk accepts the filing of the completed application. The decision shall be in writing and be in the form of a site location

approval resolution specifying the reasons for the decision in conformance to the provisions of Section 1(B).

(D) The County Board in granting approval for a site may consider recommendations of the Siting Application Review Committee and impose such conditions as maybe reasonable and necessary to accomplish the purposes of Section 39.2 of the Act which are not inconsistent with regulations promulgated by the Illinois Pollution Control Board.

(E) Such site approval resolution shall be served upon the applicant and shall be available for public inspection at the County Board Office and may be copied upon payment of the actual cost of reproduction.

(F) This site approval resolution shall expire at the end of two calendar years from the date upon which it is adopted unless within that period the applicant has made application to the Agency for a permit to develop the site.

(G) No determination by the Board concerning an application for site approval maybe reconsidered.

#### **SECTION TWELVE: FEES AND COSTS**

(A) All reasonable and necessary costs and expenses incurred by the county in conducting the review of the completed application, the subsequent hearing, and the site location approval ordinance shall be paid from the fees submitted pursuant to Section 3.3.

(B) Upon termination of any proceedings under this Resolution, the County Administrators shall make a final accounting and summary of all authorized reasonable and necessary expenditures made by the County.

(C) Any portion of an application fee not required for reimbursement of reasonable and necessary costs and expenses incurred by the County shall be returned to the applicant. Should there be costs and/or expenses in excess of the amount paid by the applicant in the application fee, the applicant shall bear any and all additional reasonable and necessary costs.

#### **SECTION THIRTEEN: WAIVERS**

In order to insure fundamental fairness, compliance with the Act, and protect the public interest, the Siting Application Review Committee, by majority vote of its members may waive any of the above provisions, except that such vote shall not conflict with nor override the provisions of Section 6E or Section 7 of this Resolution.

#### **SECTION FOURTEEN: SEVERABILITY**

If any provision of this Resolution or the application thereof to any party, person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provisions or applications of this

Resolution and to the end that the provisions or applications of this Resolution are declared to be severable.

3. That this resolution shall become effective immediately upon its adoption and approval as required by law.

PRESENTED, ADOPTED, APPROVED AND RECORDED this \_\_\_\_\_ day of October, 2005.

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BARBARA WYSOCKI, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST:

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MARK SHELDEN, County Clerk  
and *ex officio* Clerk of the  
Champaign County Board

## APPENDIX

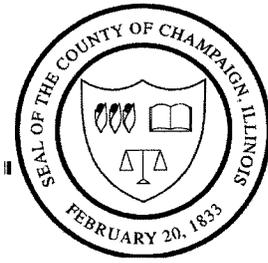
### REGIONAL POLLUTION CONTROL SITING CRITERIA

#### 415 ILCS 5/39.2

The County Board of the County or the governing body of the municipality, as determined by paragraph (c) of Section 39 of this Act, shall approve or disapprove the request for local siting approval for each new regional pollution control facility which is subject to such review. An applicant for local siting approval shall submit sufficient details describing the proposed facility to demonstrate compliance, and local siting approval shall be granted only if the proposed facility meets the following criteria:

1. The facility is necessary to accommodate the waste needs for the area it is intended to serve;
2. The facility is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.
3. The facility is located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property;
4. The facility is located outside the boundary of the 100 year flood plain or the site is flood-proofed;
5. The plan or operations for the facility is designed to minimize the danger of the surrounding area from fire, spills, or other operational accidents;
6. The traffic patterns to or from the facility are so designed as to minimize the impact on existing traffic flows;
7. If the facility will be treating, storing or disposing of hazardous waste, an emergency response plan exists for the facility which includes notification, containment and evacuation procedures to be used in case of accidental release;
8. If the facility is to be located in a county where the county board has adopted a solid waste management plan, the facility is consistent with that plan; and
9. If the facility will be located within a regulated recharge area, any applicable requirements specified by the Illinois Pollution Control Board for such areas have been met.

The County Board or the governing body of the municipality may also consider the previous operating experience and past record, including convictions or admissions of violations, of the applicant (and any subsidiary or parent corporation) in the field of solid waste management when considering criteria number 2 and 5 of Section 39.2.



# **COUNTY BOARD CONSENT AGENDA**

*County of Champaign, Urbana, Illinois  
Thursday, November 17, 2005 - 7:00 p.m.*

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*Meeting Room 1, Brookens Administrative Center  
1776 East Washington Street, Urbana*

	<b><u>Page No.</u></b>
<b>A. <u>JUSTICE &amp; SOCIAL SERVICES</u></b>	
1. Adoption of Resolution No. 5123 Authorizing an Intergovernmental Agreement between the County of Champaign and the Village of Royal for Animal Control Services.	1 P13-14
2. Adoption of Resolution No.5124 Authorizing an Intergovernmental Agreement between the County of Champaign and the Village of Royal for Animal Impound Services.	2 P15-19
3. Adoption of Resolution No. 5125 Approving the Live Scan Equipment Program Grant from the Illinois Criminal Justice Information Authority.	3 P20-63
4. Adoption of Resolution No. 5126 Authorizing the Award of Funding for Delinquency Prevention Specialist.	4 P77-81
5. Adoption of Resolution No. 5127 Authorizing an Agreement between the County of Champaign and the Champaign-Urbana Area Project to provide Grant Monitoring Services.	5 P82-85
<b>B. <u>COUNTY FACILITIES</u></b>	
1. Adoption of Resolution No. 5131 appropriating \$53,690.00 from the Champaign County Nursing Home Construction Fund for Pay Request #33 from PKD, Inc.	6 L14-19
2. Adoption of Resolution No. 5132 appropriating \$21,284.10 from the Champaign County Nursing Home Construction Fund for Invoice #5 from Alliance Environmental Group, Inc.	7 L20-22
3. Adoption of Resolution No. 5133 appropriating \$22,812.75 from the Champaign County Nursing Home Construction Fund for Invoice #6 from Alliance Environmental Group, Inc.	8 L23-25
4. Adoption of Resolution No. 5134 appropriating \$4,258.25 from the Champaign County Nursing Home Construction Fund for Invoice #7 from Alliance Environmental Group, Inc.	9 L26-27
5. Adoption of Resolution No. 5135 appropriating \$32,909.05 from the Champaign County Nursing Home Construction Fund for Invoice #1123872 from Duane Morris, LLP.	10 L28-36

County Facilities Cont.

- |    |   |           |
|----|---|-----------|
| 6. | Adoption of Resolution No. 5136 appropriating \$16,812.39 from the Champaign County Nursing Home Construction Fund for Invoice #12080 from Environmental Engineers. | 11<br>L37 |
| 7. | Adoption of Resolution No. 5137 appropriating \$2,452.50 from the Champaign County Nursing Home Construction Fund for Invoice #12082 from Environmental Engineers.  | 12<br>L38 |
| 8. | Adoption of Resolution No. 5138 appropriating \$14,180.00 from the Champaign County Nursing Home Construction Fund for Invoice #12091 from Environmental Engineers. | 13<br>L39 |
| 9. | Adoption of Ordinance No. 764 adopting a lease between the County of Champaign and the Illinois Attorney General.   | 14-29     |

**C. POLICY**

- |    |  |                 |
|----|--|-----------------|
| 1. | Adoption of Resolution No. 5141 reappointing Cecil Hudson to the Silver Creek Drainage District term ending August 31, 2008.                                   | 30-31<br>B7     |
| 2. | Adoption of Resolution No. 5142 appointing J.L Knell to the Dewey Community Public Water District term ending May 31, 2009.                                    | 32-33<br>B8-9   |
| 3. | Adoption of Resolution No. 5143 reappointing Doug Bluhm to the Champaign County Zoning Board of Appeals term ending November 30, 2010.                         | 34-35<br>B10-11 |
| 4. | Adoption of Resolution No. 5144 approving Property, Liability and Excess Insurance Policies for Champaign County.  | 36-37<br>B14-16 |
| 5. | Adoption of Resolution No. 5145 approving Award of Contract to Aramark Correctional Services for Inmate Food Services.   | 38-39           |
| 6. | Adoption of Resolution No.5146 approving change in Title and Classification of Accountant/Fiscal Manager Position at the Champaign County Mental Health Board. | 40<br>B31-35    |

**D. HIGHWAY & TRANSPORTATION**

- |    |   |             |
|----|---|-------------|
| 1. | Adoption of Resolution No. 5147 for Contract Award Authority Furnishing Materials for the 2006 Maintenance of Various Road Districts in Champaign County. | 41<br>O11   |
| 2. | Adoption of Ordinance No. 765 for the establishment of an Altered speed zone in Philo Road District.  | 42<br>O9-10 |

**E. FINANCE**

1. Adoption of Resolution No. 5155 - Budget Amendment 43-44
  - A. **Budget Amendment #05-00109** G19-20  
Fund/Dept: 080-071 General Corporate – Public Properties  
Increased Appropriations: \$123,600  
Increased Revenue: \$0  
To pay for anticipated utilities costs for remainder of FY2005.
  
2. Adoption of Resolution No. 5156 - Budget Amendment 45-46
  - A. **Budget Amendment #05-00111** G22  
Fund/Dept: 080-031 General Corporate – Circuit Court  
Increased Appropriations: \$30,000  
Increased Revenue: \$0  
Insufficient funds to cover increased expenses for court appointed counsel in juvenile and criminal cases.
  
