

MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, ILLINOIS OCTOBER 2, 2017

The meeting of the County Commissioners of Monroe County, Illinois was called to order at 8:00 a.m. Chairman Robert Elmore, Commissioner Delbert Wittenauer, and Commissioner Vicki Koerber were present.

The meeting opened with the Pledge of Allegiance.

Others present included County Clerk Dennis Knobloch and Sheila Wetzler, along with Press Corps representatives – Joe Leicht of the Monroe County Independent and Alan Dooley of the Republic Times.

There being a quorum present, meeting was called to order by Chairman Elmore.

A moment of silence was shared for the victims and family members of those killed and injured in the overnight mass shooting incident in Las Vegas.

There were no public comments.

Kelly Brandt was in attendance with a contingent of others representing the Monroe County 4-H program. Motion was made by Commissioner Wittenauer, with a second by Commissioner Koerber to approve a Proclamation declaring 4-H Week in Monroe County. All voting Aye, none Nay and none Absent. Motion carried. Ms. Brandt said they have started the tradition of planting a tree each year in municipalities around the County. She said this year they will be planting a tree in Hecker.

Motion was made by Commissioner Wittenauer, with a second by Commissioner Koerber to approve the following minutes:

- Budget Hearings – Day #1
- Budget Hearings – Day #2
- September 18, 2017 – Regular Meeting
- September 18, 2017 – Closed Session #1
- September 18, 2017 – Closed Session #2

The board orders/bills were reviewed by the County Board. Commissioner Koerber said she wanted to talk with Ryan Weber of the EMA Department, regarding his purchase of computer equipment before voting on approval of payment of the bills.

Dennis Knobloch reported that an initial meeting was held with representatives of ADP last week, and the company will be coming in tomorrow to do a complete analysis of the County's payroll operations. Following that review, ADP will provide Monroe County with a detailed cost estimate of converting our current non-functional payroll system to the ADP system.

Rose Anne Bense, Carol Hoffmann and Marie Schroeder, representing the Monroe County Home and Community Education group came to the meeting. Motion was made by Commissioner Wittenauer, with a second by Commissioner Koerber to approve a Proclamation designating October 8-14 as Monroe County Home and Community Education Week. All voting Aye, none Nay and none Absent. A large tray of banana bread was also delivered to the Board members.

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Ryan Weber came to the meeting to discuss the bills from his Department. Commissioner Koerber asked why the EMA Department was buying more computer equipment, and she was wondering why Kevin Scheibe couldn't use the same equipment that Bill Hasty had been using previously. He said that if one of the employees is busy on the computer, and someone else needs to program radios, he needs to have the extra computer equipment. He also said he purchases new computer equipment every three years, because after that length of time, the equipment is obsolete, and he was due to buy a new computer for that rotation. The Commissioners thanked Mr. Weber for coming to the meeting to explain that.

The following Accounts Payable having been approved for payment, Commissioner Wittenauer moved that the same be allowed and that vouchers be issued against their respective funds of the County Treasurer for payment. Motion seconded by Commissioner Koerber, and so declared all voting Aye, none Nay, and none Absent. Motion carried.

GENERAL FUND

1 <sup>st</sup> National Bank of Waterloo	1,810.37
AT&T Mobility	1,655.21
Americom	2,556.60
Annmarie Marcuson	40.45
Atis Elevator Inspections	405.00
Axis Forensic Technology, Inc.	325.00
Axon Enterprise, Inc.	1,306.68
Batteries Plus Bulbs LLC	79.80
Beneflex	1,019.00
City of Waterloo	13,329.97
Columbia Quarry Company	1,320.64
Conrad Press Ltd.	745.50
Ed Roehr Auto Radio Co Inc.	187.31
Egyptian Workspace Partners	35.85
Gateway FS	51.68
Harrisonville Telephone	3,456.58
Illinois Sheriff's Assn	150.00
John Deere Financial	226.50
JTC Petroleum Co.	6,064.00
K&D Printing	23.50
Kara Welch	175.00
Laux Grafix Inc.	200.00
Leaf	227.30
Linnemann Lawn Care & Landscaping	375.00
May Pest Control LLC	105.00
McCarthy, Leonard & Kaemmerer, L.C.	6,660.00
Motorola	62.78
Nabers Shop	551.29
Norfleet Forensics LLC	1,500.00
Office Depot	145.74
Office Depot	156.86
O'Reilly Auto Parts	34.85

