

RESUME OF MINUTES OF A REGULAR MEETING OF THE  
COUNTY BOARD, CHAMPAIGN COUNTY, ILLINOIS  
December 17, 2009

The County Board of Champaign County, Illinois met at a Regular Meeting, Thursday, December 17, 2009 at 7:02 P.M. in the Lyle Shields Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, Illinois, with C. Pius Weibel presiding and Sasha Green as Secretary of the Meeting.

**ROLL CALL**

Roll call showed the following Board Members Present: Langenheim, Michaels, Moser, Nudo, O'Connor, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons, Anderson, Beckett, Bensyl, Betz, Carter, Cowart, Doenitz, Gladney, James, Jay, Jones, Knott, Kurtz and Weibel – 25; Absent: McGinty and Richards – 2. Thereupon, the Chair declared a quorum present and the Board competent to conduct business. Board Member Richards arrived after roll call.

**PRAYER & PLEDGE OF ALLEGIANCE**

A prayer was given by Chair Weibel. The Pledge of Allegiance to the Flag was recited.

**READ NOTICE OF MEETING**

The Clerk read the Notice of the Meeting, said Notice having been published in the *Southern Champaign County Today* on December 2, 2009; *The Leader* on December 3, 2009; *Fisher Outlook* on December 8, 2009; *Mahomet Citizen* and *Rantoul Press* on December 9, 2009; *County Star* and *Savoy Star* on December 10, 2009; and *News Gazette* on December 15, 2009. Board Member Betz offered a motion to approve the notice; seconded by Board Member Wysocki. Approved by voice vote.

**APPROVAL OF MINUTES**

Board Member Wysocki offered the motion to approve the minutes of the County Board Meeting of November 19, 2009 and County Board Study Session of November 30, 2009; seconded by Board Member Betz. Approved by voice vote.

**APPROVAL OF AGENDA/ADDENDUM**

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

**DATE/TIME OF NEXT REGULAR MEETING**

Chair Weibel announced that the next Meeting of the County Board will be held on Thursday, January 21, 2010 at 7:00 P.M. Committee of the Whole for Environment & Land Use, Highway, and County Facilities will be held Tuesday, January 5, 2010 at 6:00 P.M. and Policy, Personnel, & Appointments, Justice & Social Services, and Finance will be held Tuesday, January 12, 2010 at 6:00 P.M.

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

Finance

Adoption of [Resolution No. 7219](#) Budget Amendment #09-00105  
Fund/Dept: 627 Property Tax Interest Fee Fund/026 County Treasurer  
Increased Appropriations: \$11,900.00  
Increased Revenue: \$0.00

Reason: Transfer per 35 ILCS 200/21-33 to General Corporate fund - the fund accumulated more than was originally budgeted.

Adoption of [Resolution No. 7220](#) Budget Amendment #09-00106  
Fund/Dept: 080 General Corporate Fund/075 General County  
Increased Appropriations: \$75,000.00  
Increased Revenue: \$0.00

Reason: To appropriate funds required to pay remaining outstanding legal fees for nursing home construction arbitration.

Adoption of [Resolution No. 7221](#) Budget Amendment #09-00110  
Fund/Dept: 080 General Corporate Fund/042 Coroner  
Increased Appropriations: \$2,500.00  
Increased Revenue: \$0.00

Reason: To cover final autopsy expenses for 2009.

Adoption of [Resolution No. 7222](#) Budget Amendment #09-00107  
Fund/Dept: 188 Social Security Fund/075 General County and 044  
Nursing Home  
Increased Appropriations: \$40,500.00  
Increased Revenue: \$0.00

Reason: To budget required expenditure for final payout of Social Security employer Contributions for FY2009.

Adoption of [Resolution No. 7223](#) Budget Transfer #09-00015  
Fund/Dept: 080 General Corporate Fund/071 Physical Plant  
Total Amount of Transfer: \$25,000.00

Reason: Transfer necessary to cover the increase in water rates late last year funds have been transferred to cover these increases from other lines and funds need to be refunded to those lines to cover outstanding obligations.