3. Adoption of Resolution No. 5157 - Budget Amendment 47-48
  - A. **Budget Amendment#05-00114** G24-25  
Fund/Dept: 075-670 Regional Planning Commission – Visioning Project  
Increased Appropriations: \$73,100  
Increased Revenue: \$56,550  
To accommodate work progression on the Visioning Project.
  
4. Adoption of Resolution No. 5158 - Budget Amendment 49-50
  - A. **Budget Amendment #05-00115** 11/10/05  
Fund/Dept: 686-140 Sheriff Live Scan Equipment Grant – Correctional addendum  
Center page 1  
Increased Appropriations: \$17,056  
Increased Revenue: \$17,056  
Complete purchase of Live Scan portable fingerprint scan – CCSO is responsible for 25% of purchase price.
  
5. Adoption of Resolution No. 5159 to Designate the Office of the State’s Attorneys 51-52  
Appellate Prosecutor as Agent. G26-31
  
6. Adoption of Resolution No. 5160 authorizing a Litigation Assistance Agreement 53-54  
between the County of Champaign and the Office of the State’s Attorneys  
Appellate Prosecutor.
  
7. Adoption of Resolution No. 5161 for authorization to borrow and loan funds 55  
within Combined Bank Accounts. G33
  
8. Adoption of Resolution No. 5162 authorizing a loan to the Election Assistance/ 56  
Accessibility Fund from the General Corporate Fund. G36

Finance Cont.

- |     |   |                                   |
|-----|---|-----------------------------------|
| 9.  | Adoption of Resolution No. 5163 approving the 2005 Official Ballot Vote for W. Thomas Ross for IMRF Executive Trustee.  | 57<br>11/10/05<br>addendum pg.2-3 |
| 10. | Adoption of Resolution No. 5164 amending schedule of authorized positions for the Champaign County Board Office and Champaign County Zoning and Enforcement Department. | 58<br>G45-46                      |
| 11. | Adoption of Resolution No. 5165 Appointing Negotiating Team for Negotiation of Agreement between AFSCME and Champaign County Board – Head Start.                        | 59                                |

RESOLUTION NO. 5123

RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF CHAMPAIGN AND THE VILLAGE OF ROYAL FOR ANIMAL CONTROL SERVICES

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et. seq. enables units of local government to enter into agreements among themselves and provide authority for intergovernmental cooperation; and

WHEREAS, the County of Champaign (hereinafter "COUNTY") and the Village of Royal (hereinafter "VILLAGE") desire to cooperate for the best interests of the COUNTY and the VILLAGE; and

WHEREAS, there is a need to respond to requests for animal control services within the VILLAGE; and

WHEREAS, the COUNTY has the ability to provide such services through the Champaign County Animal Control Department, and

WHEREAS, an Intergovernmental Agreement for Animal Control Services between the COUNTY and the VILLAGE (hereinafter "AGREEMENT") has been prepared; and

WHEREAS, the AGREEMENT outlines the financial participation and the service responsibilities of the parties.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Champaign County authorizes the County Board Chair to enter into the AGREEMENT with the VILLAGE.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5124

RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE  
COUNTY OF CHAMPAIGN AND THE VILLAGE OF ROYAL FOR ANIMAL IMPOUND  
SERVICES

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et. seq. enables units of local government to enter into agreements among themselves and provide authority for intergovernmental cooperation; and

WHEREAS, the County of Champaign (hereinafter "COUNTY") proposes to provide an Animal Service Facility primarily for the impounding of animals for the use of local law enforcement agencies; and

WHEREAS, the COUNTY and the Village of Royal (hereinafter "VILLAGE") desire to cooperate for the best interests of the County and the Village; and

WHEREAS, an Intergovernmental Agreement for Animal Impound Services between the COUNTY and the VILLAGE (hereinafter "AGREEMENT") has been prepared and is attached hereto; and

WHEREAS, the AGREEMENT outlines the financial participation and the facilities and services responsibilities of the parties.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Champaign County authorizes the County Board Chair to enter into the AGREEMENT with the VILLAGE.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5125

RESOLUTION FOR THE APPROVAL OF LIVE SCAN EQUIPMENT PROGRAM GRANT  
FROM THE ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

WHEREAS, Champaign County (hereinafter "COUNTY") on behalf of the Champaign County Sheriff's Office (hereinafter "SHERIFF") has received notification that the Illinois Criminal Justice Information Authority (hereinafter "AUTHORITY") has designated the SHERIFF to receive funds for the purpose of implementing a program to address a focus area of the Illinois Statewide Drug and Violent Crime Control Strategy for federal fiscal year 2002; and

WHEREAS, the COUNTY would like to purchase a new Live Scan Device to in the Downtown jail facility to effectively streamline the submission of the prints to the Illinois State Police; and

WHEREAS, Interagency Agreement #402405 in the amount of \$12,792.00 (TWELVE THOUSAND, SEVEN HUNDRED NINETY-TWO and 00/100 DOLLARS) between the SHERIFF, the COUNTY, and the AUTHORITY has been prepared; and

WHEREAS, the Interagency Agreement #402405 period of performance is from September 1, 2005 through March 31, 2006.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Champaign County that the Live Scan Equipment Program Grant is hereby approved and accepted for the Champaign County Sheriff's Office.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5126

RESOLUTION AUTHORIZING AWARD OF FUNDING FOR DELINQUENCY PREVENTION  
SPECIALIST

WHEREAS, the County of Champaign (hereinafter "COUNTY") has provided funding to the Champaign-Urbana Area Project for a Delinquency Prevention Specialist position to provide coordinative efforts to all agencies in Champaign County involved in the delivery of services to juveniles, specifically in the area of delinquency prevention and intervention; and

WHEREAS, the CUAP has requested funding for the position, which currently expires on November 30, 2005, be extended through the end of the current County Delinquency Prevention Grant Awards cycle to June 30, 2006; and

WHEREAS, the COUNTY desires to provide continued funding to the Champaign-Urbana Area Project for the Delinquency Prevention Specialist through the end of the current County Delinquency Prevention Grant Awards cycle.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Champaign County authorizes the award of \$17,500 (SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS) from the Public Safety Sales Tax Delinquency Prevention/Intervention/Diversion Grant Funding for FY2006 to the Champaign-Urbana Area Project for continued funding of the Delinquency Prevention Specialist position for the period from December 1, 2005 through June 30, 2006.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5127

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE COUNTY OF  
CHAMPAIGN AND THE CHAMPAIGN-URBANA AREA PROJECT TO PROVIDE GRANT  
MONITORING SERVICES

WHEREAS, the County of Champaign (hereinafter "COUNTY") is interested in contracting with the Champaign-Urbana Area Project (hereinafter "CUAP") to provide monitoring services for the Juvenile Delinquency Prevention/Intervention/Diversion Grants, which are awarded annually by the Champaign County Board; and

WHEREAS, the CUAP has staff knowledgeable and experienced in the requirements of monitoring grant programs providing services in the area of delinquency prevention, intervention, and diversion in Champaign County; and

WHEREAS, the COUNTY desires to engage the CUAP to assist in monitoring the awarded grantees; and

WHEREAS, an Agreement to Provide Grant Monitoring Services between the COUNTY and the CUAP (hereinafter "AGREEMENT") has been prepared; and

WHEREAS, the AGREEMENT outlines the financial participation and the service responsibilities of the parties.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Champaign County authorizes the County Board Chair to enter into an agreement for the Champaign-Urbana Area Project to provide grant monitoring services for the County of Champaign for the period from December 1, 2005 through June 30, 2006.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5131

RESOLUTION APPROPRIATING \$53,690.00 FROM THE CHAMPAIGN  
COUNTY NURSING HOME CONSTRUCTION FUND FOR PAY REQUEST #33  
FROM PKD, INC.

WHEREAS, the County of Champaign entered into an agreement with PKD, Inc. of Champaign, Illinois in February 2003 for the purpose of construction management of the new Champaign County Nursing Home facility; and

WHEREAS, the County Facilities Committee recommended to the Champaign County Board approval of invoice #33 from PKD, Inc. in the amount of \$53,690.00 for professional services provided through October 20, 2005 per said agreement; and

WHEREAS, the Pay Request is itemized as follows: \$ Staff; \$7,088 – Staff; \$6,751 – Construction Fee; \$427 – Reimbursables; \$39,424 – General Conditions.

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board approve Pay Request #33 from PKD, Inc.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk and  
Ex-Officio Clerk of the County Board

RESOLUTION NO. 5132

RESOLUTION APPROPRIATING \$21,284.10 FROM THE CHAMPAIGN COUNTY  
NURSING HOME CONSTRUCTION FUND FOR INVOICE #5 FROM ALLIANCE  
ENVIRONMENTAL GROUP, INC

WHEREAS, the County Facilities committee recommended to the Champaign County Board approval of invoice #5 from Alliance Environmental Group, Inc. in the amount of \$21,284.10 for Professional Services provided through July 31, 2005; and

WHEREAS, the invoice is for mold remediation issues with the new Champaign County Nursing Home.

NOW, THEREFORE BE IT RESOLVED that the Champaign County Board approve invoice #5 from Alliance Environmental Group, Inc.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk and  
Ex-Officio Clerk of the County Board

RESOLUTION NO. 5133

RESOLUTION APPROPRIATING \$22,812.75 FROM THE CHAMPAIGN  
COUNTY NURSING HOME CONSTRUCTION FUND FOR INVOICE #6 FROM  
ALLIANCE ENVIRONMENTAL GROUP, INC

WHEREAS, the County Facilities committee recommended to the Champaign County Board approval of invoice #6 from Alliance Environmental Group, Inc. in the amount of \$22,812.75 for Professional Services provided through August 31, 2005; and

WHEREAS, the invoice is for mold remediation issues with the new Champaign County Nursing Home.