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Pamela Monroe	34.78
Platinum Technology Resource, LLC	14,760.75
Prairie Farms Dairy, Inc.	200.00
Proforma	519.97
Quality Collision Inc.	1,470.14
Quill Corporation	491.93
R&N Outdoor Services	4,575.00
Rahn's Hometown Auto Repair	392.56
Rejis Commission	266.00
Reliable Sanitation Service Inc.	2,649.34
Sherwin Williams	404.67
Tessco	66.56
The Rugged Store	3,451.00
Thomson Reuters-West Publishing Corp.	906.38
Toshiba Financial Services	246.00
V "Red" Smith	20.00
Vision Websoft	225.00
Walmart Community	367.62
Waterloo Animal Hospital	870.45
Waterloo Lumber Company Inc.	198.55
Watson's Office City	168.38
Wayne's One Stop	131.19

HEALTH TAX FUND

1 <sup>st</sup> National Bank of Waterloo	169.82
Coast to Coast Equipment	162.00
GlaxoSmithKline Pharmaceuticals	3,235.80
Harrisonville Telephone Company	548.92
Julie Valerius	362.50
Monroe County Independent	132.50
Motorola	34.00
Sanofi Pasteur Inc.	3,529.29

AMBULANCE SERVICE FUND

1 <sup>st</sup> National Bank of Waterloo	263.88
Airgas Mid America	187.72
BJC Healthcare AR-Billing	200.58
Bound Tree Medical LLC	106.20
ESO Solutions	6,485.00
Harrisonville Telephone Company	151.72
Paragon Micro	1,009.99
Phillips 66 Company	364.29
REJIS Commission	1,184.00
Walmart Community/RFCSELLC	102.12
WEX	2,155.07

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HIGHWAY FUND

Aramark Uniform Services	2,223.88
Columbia Quarry Company	128.70
DataTronics Inc.	188.00
Grainger	201.74
Harrisonville Telephone Co.	39.63
John Deere Financial	585.98
Luby Equipment Services	36.96
Quill	65.85
Roger's Redi-Mix Inc.	6,292.50
Trueline Fire & Safety	83.70
Wedge Tire	434.40

ROAD MOTOR FUEL

Columbia Quarry Company	7,546.64
JTC Petroleum Co.	49,643.03

GIS

The Sidwell Company	2,360.00
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RECORDER'S DOCUMENT FUND

Fidlar Technologies	894.51
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Bill Rebholz, Gary Most, Mary Ellen Niemietz, Anne King, Bob Hill and Chris Hitzemann came to the meeting to discuss the Monroe County Coalition for Drug-Free Communities. Bethany Booher was also in attendance. Mr. Rebholz said he is currently Chairman of the group and Mr. Most will be taking over for him in the near future. Mr. Rebholz and Mr. Most talked about the work being done by the group. Ms. King, of Human Support Services, said they are trying to get more people involved in the "Adult Redeploy Illinois" program. This is a way for those who have been convicted of non-violent drug-related crimes to receive a second chance to turn their lives around. Mr. Hitzemann said they have been able to use this program for several local individuals. Motion was made by Commissioner Wittenauer, with a second by Commissioner Koerber to proclaim October, 2017 as Substance Abuse Prevention Month in Monroe County. All voting Aye, none Nay and none Absent. Motion carried.

