

**SHELBY COUNTY BOARD MEETING**  
**March 9, 2023 – 7:00 P.M.**

The Shelby County Board met on Thursday, March 9, 2023, at 7:00 P.M. in Courtroom A of the Shelby County Courthouse in Shelbyville, Illinois.

Chairman Robert Orman called the meeting to order. Board member Carol Cole gave the prayer, and all present recited the Pledge of Allegiance.

County Clerk Jessica Fox called the roll. Boehm, Kessler, Tate, and Wallace were absent.

Minutes for the February 9, 2023, Board meeting were presented for approval. Davis made motion to approve the minutes. McCormick seconded said motion, which passed by voice vote (18 yes, 0 no).

At this time Orman called for Public Body Comment.

Cody Brands stated he received a text from the MABAS President that on March 28 at 7:00 PM there will be a meeting about going digital for all EMS related services at the Shelbyville Fire Station.

John Herron from Coles County asked questions about the clock located on top of the Courthouse. He had spoken with former Sheriff Koonce about trying to fix the clock. Herron would like to go up to the clock tower and see the clock, is interested in purchasing the clock from the County, or working to repair it if permitted. Herron was encouraged to attend a public safety committee meeting.

Chris Boehm questioned the need to pay for a \$15,000 scanning project for the State's Attorneys office out of ARPA.

Austin Pritchard questioned the need to pay for the special prosecutors from Moultrie County out of ARPA funds up to \$30,000. Pritchard felt this expense should either come from the General Fund or the SA office budget.

Tricia Miller stated she felt in a prior board meeting an "arrogant comment" was made regarding the public speaking and not staying for the meeting. Miller stated public body comment has little impact on the board's actions. Miller stated she felt the board was treating the public/taxpayers poorly and she was tired of the hypocrisy. Miller stated humanity had really taken a beating and "we needed to start caring for each other and get humanity back."

Julie Edwards questioned if any of the ARPA money would ever been used to provide public relief for small businesses that suffered hardships during the pandemic, which was the intended use for these ARPA funds when distributed to the various government entities.

Beth Beck-Marts, CEFS Transportation Director presented for approval the FY 2024 5311/DOAP Transportation Ordinance, a resolution authorizing the Board Chairman to apply for 5311 Grant funds, the purchase of service agreement between CEFS and Shelby County and the vehicle lease agreement between CEFS and Shelby County. The Intergovernmental Agreements with Clay, Fayette, Moultrie, and Montgomery Counties to provide public transportation within their county limits, were also submitted for approval at this time. A memorandum of understanding with Effingham County for the use of vehicles was also presented. \$1,697,700 in State funding has been requested, as well as \$453,953 in Federal funding for Public Transportation. These are basically "pass through" funds and are submitted annually for County Board approval. Beck-Marts did request approval from the Board to amend the Ordinance to include in Section 1 regarding the service area to extend within a 10-mile radius of service county boundaries at a rate of \$1.00 per mile outside of county limits. The reason for this request is to be able to provide transportation services to some Veterans living in Altamont who need to get to the Effingham VA for treatments. Discussion between CEFS, IDOT and the Feds were held regarding this issue. Allowing for the increased service area will not only assist these Veterans but will also improve Shelby County's numbers.

Firnhaber made motion to approve the Ordinance for public transportation with the amendment. Edwards seconded said motion, which passed by roll call vote (18 yes, 0 no). Ayes: Bennett, Brands, Brown, Cole, Davis, Edwards, Firnhaber, Hardy, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff and Williams. Nay – 0.

Brands made motion to approve the Resolution authorizing the Board Chairman to apply for the 5311 Grant funds. Mayhall seconded said motion, which passed by roll call vote (18 yes, 0 no). Ayes: Bennett, Brands, Brown, Cole, Davis, Edwards, Firnhaber, Hardy, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff and Williams. Nay – 0.

McCormick made motion to approve the Intergovernmental Agreements with Moultrie, Christian, Montgomery, Clay, and Fayette counties for Rural Transportation. Bennett seconded said motion, which passed by voice vote (18 yes, 0 no).