NOW, THEREFORE BE IT RESOLVED that the Champaign County Board approve invoice #6 from Alliance Environmental Group, Inc.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk and  
Ex-Officio Clerk of the County Board

RESOLUTION NO. 5134

RESOLUTION APPROPRIATING \$4,258.25 FROM THE CHAMPAIGN COUNTY  
NURSING HOME CONSTRUCTION FUND FOR INVOICE #7 FROM ALLIANCE  
ENVIRONMENTAL GROUP, INC

WHEREAS, the County Facilities committee recommended to the Champaign County Board approval of invoice #7 from Alliance Environmental Group, Inc. in the amount of \$4,258.25 for Professional Services provided through September 30, 2005; and

WHEREAS, the invoice is for mold remediation issues with the new Champaign County Nursing Home.

NOW, THEREFORE BE IT RESOLVED that the Champaign County Board approve invoice #7 from Alliance Environmental Group, Inc.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk and  
Ex-Officio Clerk of the County Board

RESOLUTION NO. 5135

RESOLUTION APPROPRIATING \$32,909.05 FROM THE CHAMPAIGN  
COUNTY NURSING HOME CONSTRUCTION FUND FOR INVOICE #1123872  
FROM DUANE MORRIS LLP

WHEREAS, the County Facilities committee recommended to the Champaign County Board approval of invoice #1123872 from Duane Morris LLP in the amount of \$32,909.05 for Professional Services provided through September 30, 2005; and

WHEREAS, the invoice is for legal representation on mold remediation issues.

NOW, THEREFORE BE IT RESOLVED that the Champaign County Board approve invoice #1123872 from Duane Morris LLP.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk and  
Ex-Officio Clerk of the County Board

RESOLUTION NO. 5136

RESOLUTION APPROPRIATING \$16,812.39 FROM THE CHAMPAIGN COUNTY  
NURSING HOME CONSTRUCTION FUND FOR INVOICE #12080 FROM  
ENVIRONMENTAL ENGINEERS

WHEREAS, the County Facilities committee recommended to the Champaign County Board approval of invoice #12080 from Environmental Engineers in the amount of \$16,812.39 for Professional Services provided through September 15, 2005; and

WHEREAS, the invoice is for mold remediation issues with the new Champaign County Nursing Home.

NOW, THEREFORE BE IT RESOLVED that the Champaign County Board approve invoice #12080 from Environmental Engineers.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

ATTEST:

\_\_\_\_\_  
Mark Sheldon, County Clerk and  
Ex-Officio Clerk of the County Board

RESOLUTION NO. 5137

RESOLUTION APPROPRIATING \$2,452.50 FROM THE CHAMPAIGN COUNTY  
NURSING HOME CONSTRUCTION FUND FOR INVOICE #12082 FROM  
ENVIRONMENTAL ENGINEERS

WHEREAS, the County Facilities committee recommended to the Champaign County Board approval of invoice #12082 from Environmental Engineers in the amount of \$2,452.50 for Professional Services provided through September 30, 2005; and

WHEREAS, the invoice is for mold remediation issues with the new Champaign County Nursing Home.

NOW, THEREFORE BE IT RESOLVED that the Champaign County Board approve invoice #12082 from Environmental Engineers.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk and  
Ex-Officio Clerk of the County Board

RESOLUTION NO. 5138

RESOLUTION APPROPRIATING \$14,180.00 FROM THE CHAMPAIGN COUNTY  
NURSING HOME CONSTRUCTION FUND FOR INVOICE #12091 FROM  
ENVIRONMENTAL ENGINEERS

WHEREAS, the County Facilities committee recommended to the Champaign County Board approval of invoice #12091 from Environmental Engineers in the amount of \$14,180.00 for Professional Services provided through October 15, 2005; and

WHEREAS, the invoice is for mold remediation issues with the new Champaign County Nursing Home.

NOW, THEREFORE BE IT RESOLVED that the Champaign County Board approve invoice #12091 from Environmental Engineers.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk and  
Ex-Officio Clerk of the County Board

**ORDINANCE NO. 764**

**ORDINANCE ADOPTING A LEASE BETWEEN THE COUNTY OF CHAMPAIGN  
AND THE ILLINOIS ATTORNEY GENERAL**

**WHEREAS**, the County of Champaign (“County”) is authorized by the Counties Code to enter into lease agreements (55 ILCS 5/5-1049.2);

**WHEREAS**, the Illinois Attorney General is a Constitutional Officer of the State of Illinois, and;

**WHEREAS**, the Illinois Attorney General provides support and service to Champaign County residents pursuant to 15 ILCS 205/4; and

**WHEREAS**, the Illinois Attorney General currently leases office space in the Brookens Administrative Center, located at 1776 E. Washington Street, Urbana, Illinois; and

**WHEREAS**, the Illinois Attorney General wishes to continue leasing office space in the Brookens Administrative Center.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the County Board of Champaign County as follows:

1. It is in the best interest of the County to lease office space in the Brookens Administrative Center to the Illinois Attorney General for its operations;
2. The County hereby authorizes the execution of a lease agreement with the Illinois Attorney General for office space in the Brookens Administrative Center pursuant to 55 ILCS 5/5-1049.2; and
3. This Ordinance shall become effective upon its adoption.

**PRESENTED, ADOPTED, APPROVED and RECORDED** this 17<sup>th</sup> day of November, 2005.

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Barbara Wysocki, Chair  
Champaign County Board

**ATTEST:** \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the County Board

**LEASE AGREEMENT BETWEEN THE COUNTY OF CHAMPAIGN  
AND THE ILLINOIS ATTORNEY GENERAL**

This lease agreement is made and entered into this \_\_\_\_\_ day of November, 2005, by and between the County of Champaign (hereinafter referred to as "Landlord") and the Illinois Attorney General (hereinafter referred to as "Tenant").

**ARTICLE I**

**Premises**

Landlord does hereby lease to Tenant 1,100 square feet of office space located in Pod 200 of the Champaign County Brookens Administrative Center, which is located at 1776 E. Washington Street, Urbana, Illinois . The office spaced lease is identified in the floor plan of the Brookens Administrative Center, which is attached as Exhibit "A". Common conference rooms located within the Brookens Administrative Center will be made available to Tenant by Landlord with reasonable prior notice to Champaign County Administrative Services at Brookens Administrative Center.

**ARTICLE II**

**Term**

This lease agreement shall commence December 1, 2005 and continue through and including November 30, 2006 unless sooner terminated or extended by written agreement of the parties, with the said extension to be no greater than three years in length from the commencement date of this lease agreement.

**ARTICLE III**

**Rent**

Rent for the said lease premises shall be at the rate of \$1,183.65 per month for the period December 1, 2005 through November 30, 2006. The rental rate for the said lease premises as a result of any extension agreement entered into pursuant to this lease shall be established by the parties in the said extension agreement.

**ARTICLE IV**

**Utilities**

At no additional cost to Tenant, Landlord shall provide electricity, plumbing, and heat and air conditioning, during the appropriate seasons. Landlord shall not be liable for failure to furnish or for suspension or delays in furnishing any utilities caused by breakdown, maintenance or repair work, strike, riot, civil disturbance, or any cause or reason whatsoever beyond the control of Landlord.

## **ARTICLE V**

### **Use of Lease Premises**

1. Tenant shall use and occupy the said lease premises as a business office for the Illinois Attorney General, and shall not use and occupy the said lease premises for any other purpose whatsoever without the prior written consent of Landlord. Tenant shall not use or permit the lease premises or any part thereof to be used for any disorderly, unlawful, or extra hazardous purpose.

2. Tenant shall commit no act of waste and shall take good care of the said lease premises and the fixtures and appurtenances therein, and shall, in the use and occupancy of the lease premises, conform to all laws, orders, and regulations of the federal, state and municipal or local governments or any or their departments. Tenant further agrees to hold Landlord harmless from any fines, penalties and costs incurred by Tenant's violation or non-compliance with the said laws, orders and regulations.

3. Tenant shall not use or permit the use of machinery or equipment which shall cause an unreasonable consumption of utilities within the said lease premises beyond that made known to Landlord at the time of the execution of this lease agreement.

4. Tenant shall not use any equipment or engage in any activity on the said lease premises which shall cause an increase in the liability insurance rate of the Brookens Administrative Center, or which shall create or cause undue expense to Landlord for maintenance or utilities.

5. At the expiration or termination of this lease agreement, if there is no written extension agreement of the said lease agreement, Tenant shall surrender and deliver the said lease premises to Landlord in as good a condition as when Tenant first received possession of the lease premises, ordinary wear and tear and damage by the elements, fire and other unavoidable casualty excepted. Tenant shall serve upon Landlord within ninety (90) days of the commencement of this lease agreement written notice specifying what parts, if any, of the said lease premises are not in good order.

## **ARTICLE VI**

### **Subletting and Assignment**

Tenant shall not assign, mortgage, pledge, or encumber this lease, or sublet the said lease premises or any part thereof, without first obtaining the written consent of Landlord.

## **ARTICLE VII**

### **Alterations**

1. Tenant shall not make any alterations, installations, changes, replacements, additions or improvements (structural or otherwise) in or to the said lease premises or any part thereof without the prior written approval of Landlord of the design, plans and specifications therefore. Tenant shall keep the said lease premises and the building and grounds of which it is a part free and clear of liens arising out of any work performed, materials furnished, or obligations incurred by Tenant, including mechanic's liens.