Aaron Metzger came to the meeting to discuss Highway Department business. Also in attendance was Barry Feldmeier. Mr. Metzger said he wanted to recognize Mr. Feldmeier for 30 years of dedicated service to the Highway Department. Mr. Feldmeier was presented a certificate recognizing his 30 years of service to the Monroe County Highway Department, and he was thanked for his service.

Mr. Metzger said that work on the reconstruction of the intersection at the Old Red Bud Road will begin on October 16. He also presented a copy of a letter that detailed some concerns that Mr.

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Metzger has with the recently approved State of Illinois budget, and he said he would be sending a copy of this letter to Senator Schimpf and Representative Costello. He said in the FY 2018 State budget, \$100,000,000 of State Road Fund Monies was transferred to the Public Transportation Fund. Mr. Metzger said that would have the following effect on the County:

1. The County Consolidated (Monroe County Highway) would see a reduction of \$73,000.
2. Road Districts 1,4,7,8,9, and 10 – considered needy Townships, will see a reduction of \$22,000.
3. High Growth Cities (Columbia and Waterloo) will see a reduction of \$11,500.
4. The total Monroe County loss will be \$106,500, and at this time there should be no other reductions for the Monroe County Highway Department.

Dwight Boehm, Animal Control Administrator, came to the meeting to discuss fees currently being charged and suggested revisions. He said he will be increasing the Rabies vaccines from \$12 to \$20. The owner surrender charge will go from \$40 to \$50. If Helping Strays does not take the dog, this fee would cover the euthanasia and disposal fee, plus reimburse time to drive to the cremation facility. Mr. Boehm said impound fees will stay at \$30 and microchip fees will also stay at \$30. He said bite case confinement will stay at \$75, plus \$20 for a rabies vaccine and \$30 for a microchip. The first time offender fee will be \$30 plus a \$20 rabies vaccine fee, if not current, and \$30 for a microchip if the animal isn't chipped. Mr. Boehm said the repeat offender fee will be \$40. There was some discussion regarding all of these fees. Mr. Boehm explained that he gets paid a flat fee for serving as the County Animal Control Administrator.

State's Attorney Chris Hitzemann and Sheriff Neal Rohlfing came to the meeting to discuss Cannabis and Drug Paraphernalia regulations in the County. They said currently these regulations are not very structured, but law enforcement is not even allowed to contact the parents of juveniles if they are found to be in possession of cannabis. Mr. Hitzemann said there are also specific ticketing requirements for violations of this nature. Following much discussion, motion was made by Commissioner Wittenauer, with a second by Commissioner Koerber to approve the Ordinance Prohibiting the Unlawful Possession of Cannabis and Drug Paraphernalia. Roll Call vote – All voting Aye, none Nay and None Absent. Motion carried.

**ORDINANCE 17-3**

**MONROE COUNTY ORDINANCE PROHIBITING THE UNLAWFUL POSSESSION OF  
CANNABIS AND DRUG PARAPHERNALIA**

WHEREAS, the Illinois Compiled Statutes, Chapter 55, Act 5, Section 5-1113 provides that Illinois County Boards may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to counties, with such fines or penalties as may be deemed proper except where a specific provision for a fine or penalty is provided by law; and

WHEREAS, Section 17.5 of the Cannabis Control Act, Chapter 720, Act 550, Section 17.5 provides that any ordinance enacted by a unit of local government which imposes a fine upon cannabis is not invalidated or affected by the Cannabis Control Act; and

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WHEREAS, Article VII, Section 1 of the Constitution of the State of Illinois declares counties to be local government; and

WHEREAS, the Illinois Compiled Statutes, Chapter 55, Act 5, Section 5-1052 provides that an Illinois County Board may do all acts and make all regulations which may be necessary or expedient for the promotion of public health or the suppression of disease; and

WHEREAS, the Illinois Compiled Statutes, Chapter 55, Act 5, Section 5-1052(5) provides that a county board may adopt resolutions for such regulations; and

WHEREAS, the Monroe County Board believes that the public health, safety, morals and well-being of the residents of Monroe County would be served by an ordinance prohibiting the unlawful possession of cannabis and drug paraphernalia.