Davis made motion to accept the Purchase of Service Agreement between Shelby County and CEFS. Brands seconded said motion, which passed by roll call vote (18 yes, 0 no). Ayes: Bennett, Brands, Brown, Cole, Davis, Edwards, Firnhaber, Hardy, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff and Williams. Nay – 0.

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Martin made motion to accept the Vehicle Lease Agreement between Shelby County and Effingham County. Nelson seconded said motion, which passed by roll call vote (18 yes, 0 no). Ayes: Bennett, Brands, Brown, Cole, Davis, Edwards, Firnhaber, Hardy, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff and Williams. Nay – 0.

Morse made motion to approve the MOU for vehicle use between Effingham and Shelby counties. Firnhaber seconded said motion, which passed by voice vote (18 yes, 0 no).

Jim Matlock, from Shelby Electric Cooperative and 2 members of Contract Land Staff, addressed the board regarding the Prairie Power, Inc. Shelbyville Loop Project (9 – 12 miles route). Maps were distributed showing the projected path through the Shelby County Farm for this project. Questions were asked regarding the right of way easement and whether a survey would be done. Path routes were discussed with primary route and alternate route maps presented to the board. The route will enter the county farm from the south and continue north through the county farm ground. Discussions have taken place with surrounding landowners (70-80 per CLS staff) and changing the route to go west would create a large impact to work that has already been done, as well as impact surrounding landowners. The proposed route would be a ½ miles easement which goes straight through the farm. Matlock stated the line would “follow the fence row” and some trees in the fence row might need to be removed. The land under and around the poles could still be farmed. The project will benefit a multitude of people as it will loop 4 substations together and brings all transmission of power in house between Prairie Power and Shelby Electric. Shelby Electric is a member of Prairie Power, who purchases their power for them, and bundle with other coops. The Shelbyville Loop Project is a long-term project. The Shelbyville Loop Project will tie together 4 substations (IHI substation, Walmart, and those 2 substations by graphic packaging). This will give Shelby Electric sole control without having to ask Ameren for permission, which should also improve reliability. This project involves approximately 12 poles if the line goes straight through the property. The primary route involves less tree removal. It was felt the Farm Committee should address the issues regarding this proposed route. Budget committee addressed some of the issues during the public body comment portion of their meeting, which was done for Zoning purposes. This presentation tonight was strictly informational. Easements and compensation are not ready to be discussed at this time, but normally that is done as a per acre cost. Other damages would be paid for such as crop damage, but the easement will be a onetime payment. Matlock described to the board members the planned route this proposed power line project will take for the entire route. Matlock encouraged any board member with questions to contact him at Shelby Electric Cooperative. Matlock stated they have room to do a power point presentation at the Coop. Carol Cole stated there is a cemetery on the farm ground referred to as the Pauper’s grave plot, which is marked by 4 poles. Cole stated, “there are 4 poles and that’s the cemetery, but I think it could be larger by the amount of people buried in the cemetery”. Cole informed the board there are between 79-82 people buried out at the poor farm cemetery, 2 are Civil War veterans. Cole told Matlock this cemetery is shown on the GIS. Matlock stated they could find the cemetery with a survey, since it is on the GIS. Cole said the lines where the proposed route “ isn’t close to the cemetery, but if the route is near the fence row, there might be bodies buried there”. Cole stated it was her understanding that people are buried along the “fence row,” but “they are unsure of where the fence row is” and didn’t know if this would be a problem, or how to determine where the fence row was. If the “fence row” happened to be over by where the tree line is, “there could have been bodies buried there, but we don’t really know where they are.” Cole’s grandparents managed the Poor Farm from 1925 – 1940. Orman asked Cole if she was referring to the actual cemetery or the “fence row”? Matlock asked Cole if she was saying not everyone was buried in the cemetery, to which Cole responded, “not everybody.” The PPI project isn’t in proximity to the cemetery, but the “fence row” that could have potentially been a burial ground, isn’t there anymore. Cole stated she was told, by her mother, when the weather was bad (1867-1958) and the hearse couldn’t get back to the cemetery, they just buried them wherever they could find a place.