2. It is specifically understood that all alterations, installations, changes, replacements, additions or improvements upon the said lease premises shall, at the election of the Landlord, remain upon the said lease premises and be surrendered by the Tenant with the said lease premises at the expiration of this lease agreement without disturbance or injury. Shall Landlord require Tenant to remove any or all alterations, installations, changes, replacements, additions or improvements upon the said lease premises upon termination of this lease agreement or any extension thereof, Tenant agrees to remove those items so designated by Landlord at the sole cost and expense of Tenant. Shall Tenant fail to remove those items so designated by Landlord, then Landlord may cause the said items to be removed, and Tenant agrees to reimburse Landlord for the cost of such removal, together with any and all damage which Landlord may suffer and sustain by reason of the failure of Tenant to remove the same.

3. Maintenance and repair of any items installed by Tenant as outlined in this Article shall be the sole responsibility of Tenant, and Landlord shall have no obligation to maintain or repair the said items.

4. Tenant shall promptly repair any and all damages caused to the said lease premises or to the building and grounds of which the said lease premises are a part which are occasioned by the installation or removal of any alteration made pursuant to this Article.

## **ARTICLE VIII**

### **Parking**

1. At no additional cost to Tenant, Tenant's employees may park in the rear parking lot located at the northern and northeastern portion of the property on which the said lease premises are located, and in the east parking lot located at the southeast portion of the said property. Parking spaces shall be available on a first come, first served basis.

2. Tenant's temporary business guests and visitors shall be permitted to use the visitors' reserved parking spaces available off Washington Avenue and in the

northeast parking lot off of Lierman Avenue of the property on which the lease premises are located. Parking spaces shall be available on a first come, first served basis.

## **ARTICLE IX**

### **Signs, Notices, and Advertisements**

1. Tenant shall be entitled to place its organizational name and logo in a space on the exterior of the building to be designated by Landlord.
2. Tenant shall not inscribe, print, affix, or otherwise place any sign, advertisement, or notice on the grounds of the said lease premises, or the exterior or interior of the building of which the said lease premises is a part, except on the doors of the said lease premises, and only in a size, color and style approved by Landlord.

## **ARTICLE X**

### **Insurance**

Tenant is a Constitutional Officer of the State of Illinois and, as such, is self-insured for liability.

## **ARTICLE XI**

### **Indemnification**

To the extent permitted by law, Tenant shall protect, indemnify and hold harmless Landlord from and against any and all liabilities, demands, obligations, claims, suits, losses, damages, causes of action, fines, or judgments, including costs, witness fees, and attorneys' fees incident thereto, imposed upon, incurred by, or asserted against Landlord or the said lease premises, including without limitation any such claim arising out of the use, occupancy, or condition of the said lease premises, the building, grounds and ways of which the said lease premises is a part, or any equipment installed or materials stored by Tenant in the said lease premises, unless caused by a willful or grossly negligent act of Landlord or its agents, or the failure of Landlord to perform its obligations pursuant to this lease agreement. In the event that any action, suit or proceeding is brought against Landlord, upon request and written notice by Landlord, Tenant shall, at Tenant's expense, defend such action, suit or proceeding with counsel designed by Tenant and acceptable to Landlord. Landlord agrees to cooperate with the defense or any such suit or claim.

## **ARTICLE XII**

### **Services**

At no additional cost, Landlord agrees to furnish custodial services to Tenant that are customary in the building of which the said lease premises is a part. Landlord shall

furnish adequate lavatory supplies, and normal and usual maintenance, Mondays through Fridays, except legal holidays.

### **ARTICLE XIII**

#### **Personal Property**

Tenant shall be solely responsible for insuring its personal property and the personal property of its employees. Landlord shall not be liable for any accident, damage to, or theft of property of Tenant or its employees. Landlord shall not be liable for damages to property of Tenant or its employees resulting from the use or operation of the heating, cooling, electrical or plumbing apparatus, water, steam or other causes. Tenant expressly releases Landlord from any liability incurred or claimed by reason of damage to Tenant's or its employees' property.

### **ARTICLE XIV**

#### **Damage to Lease Premises**

If through no fault of Tenant the said lease premises are damaged by fire or other casualty to such extent that the said lease premises are totally destroyed, or if the damage occurs during the last six months of the term of this lease agreement, this lease agreement shall cease, and Tenant shall be entitled to a refund of any rent paid subsequent to the time of the damage. In all other cases when the said lease premises are damaged by fire or other casualty through no fault of Tenant, Landlord shall repair the damage as soon as practicable, and if the damage has rendered the said lease premises untenable in whole or in part, Tenant shall be entitled to a rent abatement until Landlord has repaired the damage. Should the said lease premises not be restored to tenantable condition within three months from the date of the said damage, then Tenant may, at its option, terminate this lease agreement in its entirety. In determining what constitutes repair of damage by Landlord as soon as practicable, consideration shall be given to delays caused by strike, disposition of insurance claims related to the said damage, and other causes beyond Landlord's control. If the damage results from the fault of Tenant, or Tenant's agents, servants, visitors, or licensees, Tenant shall not be entitled to any abatement or reduction of rent.

No compensation, claim, or diminution of rent shall be allowed or paid by Landlord to Tenant by reason of inconvenience, annoyance, or injury to Tenant's business arising from the necessity of repairing the said lease premises or any portion of the building of which the said lease premises are a part.

Landlord shall not be liable for damages for, nor shall this lease agreement be affected by, conditions arising or resulting from construction on a contiguous premises which may affect the building of which the said lease premises are a part.

**ARTICLE XV**

**Access**

Landlord, its agents and its employees shall have the right to enter the said lease premises at all reasonable hours and necessary times to inspect the said lease premises and to make necessary repairs and improvements to the said lease premises and the building in which the said lease premises are located.

**ARTICLE XVI**

**Cumulative Remedies and Waiver**

The specified remedies to which Landlord may be entitled under the terms of this lease agreement are cumulative, and are not intended to be exclusive of any other remedies or means of redress to which Landlord may be lawfully entitled in case of any breach or threatened breach by Tenant as to any provision of this lease agreement. The failure of Landlord to insist on strict performance of any covenant or condition of this lease agreement, or to exercise any option herein contained, shall not be construed as a waiver of such covenant, condition, or option in any other instance. No waiver by Landlord of any provision of this lease agreement shall be deemed to have been made unless made in writing and signed by Landlord.

**ARTICLE XVII**

**Partial Invalidity**

Should any provision of this lease agreement be or become invalid or unenforceable, the remaining provisions shall be and continue to be fully effective.

**ARTICLE XVIII**

**Successors**

All of the terms and provisions of this lease agreement shall be binding upon and inure to the benefit of and be enforceable by and upon the representatives, successors and assigns of Landlord and Tenant.

**ARTICLE XIX**

**Notices and Payments**

All rent or other payments due by Tenant pursuant to this lease agreement shall be paid to landlord at the office of the Champaign County Administrator, 1776 E. Washington Street, Urbana, IL 61802, or such other place as Landlord may from time to time designate by written notice to Tenant. All notices required or desired to be

furnished to Landlord by Tenant shall be in writing and shall be furnished by mailing the same by certified mail to Landlord, addressed to Champaign County Administrator, 1776 E. Washington Street, Urbana, IL 61802. All notices from Landlord to Tenant shall be in writing and shall be furnished by Landlord by mailing the same by certified mail addressed to Illinois Attorney General, 1776 E. Washington Street, Urbana, IL 61802.

**ARTICLE XX**

**Governing Law**

This lease agreement shall be construed, enforced, and considered made in accordance with the laws of the State of Illinois

**ARTICLE XXI**

**Titles**

All titles, captions and headings contained in this lease agreement are for convenience only and shall not be taken into consideration in any construction or interpretation of this lease agreement, or any of its provisions.

**ARTICLE XXII**

**Entire Agreement**

The terms of this lease agreement constitute the whole and entire agreement between the parties, and supersede any and all prior understandings, discussions, agreements or otherwise between the parties hereto with respect to the subject matter hereof.

**ARTICLE XXIII**

**Amendment**

No amendment to this lease agreement shall be effective unless it is in writing and signed by the parties hereto.

IN WITNESS WHEREOF the parties have set their hands and seals the day and year first above written, in duplicate documents, each of which shall be considered to be an original.

COUNTY OF CHAMPAIGN  
Landlord

ILLINOIS ATTORNEY GENERAL  
Tenant

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
Barbara Wysocki  
County Board Chair

ATTEST: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
Mark Shelden  
County Clerk and Ex-Officio  
Clerk of the County Board

Prepared by:

Susan W. McGrath  
Senior Assistant State's Attorney  
Office of the Champaign County State's Attorney  
1776 E. Washington  
Urbana, IL 61802  
217/384-3776

**OFFICE OF THE ATTORNEY GENERAL**  
**STATE OF ILLINOIS**  
**RIDER TO LEASE AGREEMENT**

This Rider is hereby expressly made a part of the subject Lease Agreement entered into by and between the parties hereto. To the extent that this Rider is inconsistent with the subject Lease Agreement, this Rider controls.

1. **APPROPRIATION OF FUNDS.** Payments pursuant to the Lease Agreement are subject to the appropriation of adequate funds by the General Assembly to the Attorney General for the purposes of this Lease Agreement. Obligations of the Attorney General will cease immediately without penalty or further payment being required if, at any time, sufficient funds for this Lease have not been appropriated or are otherwise unavailable.