NOW THEREFORE, be in Ordained that the possession of cannabis and drug paraphernalia in Monroe County shall be regulated as follows:

**SECTION 27-6-1: DEFINITIONS**

- A. **CANNABIS** includes marijuana, hashish and other substances which are identified as including any parts of the plant Cannabis Sativa, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.
- B. **CONTROLLED SUBSTANCE** shall have the meaning ascribed to it in the Illinois Controlled Substances Act, 720 ILCS 570/102.
- C. **DRUG PARAPHERNALIA** includes all equipment, products and materials of any kind, other than methamphetamine manufacturing materials as defined in the Methamphetamine Control and Community Protection Act, 720 ILCS 646/5, et seq., which are intended to be used unlawfully in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body cannabis or a controlled substance in violation of the Cannabis Control Act, 720 ILCS 550/1 et seq., the Illinois Controlled Substances Act, 720 ILCS 570/100, et seq., or the Methamphetamine Control and Community Protection Act, 720 ILCS 646/5, et seq. It includes, but is not limited to:

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1. Kits, intended to be used unlawfully in manufacturing, compounding, converting, producing, processing, or preparing cannabis or a controlled substance;
2. Isomerization devices intended to be used unlawfully in increasing the potency of any species of plant which is cannabis or a controlled substance;
3. Testing equipment intended to be used unlawfully in a private home for identifying or in analyzing the strength, effectiveness or purity of cannabis or controlled substances;
4. Diluents and adulterants intended to be used unlawfully for cutting cannabis or a controlled substance by private persons;
5. Objects intended to be used unlawfully in ingesting, inhaling, or otherwise introducing cannabis, cocaine, hashish, or hashish oil into the human body, including, where applicable, the following items:
  - i. Water pipes;
  - ii. Carburetion tubes and devices;
  - iii. Smoking and carburetion masks
  - iv. Miniature cocaine spoons and cocaine vials
  - v. Carburetor pipes;
  - vi. Electric pipes
  - vii. Air-driven pipes;
  - viii. Chillums;
  - ix. Bongs;
  - x. Ice pipes or chillers.
6. Any item whose purposes, as announced or described, is for use in violation of this section.

D. **CITATION** includes notices to appear, or any other charging document, that complies with Illinois Supreme Court Rule 572.

**SECTION 27-6-2: PROHIBITION ON POSSESSION OF CANNABIS**

- A. It shall be a violation of this section for any person to knowingly possess ten (10) grams or less of any substance containing cannabis.
- B. This Section does not apply to the lawful possession of cannabis pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act or any other such medical cannabis law that may be passed in the State of Illinois.

**SECTION 27-6-3: PROHIBITION ON POSSESSION OF DRUG PARAPHERNALIA**

It shall be a violation of this section for any person to knowingly possess an item of drug paraphernalia with the intent to use it in ingesting, inhaling, or otherwise introducing cannabis or a controlled substance into the human body, or in preparing cannabis or a controlled substance for that use.

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**SECTION 27-6-4: SEIZURE AND FORFEITURE**

All cannabis and items of drug paraphernalia shall be seized and forfeited as contraband to Monroe County.

**SECTION 27-6-5: ENFORCEMENT**

- A. The Sheriff and Sheriff's Deputies of Monroe County are authorized to issue citations on a reasonable belief that any person has violated any provision of this ordinance.
- B. At any time, upon reasonable belief that any person has violated any provision of this ordinance, the Monroe County State's Attorney may take action to file a complaint and prosecute an alleged violation of this ordinance. Where the Monroe County State's Attorney files a complaint in the Circuit Court, a citation, summons or the complainant may still be paid over the counter as provided in Section 27-6-7 of this ordinance prior to the violator's first appearance in the Circuit Court, or after, if agreed to by the violator and the Monroe County State's Attorney. Where a notice to appear has not been issued for the violator to appear in the Circuit Court, summons shall issue to bring the violator before the Circuit Court.