At this time, Farm Committee Chair Orman informed the board the committee had met on March 2 to review bids for various products for the Farm. At that time, the committee decided to request approval from the board to dispose of the wheat crop as surplus property, accepts certain bids from South Central FS, with exclusions, and to allow the board chairman to solicit cash bids prior to the wheat harvest with certain criteria.

Brands made motion to dispose of the wheat crop, currently being grown on the County Farm as surplus property. Bennett seconded said motion, which passed by voice vote (18 yes, 0 no).

Bennett made motion to accept the bid from South Central FS, excluding the Liquid Nitrogen (28%), Warrior II Insecticide (fungicide pass), and the Harmony pass as a whole for 197 acres. Cole seconded said motion. Discussion continued. (Bennett had drafted a spread sheet showing the prices of the various products).

Ogden made motion to amend the acceptance of bids to remove the Anvol Nitrogen stabilizer. Shuff seconded said motion to amend, which passed by voice vote (18 yes, 0 no).

With the removal of the stabilizer, the bid comes in at \$50,673.26. Motion to accept bid as amended, originally made by Bennett, seconded by Cole, passed by roll call vote (18 yes, 0 no). Ayes: Bennett, Brands, Brown, Cole, Davis, Edwards, Firnhaber, Hardy, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff and Williams. Nay – 0.

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Cole made motion to approve the Board Chairman to solicit cash bids prior to the wheat harvest with the criteria of the highest closing price on the close of the previous marketing day from TGM at Shelbyville, Assumption Coop at Westervelt, and Primient at Cowden. Nelson seconded motion. Discussion was held.

Ross made motion to amend the motion to remove the qualifiers of where bids are accepted. McCormick seconded said motion.

Bennett made motion to table this item. Firnhaber seconded said motion to table, which passed by voice vote (18 yes, 0 no).

Chairman Orman mentioned the vacancy in the Zoning Administrator due to the February 28<sup>th</sup> resignation of former Zoning administrator Bill Schmitz. The EMA and Zoning positions used to be combined and were considered a full-time position. Orman stated should someone come along who wishes to do both, he would like to be able to offer these jobs as one position with full time benefits. These respective department heads are hired by the board and answer to the board.

Mayhall made motion to allow the board chairman the authority to hire one person for the EMA and Zoning positions if necessary. Ross seconded said motion, which passed by voice vote (18 yes, 0 no).

Davis left the meeting at 8:47 PM.

At this time, Chairman Orman addressed budget items and use of APRA funds for the State's Attorney's office for special prosecutor expenses and a scanning project expense.

Firnhaber made motion to amend the administrative line for Special Prosecutor services up to \$30,000 with reimbursement from the ARPA funds. Williams seconded said motion. Mayhall questioned where we were at on these costs for the 2 special prosecutors (Moultrie Co SA Tracy Weaver and Moultrie Co ASA Elizabeth Dobson) appointed by Judge Ade-Harlow. SA Hanlon stated there is a backlog of cases and the office has been very busy. The County is not responsible for paying the Moultrie County State's Attorney but is responsible for the ASA's time. While an exact figure is not known, at this time, Hanlon hopes in the future Shelby County could do an intergovernmental agreement with Moultrie County to assist should they need help in the future. Hanlon informed the board that due to a 6-week vacation payout by the former State's Attorney for the ASA, VWC and Administrative Assistant, the use of APRA funds to reimburse these expenses will preserve the SA budget.

Discussion was held regarding the promise of an amount "up to" since the County currently doesn't know financially where the actual number stands.

Roll call vote to use up to \$30,000 in APRA funds for the reimbursement of special prosecutor services passed (17 yes, 3 no). Ayes: Bennett, Brands, Brown, Edwards, Firnhaber, Hardy, Martin, McCormick, Nelson, Ogden, Orman, Shuff and Williams. Nays: Cole, Morse, and Ross.

The next request was to use \$15,000 of ARPA funds for a scanning project in the State's Attorney's office. Firnhaber made motion to approve \$15,000 in ARPA funds be approved for the SA scanning project. Ogden seconded said motion.