2. **LESSOR STATUS.** Nothing in the Lease Agreement shall be considered to create the relationship of employer and employee between the parties hereto. Lessor shall be deemed at all times to be an independent contractor.

3. **CONFLICT OF INTEREST:** Lessor covenants that it has no public or private interest and shall not acquire directly or indirectly any such interest which would conflict in any manner with the performance of its services under this Lease Agreement. Further, Lessor agrees to comply with the provisions of the Illinois Procurement Code prohibiting conflicts of interest (30 ILCS 50/50-1 through 50-75, as now or hereafter amended). All the terms, conditions and provisions of those sections apply to this Lease Agreement and are made a part of this Lease Agreement the same as though they were incorporated and included herein.

4. **FAIR EMPLOYMENT.** Lessor agrees not to commit "unlawful discrimination" in employment as that term is used in the Illinois Human Rights Act (775 ILCS 5/1-101 *et seq.*, as now or hereafter amended), and the rules and regulations established pursuant thereto. Lessor further agrees to take affirmative action to ensure that no unlawful discrimination is committed.

5. **LATE PAYMENT CHARGE.** Any late payment charges are subject to and may be paid only in accordance with the State Prompt Payment Act (30 ILCS 540/0.01 *et seq.*, as now or hereafter amended).

6. **BRIBERY CONVICTION & FELONY CONVICTION CERTIFICATION.**

Lessor certifies that it is not barred from being awarded a Lease or sublease with the Attorney General or with the State of Illinois under Section 50-5 or Section 50-10 of the Illinois Procurement Code (30 ILCS 500/50-5, 50-10, as now or hereafter amended) as a result of a conviction under the laws of Illinois or any other State of bribing or attempting to bribe a State officer or State employee.

7. **DEBT DELINQUENCY CERTIFICATION.** Lessor certifies that neither it nor any of its affiliates is prohibited from entering into a contract with a State agency by Section 50-11 of the Procurement Code (30 ILCS 500/50-11, as now or hereafter amended). Section 50-11 of the Procurement Code bars any person who is delinquent in the payment of debt to the State from contracting with a State agency, unless that person or its affiliate has entered into a deferred payment plan to pay off the debt. Lessor acknowledges that the Office of the Attorney General may declare this contract void if this certification is false.

8. **USE TAX CERTIFICATION.** Lessor certifies that neither it nor any of its affiliates is prohibited from entering into a contract with a State agency by Section 50-12 of the Illinois Procurement Code (30 ILCS 500/50-12, as now or hereafter amended). Section 50-12 of the Procurement Code bars a person from entering into a contract with a State agency if the person or any of its affiliates has failed to collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of Illinois' Use Tax Act (35 ILCS 105/1 et seq., as now or hereafter amended). Lessor acknowledges that the Office of the Attorney General may declare this contract void if this certification is false.

9. **ENVIRONMENTAL PROTECTION ACT CERTIFICATION.** Lessor certifies that it is not barred from being awarded a contract with the Attorney General or the State of Illinois under Section 50-14 of the Illinois Procurement Code (30 ILCS 500/50-14). Section 50-14 of the Procurement Code bars the State from awarding a contract to any person or business found by a court or by the Pollution Control Board to have committed a willful or knowing violation of the Environmental Protection Act. A State agency is barred from awarding a contract to a person or business found to have been in violation for a period of five (5) years from the date of the order containing the finding of violation, unless the person or business can show that no person involved in the violation continues to have any involvement with the business or there is no practicable alternative available to the State. Lessor acknowledges that the Office of the Attorney General may declare this contract void if this certification is false.

10. **REVOLVING DOOR PROHIBITION CERTIFICATION.** Lessor certifies that it is not barred from engaging in any procurement activity with the Attorney General under Section 50-30 of the Illinois Procurement Code (30 ILCS 500/50-30, as now or hereafter amended). Section 50-30 of the Procurement Code prohibits chief procurement officers, associate procurement officers, State purchasing officers and their designees whose principal duties were directly related to State procurement from engaging in any procurement activity for a period of two (2) years after terminating an affected position relating to the agency most recently employing them in an affected position for a period of at least six (6) months. The prohibition includes but is not limited to: lobbying the procurement process; specifying; bidding; proposing bid, proposal or contract documents on their own behalf or on behalf of any firm, partnership, association, or corporation. This Section applies only to those persons who terminate an affected position on or after January 15, 1999. (30 ILCS 500/50-30, as now or hereafter amended.)

11. **EDUCATIONAL LOAN CERTIFICATION.** Lessor certifies that it is not in default on an educational loan as provided in the Educational Loan Default Act (5 ILCS 385/1 et seq., as now or hereafter amended).

12. **BID-RIGGING AND BID ROTATING CERTIFICATION.** Lessor certifies that it is not barred from bidding on Leases with the State of Illinois as a result of a conviction of bid-rigging under Section 33E-3 or of bid rotating under Section 33E-4 of the Criminal Code of 1961 (720 ILCS 5/33E-3, 5/33E-4, as now or hereafter amended).

13. **DUES TO CLUBS WHICH DISCRIMINATE CERTIFICATION.** Lessor certifies that it is not prohibited from selling goods or services to the State of Illinois because it pays dues or fees on behalf of its employees or agents or subsidiaries or otherwise reimburses them for payment of their dues or to any clubs which unlawfully discriminate. (775 ILCS 25/0.01 et seq., as now or hereafter amended.)

14. **INTERNATIONAL ANTI-BOYCOTT CERTIFICATION.** Lessor certifies and agrees that neither it nor any substantially-owned affiliated company is participating in or shall participate in an international boycott in violation of the provisions of the Federal Export Administration Act of 1979 (50 App. U.S.C. § 2401 et seq.) or the regulations of the United States Department of Commerce promulgated under that Act.

15. **ADA CERTIFICATION.** The Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) (ADA) and the regulations promulgated thereunder prohibit discrimination against persons with disabilities by the

State of Illinois, whether directly or through contractual arrangements, in the provision of any aid, benefit, or service. As a condition to this Lease Agreement, Lessor certifies that services, programs, and activities provided under this Lease Agreement are and will continue to be in compliance with the ADA.

16. **DRUG FREE WORKPLACE COMPLIANCE CERTIFICATION.** To the extent that this Lease Agreement is subject to the Drug Free Workplace Act (30 ILCS 580/1 et seq., as now or hereafter amended), Lessor 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 Vendor's workplace;
  - (2) Specifying the actions that will be taken against employees for violations of such prohibition; and
  - (3) Notifying the employee that, as a condition of employment, 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) Vendor's policy of maintaining a drug free workplace;
  - (3) Any available drug counseling, rehabilitation and employee assistance programs; and
  - (4) The penalties that may be imposed upon an employee for drug violations.
- (c) Providing a copy of the statement required by subsection (a) to each employee engaged in the performance of the contract

and to post the statement in a prominent place in the workplace.

- (d) Notifying the Attorney General within ten (10) days after receiving notice under part (B) of subparagraph (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, any employee who is so convicted, as required by section 5 of the Drug Free Workplace Act (30 ILCS 580/5, as now or hereafter amended).
- (f) Assisting employees in selecting a course of action in the event that 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 (30 ILCS 580/1 et seq., as now or hereafter amended). Vendor certifies that it will not engage in the unlawful manufacture, distribution, possession or use of a controlled substance in the performance of the contract.

17. **TAXPAYER IDENTIFICATION NUMBER CERTIFICATION.** Lessor certifies, under penalty of perjury, that its Taxpayer Identification Number (Federal Employer Identification Number, Social Security Number, etc.) listed herein is accurate and true. Lessor further certifies it is performing these services as a (please check one):

TIN Number \_\_\_\_\_

- |                               |       |                         |
|-------------------------------|-------|-------------------------|
| Individual                    | _____ | Real Estate Agent       |
| Sole Proprietorship           | _____ | Government Entity       |
| Partnership                   | _____ | Tax Exempt Organization |
| Corporation                   |       | (IRC 501(a) Only)       |
| Not-for-Profit Corporation    | _____ | Trust or Estate         |
| Medical and Health Care       |       |                         |
| Services Provider Corporation |       |                         |

18. **RECORDS RETENTION AND RIGHT TO AUDIT.** Lessor shall maintain and preserve, for three (3) years after the date of the final payment to the Lessor by the Attorney General under this Lease Agreement or the completion of the Lease Agreement, whichever is later, and for the duration of any audit then in progress all books, records and supporting documents to verify the amounts, recipients, and uses of all

disbursements of funds passing in conjunction with the Lease Agreement; the Lease Agreement and all books, records, and supporting documents related to the Lease Agreement shall be available for review and audit by the Auditor General of the State of Illinois or such other auditor as the Attorney General or the Auditor General may deem appropriate; and Lessor agrees to cooperate fully in any audit conducted hereunder and to provide full and free access to all relevant materials. Failure to maintain and preserve all books, records, supporting documents and other evidence required by this Section shall establish a presumption in favor of the Attorney General or the State of Illinois for the recovery of any funds paid by the Attorney General of the State of Illinois under the Lease for which adequate books, records, and supporting documentation are not available to support their purported disbursement. (30 ILCS 500/20-65, as now or hereafter amended.)

19. **MODIFICATION OF CONTRACT.** Any changes to the Lease Agreement shall and must be incorporated in a written amendment to the Lease Agreement. Such amendment must be signed by all parties to the contract before it may be considered effective.