Adoption of [Resolution No. 7224](#) Budget Transfer #09-00016  
Fund/Dept: 080 General Corporate Fund/022 County Clerk  
Total Amount of Transfer: \$2,000.00

Reason: To cover professional assistance needed for the new election equipment supply room from December 2008-October 2009.

Adoption of [Resolution No. 7225](#) Budget Amendment #10-00001  
Fund/Dept: 075 Regional Planning Commission/746 Sixth Street Traffic Study  
Increased Appropriations: \$25,000.00  
Increased Revenue: \$25,000.00

Reason: Receipt of contract with the University of Illinois to provide recommendations for improved traffic management on Sixth Street between Gregory Drive and Peabody Drive. The study will include all travel modes including pedestrian, bicycle, transit and automobile with a focus on pedestrian and bicycle safety.

Adoption of [Resolution No. 7226](#) Budget Amendment #10-00008  
Fund/Dept: 075 Regional Planning Commission/761 Transportation Local Contract Services  
Increased Appropriations: \$25,000.00  
Increased Revenue: \$25,000.00

Reason: To accommodate the receipt of new local contracts for transportation planning and specific traffic and transportation studies.

Adoption of [Resolution No. 7227](#) Budget Amendment #10-00002  
Fund/Dept: 080 General Corporate Fund/043 Emergency Management Agency  
Increased Appropriations: \$54,000.00  
Increased Revenue: \$54,000.00

Reason: To re-encumber the FY2010 Homeland Security Grant revenue and Corresponding appropriation to the County's FY2010 budget.

Adoption of [Resolution No. 7228](#) Budget Amendment #10-00005  
Fund/Dept: 080 General Corporate Fund/071 Public Properties  
Increased Appropriations: \$1,400.00  
Increased Revenue: \$0.00

Reason: To re-encumber the unspent funds from FY2009 for the move of the Coroner's Office to the Gill Building.

Adoption of [Resolution No. 7231](#) Budget Amendment #10-00011  
Fund/Dept: 092 Law Library Fund/074 Law Library  
Increased Appropriation: \$3,000.00  
Increased Revenue: \$0.00

Reason: Additional appropriation required to cover expenditure for Addendum to the Agreement between Land of Lincoln Legal Assistance Foundation, Inc. and Champaign County.

Adoption of [Resolution No. 7232](#) Budget Amendment #09-00111  
Fund/Dept: 089 Board of Health Fund/049 Board of Health  
Increased Appropriation: \$9,385.00  
Increased Revenue: \$9,385.00

Reason: To appropriate additional revenue and expenditure of federal H1N1 grant funding for program expenses completed in FY2009.

Adoption of [Resolution No. 7236](#) to Designate the Office of the State's Attorneys Appellate Prosecutor as Agent.

Adoption of [Resolution No. 7237](#) Authorizing a Litigation Assistance Agreement between the County of Champaign and the Office of the State's Attorneys Appellate Prosecutor.

Adoption of [Resolution No. 7238](#) Approving Addendum to Contract Between Champaign County and Land of Lincoln Legal Assistance Foundation, Inc.

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

Yeas: Langenheim, Michaels, Moser, Nudo, O'Connor, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons, Anderson, Beckett, Bensyl, Betz, Carter, Cowart, Doenitz, Gladney, James, Jay, Jones, Knott, Kurtz and Weibel – 25;

Nays: none.

Absent: Richards – 1.

### **PUBLIC PARTICIPATION**

Tony Fabri, Champaign County Auditor, announced Champaign County has received the GFOA Certificate of Achievement for the FY08 annual audit.