Hanlon did not have a time frame of how long this project might take but stated it would bring the office up to date by having paper files scanned into the system electronically and create more efficiency. Hanlon said he had the necessary equipment in his old law office to scan the files.

Roll call vote to use \$15,000 of APRA funds for the SA scanning project passed (15 yes, 2 no). Ayes: Bennett, Brands, Brown, Cole, Edwards, Firnhaber, Hardy, Martin, Mayhall, McCormick, Nelson, Ogden, Orman, Shuff and Williams. Nays: Morse and Ross.

Board Chair Orman requested approval from the board to make the County Clerk the FOIA officer for the Shelby County Board. The County Clerk has performed this function for some time without an official designation.

McCormick made motion to approve the County Clerk as County Board FOIA officer. Ogden seconded said motion, which passed by voice vote (18 yes, 0 no).

At this time, Legislative Chair Williams informed the board the committee has met and recommended the board approve opening the closed meeting minutes and recordings from the June 9, 2022, and January 12, 2023, closed meetings of the County Board.

Ross made motion to approve the closed meeting minutes/recordings from 6/9/22 and 1/12/23 be opened. McCormick seconded said motion. Mayhall amended the motion to keep the minutes/recording from the January 12, 2023, meeting closed at this time. Williams seconded the amended motion, which passed by voice vote (13 yes, 4 no – Brands, Brown, Edwards, and Ross).

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Legislative Chair Williams presented for approval a resolution concerning Illinois Gun Control Bills previously tabled at the Feb. 9, 2023. The committee redrafted the resolution after the last board meeting and are presenting an updated version tonight for approval.

Mayhall made motion to remove this item from the table. Ross seconded said motion, which passed by voice vote (17 yes, 0 no).

Williams made motion to approve the resolution as presented. McCormick seconded said motion, which passed by voice vote (17 yes, 0 no).

County Clerk/Recorder Jessica Fox presented for approval a resolution which will raise recording fees by \$9.00 due to PA 102-1135, which raises the Rental Housing Surcharge Fee from \$9.00 to \$18.00 beginning on July 1, 2023. Fox stated this gives the title companies, banks, and other recording companies a 90-day notice of the upcoming fee increase.

Firnhaber made motion to approve the resolution. Bennett seconded said motion, which passed by voice vote (17 yes, 0 no).

Chairman Orman called for committee reports. (Committee reports are attached to these minutes).

Public Safety committee member Ross stated the committee looks to get bids to get the windows fixed, heard a presentation from Matt Keys, who's company does historical window preservation, and the committee is also discussing the future of the Ambulance stipend.

Brands left the meeting at 10:05 PM.

Chairman Orman requested the following appointments:

Mike Wheeler to the Farmland Assessment Review Committee. Motion by Williams, seconded by Ogden. Motion carried by voice vote (16 yes, 0 no).

Carol Cole to the Airport Committee. Motion by Firnhaber, seconded by Williams. Motion carried by voice vote (16 yes, 0 no).

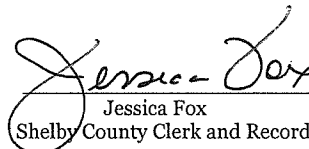
There was no correspondence and no old business.

Bennett made motion to approve the claims for payment. Brown seconded said motion. Bennett made motion to amend the motion to pull the RW Keys bills and send back to the Finance Committee for review. Firnhaber seconded amended motion, which passed by roll call vote (16 yes, 0 no). Ayes: Bennett, Brown, Cole, Edwards, Firnhaber, hardy, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff and Williams.

Original motion by Bennett, second by Brown to pay claims passed by roll call vote (16 yes, 0 no). Ayes: Bennett, Brown, Cole, Edwards, Firnhaber, hardy, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff and Williams.

There was no further business to come before the Shelby County board.

McCormick made a motion to adjourn until the next regularly scheduled meeting to be held on April 13, 2023. Mayhall seconded said motion, which passed by voice vote (16, yes, 0 no). The meeting was adjourned at 10:14 PM.

  
Jessica Fox  
Shelby County Clerk and Recorder