20. **COMPTROLLER FILING NOTICE.** Lessor expressly understands that, whenever applicable, a copy of this Lease Agreement and any amendment(s), cancellation or renewal(s) shall be filed by the Attorney General with the State Comptroller as required by law (30 ILCS 500/20-80, as now or hereafter amended).

21. **APPLICABLE LAWS.** The Lease Agreement and Lessor's obligations and services under the Lease Agreement are hereby made subject to and must be performed in compliance with all Federal and State law. The Lease Agreement shall be construed in accordance with and governed in all respects by the laws of the State of Illinois.

**IN WITNESS WHEREOF**, the Attorney General and Lessor have caused the Lease Agreement and this Rider thereto to be executed.

LESSOR:

LESSEE:

The State of Illinois for the Use of the  
Attorney General of the State of Illinois

\_\_\_\_\_  
(Type Name of Lessor)

\_\_\_\_\_  
Lisa Madigan

By: \_\_\_\_\_  
(Type Name of Signatory)

By: \_\_\_\_\_  
Ann M. Spillane/Melissa Mahoney  
(Delete Inapplicable Name)

Title: \_\_\_\_\_

Title: Chief of Staff/Deputy Chief of Staff,  
Administration  
(Delete Inapplicable Title)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

RESOLUTION NO. 5141

RESOLUTION REAPPOINTING CECIL HUDSON TO THE SILVER CREEK DRAINAGE DISTRICT

WHEREAS, Barbara Wysocki has submitted to the County Board her reappointment of Cecil Hudson to be a Commissioner of the Silver Creek Drainage District; and

WHEREAS, such appointment requires the advice and consent of the County Board under 35 ILCS 200/6-5.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that the County Board does hereby advise and consent to the reappointment of Cecil Hudson as a Commissioner of the Silver Creek Drainage District for a term commencing November 17, 2005 and ending August 31, 2008; and

BE IT FURTHER RESOLVED that the "Notice of Appointment" be attached hereunto and made a part of this resolution; and

BE IT FURTHER RESOLVED that the County Clerk transmit certified copies of this resolution to: Cecil Hudson, 1341 County Road 1800 E, Urbana, IL 61801.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Sheldon, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

NOTICE OF APPOINTMENT

By virtue of the power vested in me under 35 ILCS 200/6-5, I, Barbara Wysocki, as presiding officer of the Champaign County Board, do hereby appoint J.L. Knell to be a Trustee of the Dewey Community Public Water District for a term commencing November 17, 2005 and ending May 31, 2009.

I hereby submit his appointment to the County Board for its advice and consent this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

RESOLUTION NO. 5142

RESOLUTION APPOINTING J. L. KNELL TO THE DEWEY COMMUNITY PUBLIC WATER DISTRICT

WHEREAS, Barbara Wysocki has submitted to the County Board her appointment of J.L. Knell to be a Trustee of the Dewey Community Public Water District; and

WHEREAS, such appointment requires the advice and consent of the County Board under 35 ILCS 200/6-5.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that the County Board does hereby advise and consent to the appointment of J.L. Knell as a Trustee of the Dewey Community Public Water District for a term commencing November 17, 2005 and ending May 31, 2009; and

BE IT FURTHER RESOLVED that the "Notice of Appointment" be attached hereunto and made a part of this resolution; and

BE IT FURTHER RESOLVED that the County Clerk transmit certified copies of this resolution to: J.L. Knell, 8 Main St., Dewey, IL 61840.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

NOTICE OF APPOINTMENT

By virtue of the power vested in me under 35 ILCS 200/6-5, I, Barbara Wysocki, as presiding officer of the Champaign County Board, do hereby appoint Doug Bluhm to be a Member of the Champaign County Zoning Board of Appeals for a term commencing December 1, 2005 and ending November 30, 2010.

I hereby submit his appointment to the County Board for its advice and consent this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

RESOLUTION NO. 5143

RESOLUTION REAPPOINTING DOUG BLUHM TO THE CHAMPAIGN COUNTY ZONING BOARD OF APPEALS

WHEREAS, Barbara Wysocki has submitted to the County Board her reappointment of Doug Bluhm to be a Member of the Champaign County Zoning Board of Appeals; and

WHEREAS, such appointment requires the advice and consent of the County Board under 35 ILCS 200/6-5.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that the County Board does hereby advise and consent to the reappointment of Doug Bluhm as a Member of the Champaign County Zoning Board of Appeals for a term commencing December 1, 2005 and ending November 30, 2010; and

BE IT FURTHER RESOLVED that the "Notice of Appointment" be attached hereunto and made a part of this resolution; and

BE IT FURTHER RESOLVED that the County Clerk transmit certified copies of this resolution to: Doug Bluhm, 2019 County Road 2500 E, St. Joseph, IL 61873.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST:

\_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

NOTICE OF APPOINTMENT

By virtue of the power vested in me under 35 ILCS 200/6-5, I, Barbara Wysocki, as presiding officer of the Champaign County Board, do hereby appoint Doug Bluhm to be a Member of the Champaign County Zoning Board of Appeals for a term commencing December 1, 2005 and ending November 30, 2010.

I hereby submit his appointment to the County Board for its advice and consent this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

RESOLUTION No. 5144

RESOLUTION APPROVING PROPERTY, LIABILITY and EXCESS INSURANCE  
POLICIES for CHAMPAIGN COUNTY

WHEREAS, the Champaign County Board annually approves insurance policies for the County's various property, liability and excess insurance needs for the ensuing fiscal year; and

WHEREAS, the Champaign County Insurance Specialist, with the assistance of Dimond Brothers Insurance Agency, the County's insurance broker; has searched the market and negotiated with current providers, and as a result provides the following recommendation for the County's insurance policies for FY2006:

- Nursing Home Property – Cincinnati Insurance Company – Annual Premium \$26,406
- County Property/Inland Marine/Crime – Selective Insurance Company – Annual Premium \$108,894
- County Liability Insurance – Illinois Counties Risk Management Trust – Annual Premium \$397,976
- Worker's Compensation Claims and Worker's Compensation Excess Insurance – Allmerica Financial/Citizens Management for a two year policy from December 1, 2005 – November 30, 2007 – Two Year Premium \$158,874

NOW, THEREFORE, BE IT RESOLVED by the County Board of Champaign County that the following insurance proposals are accepted and approved as the policies to cover Champaign County's property, liability and excess insurance:

- Nursing Home Property – Cincinnati Insurance Company – Annual Premium \$26,406
- County Property/Inland Marine/Crime – Selective Insurance Company – Annual Premium \$108,894
- County Liability Insurance – Illinois Counties Risk Management Trust – Annual Premium \$397,976
- Worker's Compensation Claims and Worker's Compensation Excess Insurance – Allmerica Financial/Citizens Management for a two year policy from December 1, 2005 – November 30, 2007 – Two Year Premium \$158,874

PRESENTED, PASSED, APPROVED and RECORDED this 17<sup>th</sup> day of November,  
A.D. 2005.

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Barbara Wysocki, Chair  
Champaign County Board

ATTEST:

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Mark Shelden, County Clerk and  
Ex-officio Clerk of the County Board

RESOLUTION NO. 5145

RESOLUTION APPROVING AWARD OF CONTRACT TO ARAMARK  
CORRECTIONAL SERVICES FOR INMATE FOOD SERVICES

WHEREAS, Champaign County issued RFP 2005-014 for Inmate Food Services, in accordance with County Board policy; and

WHEREAS, Champaign County received three qualifying responses to RFP2005-014; and

WHEREAS, the County Administrator of Facilities/Procurement, in concurrence with Sheriff Walsh, has presented the recommendation to award the contract to Aramark Correctional Services to provide food services for the Satellite Jail, Correctional Center and Juvenile Detention Center, for the period from November 18, 2005 through November 19, 2007, with one additional two year extension if approved by both parties.

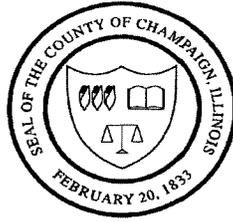
NOW, THEREFORE, BE IT RESOLVED by the County Board of Champaign County that the County Board Chair is hereby authorized and directed to execute on behalf of the County of Champaign, the contract with Aramark Correctional Services to provide food services for the Satellite Jail, Correctional Center and Juvenile Detention Center, for the period from November 18, 2005 through November 19, 2007, with one additional two year extension if approved by both parties.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

# CHAMPAIGN COUNTY ADMINISTRATIVE SERVICES



## BOARD ACTION WORKSHEET

11/9/2005

**PROPOSAL #:** 2005 - 014

**TITLE:** *Inmate Food Services Contract*

**RECOMMENDATION:**

I recommend award of contract to **Aramark Correctional Services** to provide food services for the Satellite Jail, Correctional Center, and Juvenile Detention Center. This recommendation is made in concurrence with Sheriff Walsh.

Denny Inman,  
County Administrator/Facilities/Procurement

**REPORT:**

1. Proposals were received from Aramark Correctional Services (Oak Brook Terrace, Illinois), Canteen Correctional Services of Franklin, Massachusetts, and Consolidated Correctional Foodservice of Des Moines, Iowa.
2. Sheriff Walsh, Captain Jim Young, and County Administrator evaluated proposals.
3. Contract period is November 18, 2005 - November 19, 2007. With one (1) additional two year extension if approved by both parties.
4. Current price per meal is \$1.167. Proposed price is \$ 1.117/meal. Decrease of -4.28%.