### **ANNOUNCEMENTS/COMMUNICATIONS**

Board Member Ammons spoke regarding the GFOA Certificate of Achievement. Board Member Wysocki announced the Champaign County Land Resource Management Plan will be under public review for 30 days from January 11<sup>th</sup> through February 9<sup>th</sup>; on January 26<sup>th</sup> there will be a public meeting at the Holiday Inn from 4 – 7 P.M. Chair Weibel told Board Members there would no longer be a per diem sheet circulated. Board Member Nudo announced 30 trees had been planted at the Nursing Home and flowers will be planted with the additional funds; and thanked everyone who participated.

## **COMMITTEE REPORTS**

### Justice & Social Services

Board Member Gladney, Chair, announced the committee had no items for board action.

### County Facilities

Board Member Beckett, Chair, recommended the adoption of [Resolution No. 7209](#) Appropriating \$4,098.83 from the Champaign County Nursing Home Construction Fund for Invoice from Phebus & Koester dated November 11, 2009 for Reimbursable Expenses; seconded by Board Member Betz. Adopted by voice vote.

Board Member Beckett recommended the adoption of [Resolution No. 7210](#) Appropriating \$137,975.00 from the Champaign County Nursing Home Construction Fund and General Corporate Fund for Invoice from Phebus & Koester dated November 11, 2009 for Legal Fees; seconded by Board Member Betz. Adopted by voice vote.

### Policy, Personnel, & Appointments

Vice-Chair Betz briefly chaired the meeting so that Chair Weibel could recommend appointments as there had been no Committee Meeting.

Chair Weibel recommended the adoption of [Resolution No. 7211](#) Appointing Ernest Gullerud and Thom Moore to the Champaign County Mental Health Board; seconded by Board Member Beckett. Adopted by voice vote.

Chair Weibel recommended the adoption of [Resolution No. 7213](#) Appointing LaShunda Hambrick to the Champaign County Nursing Home Board of Directors; seconded by Board Member Beckett. Discussion followed. Adopted by voice vote.

Board Member Betz, Chair, recommended the adoption of [Resolution No. 7214](#) Approving the Martin Luther King, Jr. Proclamation; seconded by Board Member Cowart. Adopted by voice vote.

### Finance

Board Member Rosales, Vice-Chair, recommended the adoption of [Resolution No. 7215](#) Purchases Not Following Purchasing Policy; seconded by Board Member Beckett. Adopted by voice vote.

Board Member Rosales recommended the adoption of [Resolution No. 7216](#) Payment of Claims Authorization; seconded by Board Member Betz. Adopted by voice vote.

Board Member Rosales recommended the adoption of [Resolution No. 7229](#) - Budget Amendment #10-00006:

Fund/Dept: 080 General Corporate Fund/051 Juvenile Detention Center and 052 Court Services/Probation Department

Increased Appropriation: \$84,559.00

Increased Revenue: \$95,500.00

Reason: To appropriate new revenue in additional funds from AOIC to allow for funding of positions; to offset transfer of revenue previously required for Probation Services Fees Fund; to increase appropriation of part-time budget and temporary increase of full-time budget for JDC; to restore two full-time positions previously cut in Court Services with corresponding increase in revenue to offset FY2010 health insurance expenses for those two positions; seconded by Board Member Moser. Discussion followed.

Adopted by 2/3 required roll call vote.

Yeas: Langenheim, Michaels, Moser, Nudo, O'Connor, Richards, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons, Anderson, Beckett, Bensyl, Betz, Carter, Cowart, Doenitz, Gladney, James, Jay, Jones, Knott, Kurtz and Weibel – 26;

Nays: none.

Board Member Rosales recommended the adoption of [Resolution No. 7230](#) - Budget Amendment #10-00007:

Fund/Dept: 00 General Corporate Fund/075 General County

Increased Appropriation: \$10,941.00

Increased Revenue: \$0.00 (increase in revenue in Amendment #10-00006)

Reason: This amendment is a supplement to Amendment #10-00006 for additional health insurance coverage for two full-time positions in Court Services; seconded by Board Member Moser.

Adopted by 2/3 required roll call vote.

Yeas: Langenheim, Michaels, Moser, Nudo, O'Connor, Richards, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons, Anderson, Beckett, Bensyl, Betz, Carter, Cowart, Doenitz, Gladney, James, Jay, Jones, Knott, Kurtz and Weibel – 26;

Nays: none.

Board Member Rosales recommended the adoption of [Resolution No. 7217](#) - Emergency Budget Amendment #09-00112:

Fund/Dept: 070 Nursing Home Construction Fund/010 County Board

Increased Appropriation: \$22,091.00

Increased Revenue: \$0.00

Reason: To appropriate all remaining cash available in Nursing Home Construction Fund; seconded by Board Member James. Discussion followed.

Adopted by 2/3 required roll call vote.

Yeas: Langenheim, Michaels, Moser, Nudo, O'Connor, Richards, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons, Anderson, Beckett, Bensyl, Betz, Carter, Cowart, Doenitz, Gladney, James, Jay, Jones, Knott, Kurtz and Weibel – 26;  
Nays: none.

Board Member Rosales recommended the adoption of [Resolution No. 7233](#) - Emergency Budget Amendment #09-00114:

Fund/Dept: 076 Tort Immunity Tax Fund/075 General County  
Increased Appropriation: \$30,000.00  
Increased Revenue: \$0.00

Reason: To appropriate expenditure authority required to pay all of FY2009 General Corporate Work Comp Premiums; seconded by Board Member Moser. Discussion followed.

Adopted by 2/3 required roll call vote.

Yeas: Langenheim, Michaels, Moser, Nudo, O'Connor, Richards, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons, Anderson, Beckett, Betz, Carter, Cowart, Doenitz, Gladney, James, Jay, Jones, Knott, Kurtz and Weibel – 25;

Nays: Bensyl – 1.

Board Member Rosales recommended the adoption of [Resolution No. 7234](#) - Emergency Budget Amendment #10-00012:

Fund/Dept: 080 General Corporate Fund/071 Public Properties  
Increased Appropriation: \$5,299.00  
Increased Revenue: \$0.00

Reason: To re-encumber unspent funds from FY2009 for the remaining portion of the County Clerk's Election Storage Space Remodel; seconded by Board Member Carter. Discussion followed.

Adopted by 2/3 required roll call vote.

Yeas: Langenheim, Michaels, Moser, Nudo, O'Connor, Richards, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons, Anderson, Beckett, Bensyl, Betz, Carter, Cowart, Doenitz, Gladney, James, Jay, Jones, Knott, Kurtz and Weibel – 26;

Nays: none.

Board Member Rosales recommended the adoption of [Resolution No. 7235](#) - Emergency Budget Transfer #09-00017:

Fund/Dept: 083 County Highway Fund/060 Highway Department  
Total Amount of Transfer: \$20,000.00

Reason: To move adequate expenditure authority from Gasoline & Oil to the line item for Worker's Compensation to payout FY2009 total expenses for Worker's Compensation; seconded by Board Member Cowart.

Discussion followed.

Adopted by 2/3 required roll call vote.

Yeas: Langenheim, Michaels, Moser, Nudo, O'Connor, Richards, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons,

Anderson, Beckett, Betz, Carter, Cowart, Doenitz, Gladney,  
James, Jay, Jones, Knott, Kurtz and Weibel – 25;  
Nays: Bensyl – 1.

Board Member Rosales recommended the adoption of [Resolution No. 7239](#) – Emergency Budget Amendment #09-00115:  
Fund/Dept: 613 Court Automation Fund/030 Circuit Clerk  
Increased Appropriation: \$25,000.00  
Increased Revenue: \$0.00

Reason: To appropriate funding required to pay portion of salary for Courts Technology Coordinator position; seconded by Board Member Schroeder. Discussion followed.

Adopted by 2/3 required roll call vote.