**COMMITTEE:** *POLICY, PROCEDURES, & APPOINTMENTS*

DATE: 11/9/2005

COMMENTS:

APPROVED/DISAPPROVED

**CHAMPAIGN COUNTY BOARD:**

DATE: 11/17/2005

COMMENTS:

APPROVED/DISAPPROVED

RESOLUTION NO. 5146

RESOLUTION APPROVING CHANGE IN TITLE and CLASSIFICATION of  
ACCOUNTANT/FISCAL MANAGER POSITION at the CHAMPAIGN COUNTY  
MENTAL HEALTH BOARD

WHEREAS, the Champaign County Mental Health Board has requested the review and evaluation of the Accountant/Fiscal Manager position under the County's Salary Administration Guidelines as set forth in Article 9 of the Champaign County Personnel Policy; and

WHEREAS, pursuant to the request as stated above, the Champaign County Justice & Social Services Committee approved submission of the Accountant/Fiscal Manager position to the Job Content Evaluation Committee for description and classification review and recommendation; and

WHEREAS, based upon the information presented by the Champaign County Mental Health Board, the Job Content Evaluation Committee has recommended a change in title, description and classification for the Accountant/Fiscal Manager position at the Champaign County Mental Health Board, to be re-named the Business Unit Controller, classified in Grade Range I and changed to Exempt status under FLSA; and

WHEREAS, the Champaign County Justice & Social Services Committee approved the recommendation of the Job Content Evaluation Committee, and forwarded said recommendation to the Champaign County Policy, Personnel and Appointments Committee; and

WHEREAS, the Champaign County Policy, Personnel and Appointments Committee has approved recommendation to the County Board of the Job Content Evaluation Committee to change the title of the Accountant/Fiscal Manager position at the Champaign County Mental Health Board to Business Unit Controller, classified in Champaign County Grade Range I and designated to Exempt status under FLSA.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that the title of the Accountant/Fiscal Manager position at the Champaign County Mental Health Board is changed to Business Unit Controller, classified in Champaign County Grade Range I and designated Exempt status under FLSA.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the County Board

RESOLUTION NO. 5147

RESOLUTION FOR CONTRACT AWARD AUTHORITY  
FURNISHING MATERIALS FOR THE  
2006 MAINTENANCE OF VARIOUS ROAD DISTRICTS  
IN CHAMPAIGN COUNTY

WHEREAS, sealed bids will be received in the office of the County Engineer until 10:00 a.m. November 16, 2005 for furnishing of materials for the 2005 Maintenance of Various Road Districts in Champaign County, and

WHEREAS, it is in the best interest of Champaign County to award the contract as early as possible, and

WHEREAS, the Champaign County Board agrees to allow Jeff Blue, P.E., Champaign County Engineer to accept the low bid for materials on behalf of Champaign County in concurrence with the recommendation of the Road District Commissioners.

NOW, THEREFORE, BE IT RESOLVED, by the Champaign County Board that the above will be accepted to expedite the contract with the low bidder.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November A. D., 2005.

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Barbara Wysocki, Chair  
County Board of the County of  
Champaign, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk and  
ex-Officio Clerk of the County Board

Prepared by: Jeff Blue  
County Engineer

ORDINANCE NO. 765

AN ORDINANCE FOR THE ESTABLISHMENT  
OF AN ALTERED SPEED ZONE  
IN PHILO ROAD DISTRICT

WHEREAS, it is hereby declared by the County Board of Champaign County, Illinois, that the basic statutory vehicular speed limit established by Section 11-604 of the Illinois Vehicle Code is greater, or less, than that considered reasonable and proper on 1500E from 800N TO 850N, a distance of 0.50 mile, for which Philo Road District has maintenance responsibility and which is not under the jurisdiction of the Department of Transportation, State of Illinois.

NOW, THEREFORE, BE IT FURTHER DECLARED, that this Board has caused to be made an engineering and traffic investigation upon the highway listed, and

BE IT FURTHER DECLARED, that by virtue of Section 11-604 of the above Code, this Board determines and declares that the reasonable and proper absolute maximum speed limit upon the highway described shall be as stated therein, and

BE IT FURTHER DECLARED, that by virtue of Section 11-604 of the above Code, and according to the results of the engineering and traffic investigation on the above stated segment of 1500E, it was determined that the reasonable and proper absolute maximum speed limit shall be 40 miles per hour, and

BE IT FURTHER DECLARED, that this ordinance shall take effect immediately after the erection of said signs giving notice of the maximum speed limit.

PRESENTED, PASSED, APPROVED and RECORDED this 17<sup>th</sup> day of November A.D., 2005.

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Barbara Wysocki, Chair  
County Board of the County of  
Champaign, Illinois

ATTEST: \_\_\_\_\_  
Mark. Sheldon, County Clerk and  
ex-Officio Clerk of the County Board

Prepared by: Jeff Blue  
County Engineer

RESOLUTION NO. 5155

BUDGET AMENDMENT

November, 2005

FY 2005

WHEREAS, the Finance Committee has approved the following amendment to the 2004-2005 budget.

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board approves the following amendment to the 2004-2005 budget; and

BE IT FURTHER RESOLVED that the County Auditor be authorized and is hereby requested to make the following amendment to the 2004-2005 budget:

Budget Amendment #05-00109

<u>ACCOUNT DESCRIPTION</u>	<u>AMOUNT</u>
Fund 080 General Corporate Dept. 071 Public Properties	
Increased Appropriations	
533.31 Electric Service	\$55,000
533.30 Gas Service	\$60,000
533.32 Water Service	\$5,000
533.36 Waste Disposal & Recycling	\$1,100
533.46 Sewer Service & Tax	<u>\$2,500</u>
Total	\$123,600
Increased Revenue	
None (From Fund Balance)	<u>\$0</u>
Total	<u>\$0</u>

REASON: To pay for anticipated utilities for remainder of FY2005.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Sheldon, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5156

BUDGET AMENDMENT

November, 2005

FY 2005

WHEREAS, the Finance Committee has approved the following amendment to the 2004-2005 budget.

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board approves the following amendment to the 2004-2005 budget; and

BE IT FURTHER RESOLVED that the County Auditor be authorized and is hereby requested to make the following amendment to the 2004-2005 budget:

Budget Amendment #05-00111

<u>ACCOUNT DESCRIPTION</u>		<u>AMOUNT</u>
Fund 080 General Corporate Dept. 031 Circuit Court		
Increased Appropriations		
533.03 Attorney Fees		\$30,000
	Total	\$30,000
Increased Revenue		
None (From Fund Balance)		\$0
	Total	\$0

REASON: Insufficient funds to cover increase expenses for court appointed attorneys in juvenile and criminal cases.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: 

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Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5157

BUDGET AMENDMENT

November, 2005

FY 2005

WHEREAS, the Finance Committee has approved the following amendment to the 2004-2005 budget.

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board approves the following amendment to the 2004-2005 budget; and

BE IT FURTHER RESOLVED that the County Auditor be authorized and is hereby requested to make the following amendment to the 2004-2005 budget:

Budget Amendment #05-00114

<u>ACCOUNT DESCRIPTION</u>	<u>AMOUNT</u>
Fund 075 Regional Planning Commission Dept. 670 Visioning Project	
Increased Appropriations	
522.01 Stationary & Printing	\$1,000
522.02 Office Supplies	\$1,000
522.15 Gasoline & Oil	\$250
533.07 Professional Services	\$70,000
533.12 Job-Required Travel Expense	\$250
533.70 Legal Notices, Advertising	\$500
533.85 Photocopy Services	<u>\$100</u>
Total	\$73,100
Increased Revenue	
341.40 Technical Service Cont.	\$46,550
385.20 From Membership Dept. 731/644	<u>\$10,000</u>
Total	\$56,550

REASON: To accommodate work progression on the Visioning Project.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Sheldon, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5158

BUDGET AMENDMENT

November, 2005

FY 2005

WHEREAS, the Finance Committee has approved the following amendment to the 2004-2005 budget.

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board approves the following amendment to the 2004-2005 budget; and

BE IT FURTHER RESOLVED that the County Auditor be authorized and is hereby requested to make the following amendment to the 2004-2005 budget:

Budget Amendment #05-00115

<u>ACCOUNT DESCRIPTION</u>		<u>AMOUNT</u>
Fund 686 Sheriff Live Scan Equipment Grant Dept. 140 Correctional Center		
Increased Appropriations		
544.85 Police Equipment		<u>\$17,056</u>
	Total	\$17,056
Increased Revenue		
331.40 Just./Anti-Drug Abuse Act		\$12,792
371.80 From General Corporate Fund		<u>\$4,264</u>
	Total	\$17,056

REASON: Complete purchase of Live Scan portable fingerprint scanner – CCSO is responsible for 25% of purchase price.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Sheldon, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5159

RESOLUTION TO DESIGNATE THE OFFICE OF THE  
STATE'S ATTORNEYS APPELLATE PROSECUTOR AS AGENT

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Judicial Districts containing less than 3,000,000 inhabitants; and,

WHEREAS, the powers and duties of the Office of the State's Attorneys Appellate Prosecutor are defined and enumerated in the "State's Attorneys Appellate Prosecutor's Act", 725 ILCS 210/1 et. seq., as amended; and,

WHEREAS, the Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives county approval and support from within the respective Judicial Districts eligible to apply; and,

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor shall administer the operation of the appellate offices so as to insure that all participating State's Attorneys continue to have final authority in preparation, filing, and arguing of all appellate briefs and any trial assistance; and,

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor and the Illinois General Assembly have reviewed and approved a budget for Fiscal Year 2006, which funds will provide for the continued operation of the Office of the State's Attorneys Appellate Prosecutor.