Yeas: Langenheim, Michaels, Moser, Nudo, O'Connor, Richards, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons, Anderson, Beckett, Bensyl, Betz, Carter, Cowart, Doenitz, Gladney, James, Jay, Jones, Knott, Kurtz and Weibel – 26;

Nays: none.

Board Member Rosales recommended the adoption of [Resolution No. 7240](#) Authorizing Champaign County Application for Energy Efficiency Conservation Block Grant on Behalf of Champaign County Schools; seconded by Board Member Smucker. Discussion followed. Adopted by voice vote.

#### Highway & Transportation

Board Member Cowart, Chair, recommended the adoption of [Resolution No. 7218](#) Awarding of Contracts for the Furnish and Delivery of Aggregate Materials for 2010 Maintenance of Various Road Districts in Champaign County; seconded by Board Member Kurtz. Adopted by voice vote.

#### Environment & Land Use

Board Member Wysocki recommended entering into Closed Session pursuant to 5 ILCS 120/2(c) 11 to consider litigation which is probable or imminent against Champaign County, further moving that the following individuals remain present: Recording Secretary, County's Legal Counsel, Director of Planning and Zoning, and County Administrator; seconded by Board Member James.

Approved by roll call vote.

Yeas: Langenheim, Michaels, Nudo, Richards, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons, Anderson, Beckett, Betz, Carter, Cowart, Doenitz, Gladney, James, Knott, Kurtz and Weibel – 21;

Nays: Moser, O'Connor, Bensyl, Jay, and Jones – 5.

The Board entered into closed session at 7:43 P.M. The Board reentered open session at 8:20 P.M.



Board Member Beckett recommended to rescind/annul/vacate/reconsider the action taken by the County Board on November 19, 2009 with respect to Ordinance No. 857; seconded by Board Member James. Discussion followed.

Approved by ½ (14) required roll call vote.

Yeas: Michaels, O'Connor, Richards, Sapp, Schroeder, Wysocki, Ammons, Beckett, Bensyl, Carter, Cowart, Gladney, James, and Weibel – 14;

Nays: Langenheim, Moser, Nudo, Rosales, Smucker, Anderson, Betz, Doenitz, Jay, Jones, Knott, and Kurtz – 12.

Board Member James recommended the adoption of Ordinance No. 857 Amending Zoning Ordinance Establishing a Rural Residential Overlay Zoning District in the AG-1 Agriculture Zoning District; seconded by Board Member Rosales. Discussion followed. Board Member Ammons offered a substitute motion to send the Ordinance back to Committee; seconded by Board Member Kurtz. Substitute motion failed by voice vote.

Discussion followed. The question was called. Roll call was requested.

Ordinance failed by roll call vote.

Yeas: Michaels, Nudo, O'Connor, Rosales, Sapp, Schroeder, Wysocki, Beckett, Bensyl, Betz, Gladney, James, and Jones – 13;

Nays: Langenheim, Moser, Richards, Smucker, Ammons, Anderson, Carter, Cowart, Doenitz, Jay, Knott, Kurtz and Weibel – 13.

### **OTHER BUSINESS**

Board Member Smucker recommended entering into Closed Session pursuant to 5 ILCS 120/2(c)2 to consider collective negotiating matters between Champaign County and its employees or their representatives, further moving that the following individuals remain present: County's Legal Counsel, County Administrator, and Recording Secretary; seconded by Board Member Betz.

Approved by roll call vote.

Yeas: Langenheim, Michaels, Moser, Nudo, Richards, Rosales, Sapp, Schroeder, Smucker, Wysocki, Ammons, Anderson, Beckett, Bensyl, Betz, Carter, Cowart, Doenitz, Gladney, James, Jay, Jones, Knott, Kurtz and Weibel – 25;

Nays: O'Connor – 1.

The Board entered into closed session at 8:35 P.M. The Board reentered open session at 8:53 P.M.

### **NEW BUSINESS**

There was no new business.

**ADJOURNED**

Chair Weibel recessed the meeting at 8:54 P.M.

*Mark Shelden*

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