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board, in regular session, this 17th day of November, 2005 does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorneys of this county in the appeal of all cases, when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney prepare, file, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the State's Attorney's duties under the Illinois Public Labor Relations Act, including negotiations thereunder, as well as in the trial and appeal of tax objections.

**BE IT FURTHER RESOLVED** that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist State's Attorneys in the discharge of their duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

**BE IT FURTHER RESOLVED** that the Champaign County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2006, commencing December 1, 2005, and ending November 30, 2006, by hereby appropriating a sum of money not to exceed \$27,000.00 for the express purpose of providing a portion of the funds required for financing the operation of the Office of the State's Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the Fiscal Year 2006.

**PRESENTED, ADOPTED, APPROVED and RECORDED** this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5160

RESOLUTION AUTHORIZING A LITIGATION ASSISTANCE AGREEMENT BETWEEN THE COUNTY OF CHAMPAIGN AND THE OFFICE OF THE STATE'S ATTORNEYS APPELLATE PROSECUTOR

WHEREAS, Section 4.07 of the State's Attorneys Appellate Prosecutor's Act, 725 ILCS 210/4.07 empowers the Office of the State's Attorneys Appellate Prosecutor to enter into agreements with any Illinois county and expend services from any public source; and

WHEREAS, from time to time the Champaign County State's Attorney may require the assistance in the Circuit Court of an Assistance State's Attorney knowledge in both trial and appellate matters; and

WHEREAS, from time to time due to absence, disability, conflict of interest or the appearance thereof, or otherwise in the interest of justice, the State's Attorney may find it necessary or prudent to request the Court to appoint a Special Prosecutor to act in his or her stead; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor is committed to facilitating effective and error free prosecution at trial as an essential component of exercising its statutory authority pursuant to Section 4.01 of the Act on behalf of State's Attorneys on appeal; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor is prepared, when appropriate, to permit attorneys employed by the Office to act in the capacity of Special Assistant State's Attorney or Special Prosecutor without additional fee or compensation by the County where such attorneys are so appointed by a Court of competent jurisdiction; and

WHEREAS, a Litigation Assistance Agreement between the County of Champaign and the Office of the State's Attorneys Appellate Prosecutor has been prepared and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Champaign County authorizes the County Board Chair to enter into the Litigation Assistance Agreement with the Office of the State's Attorneys Appellate Prosecutor.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5161

RESOLUTION FOR AUTHORIZATION TO BORROW AND LOAN FUNDS WITHIN  
COMBINED BANK ACCOUNTS

WHEREAS, there are infrequent occasions where a funds line item has a cash flow problem; and

WHEREAS, due to the combined bank accounts of these funds, the line item may be negative but the bank account is sufficiently liquid to cover the check as presented; and

WHEREAS, the integrity of the line item balances is important to the Counties system of accounting; and

WHEREAS, these shortfalls often occur within time frames which do not accommodate the present borrowing authorization of the Budget and Finance Committee and the County Board.

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board approves the loan of funds (from one fund to one other fund) within combined bank accounts as may be required for cash flow purposes for a period of one year ending November 30, 2006; and

BE IT FURTHER RESOLVED that any such loan will be repaid as soon as sufficient funds are available; and

BE IT FURTHER RESOLVED that the County Auditor and County Treasurer are hereby authorized and requested to manage loans between funds within combined bank accounts and to provide a report to the Budget and Finance Committee regarding the loans and any subsequent repayment.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Sheldon, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5162

RESOLUTION AUTHORIZING A LOAN TO THE ELECTION ASSISTANCE/  
ACCESSIBILITY FUND FROM THE GENERAL CORPORATE FUND

WHEREAS, the Election Assistance/Accessibility Fund will need a loan of \$223,000.00 for a period not to exceed one hundred and eighty days to cover the costs associated with the purchase of new voting machines; and

WHEREAS, the General Corporate Fund has adequate reserves to make this short-term loan; and

WHEREAS, the tax levy for the General Corporate fund is \$6,170,799.00 and there are no outstanding tax anticipation warrants or notes.

NOW THEREFORE, BE IT RESOLVED that pursuant to 55 ILCS 5/5-1006.5, 55 ILCS 5/5-1016, 55 ILCS 5/3-10014, and the authority recognized in Gates V. Sweiter, 347 Ill. 353, 179 NE 837 (1932), the Champaign County Board approves a loan of \$223,000.00 from the General Corporate Fund to the Election Assistance / Accessibility Fund for a period not to exceed one hundred and eighty days; and

BE IT FURTHER RESOLVED that the County Auditor and County Treasurer are hereby authorized and requested to advance the above sum and to repay this advance within one hundred and eighty days from the Election Assistance/Accessibility Fund.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5163

RESOLUTION APPROVING THE 2005 OFFICIAL BALLOT VOTE FOR W. THOMAS ROSS  
FOR IMRF EXECUTIVE TRUSTEE

WHEREAS, the Champaign County Board has exclusive authority to cast a ballot in the election of the Illinois Municipal Retirement Fund's Executive Trustee; and

WHEREAS, the Champaign County Board Finance Committee has approved voting for W. Thomas Ross as a candidate for the Illinois Municipal Retirement Fund Executive Trustee.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that the County Board does hereby cast a vote for W. Thomas Ross for Illinois Municipal Retirement Fund Executive Trustee on the 2005 Official Ballot.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
County Board  
Champaign County, Illinois

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the  
Champaign County Board

RESOLUTION NO. 5164

RESOLUTION AMENDING SCHEDULE OF AUTHORIZED POSITIONS for the  
CHAMPAIGN COUNTY BOARD OFFICE and CHAMPAIGN COUNTY ZONING and  
ENFORCEMENT DEPARTMENT

WHEREAS, pursuant to Article 9-2 of the Champaign County Personnel Policy, the County Board approves the Schedule of Authorized Positions for departments governed by the Champaign County Personnel Policy; and

WHEREAS, pursuant to approval by the Champaign County Board, the Champaign County Zoning and Enforcement Department, which has operated under the administrative supervision of the Champaign County Regional Planning Commission pursuant to a Memorandum of Understanding between the County Board and Regional Planning Commission since 1990, will operate as a stand-alone County Department effective on December 1, 2005; and

WHEREAS, the change in administration of the Champaign County Zoning and Enforcement Department creates a need for additional support staff and some changes of current staffing levels within that department; and

WHEREAS, the Champaign County Board Office has determined that the duties and responsibilities currently assigned to the full-time Administrative Secretary assigned to the County Board Office can be assigned to the staff of the Champaign County Administrative Services Department, enabling the transfer of the Champaign County Board Administrative Secretary position to the Champaign County Zoning and Enforcement Department.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that the Administrative Secretary position currently assigned to the Champaign County Board Office Schedule of Authorized Positions will be transferred to the Champaign County Zoning and Enforcement Department Schedule of Authorized Positions effective December 1, 2005; and

BE IT FURTHER RESOLVED that in addition to the Administrative Secretary assigned to the Champaign County Zoning and Enforcement Department, the following positions shall also be assigned to the Schedule of Authorized Positions for that department effective December 1, 2005 – One (1) Director; One (1) Associate Planner; One (1) Zoning Officer; and Two (2) Zoning Technicians.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

\_\_\_\_\_  
Barbara Wysocki, Chair  
Champaign County Board

ATTEST: \_\_\_\_\_  
Mark Shelden, County Clerk  
and ex-officio Clerk of the County Board

RESOLUTION NO. 5165

RESOLUTION APPOINTING NEGOTIATING TEAM for NEGOTIATION OF AGREEMENT  
BETWEEN AFSCME and CHAMPAIGN COUNTY BOARD – HEAD START

WHEREAS, the Agreement between the American Federation of State, County and Municipal Employees, Council 31 and the Champaign County Board (Head Start) expires on February 28, 2006; and

WHEREAS, the AFSCME and the Champaign County Board are prepared to initiate negotiations of the new Agreement to take effect on March 1, 2006; and

WHEREAS, the Finance Committee of the Champaign County Board recommends the appointment of the negotiating team representing the County for said negotiations to include: Tom Betz, Chair of the County Labor Sub-Committee; David DeThorne, Senior Assistant State's Attorney; Kathleen Liffick, Director of Head Start; Mary Hodson, Regional Planning Commission Director of Human Resources; and Elizabeth Murphy, Regional Planning Commission Director of Finance.

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that the following individuals are appointed to the negotiating team to serve on behalf of the Champaign County Board in negotiation of Agreement with the American Federation of State, County and Municipal Employees for the Head Start Bargaining Unit Agreement to become effective on March 1, 2006: Tom Betz, Chair of the County Labor Sub-Committee; David DeThorne, Senior Assistant State's Attorney; Kathleen Liffick, Director of Head Start; Mary Hodson, Regional Planning Commission Director of Human Resources; and Elizabeth Murphy, Regional Planning Commission Director of Finance.

PRESENTED, ADOPTED, APPROVED and RECORDED this 17<sup>th</sup> day of November, A.D. 2005.

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Barbara Wysocki, Chair  
Champaign County Board

ATTEST: \_\_\_\_\_  
Mark Sheldon, Champaign County Clerk  
and ex-officio Clerk of the County Board