**SECTION 27-6-6: PENALTY**

- A. Any person who violates any provision of this ordinance shall pay a fine of not less than One Hundred Fifty Dollars (\$150.00) (which may be inclusive of costs as outlined in subsection B of this section, below) and not more than One Thousand Dollars (\$1,000.00). The proceeds of the fine and costs shall be payable to the Clerk of the Circuit Court.
- B. Within 30 days after deposit, the clerk shall distribute the proceeds as follows:
  - \$10.00 to the Circuit Clerk Fee
  - \$25.00 to the Judicial Security Fund
  - \$20.00 to the Police Vehicle Fund
  - \$10.00 to the State's Attorney Fund
  - \$5.00 to the Arrestee Medical Cost Fund
  - \$35.00 to the Arresting Agency to be used for Drug Enforcement and Education Purposes
  - The remainder to be payable to the County general fund.
- C. Where any person has been convicted of any provision of this Section at any prior time, there shall be added to the applicable minimum fine the amount of One Hundred Dollars (\$100.00) for each such prior conviction, but in no event shall the total fine exceed One Thousand Dollars (\$1,000.00). The distribution of proceeds shall be the same as in subsection B of this section, above, in the event of a subsequent conviction.



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**SECTION 27-6-7: APPEARANCE**

On receipt of any citation, summons or complaint, the recipient shall appear before the Circuit Court on the date and time designated by the citation, summons, or complaint. The recipient may also appear at the Office of the Circuit Clerk to pay over the counter at any time during normal business hours prior to the recipient's designated court appearance, or after, with the consent of the Monroe County State's Attorney. When paying over the counter, the fine for the recipient shall be One Hundred Fifty Dollars (\$150.00), inclusive of the costs identified in Section 27-6-6 above for a first offense, and increased by One Hundred Dollars (\$100.00) for each subsequent offense.

**SECTION 27-6-8: OTHER LAW**

Nothing herein shall prevent the Monroe County Sheriff's Department or State's Attorney of Monroe County from enforcing laws existing under the Illinois Compiled Statutes.

EFFECTIVE UPON ENACTMENT.

PASSED BY THE MONROE COUNTY BOARD OF COMMISSIONERS THIS 2ND DAY OF OCTOBER, 2017.

<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	<u>CONFLICT</u>
Robert Elmore	X				
Vicki Koerber	X				
Delbert Wittenauer	X				

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Chairman Robert Elmore

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Vicki Koerber

\_\_\_\_\_  
Delbert Wittenauer

ATTEST:

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Dennis Knobloch, County Clerk

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Mike Fausz came to the meeting to discuss several rezoning and plat issues. Kevin Timmermann was also in attendance to discuss his request. Mr. Fausz said Mr. Timmermann was planning a 5-lot subdivision near Gilmore Lake Road and the Stonehenge development. Mr. Timmermann will be constructing a home there for himself in addition to several other lots that will be sold. Mr. Fausz said the Planning Commission recommended approval of the subdivision. Mr. Timmermann said he has not yet compiled the restrictions, but he is probably looking at 2,800 square foot homes for ranch styles, 3,000 square foot homes for two-stories, all homes will require brick on three sides and 8/12 roof pitch. He said homes will all be in the \$500,000 plus price range. Motion was made by Commissioner Wittenauer, with a second by Commissioner Koerber to approve the preliminary plat for the subdivision being proposed by Kevin Timmermann. All voting Aye, none Nay and none Absent. Motion carried.

Ken Meyer, Jr. came to the meeting to discuss a Resubdivision request. Mr. Fausz said that Mr. Meyer's house is on Lot 17, and the adjacent Lot 16 has a large lake and is considered to be unbuildable. Mr. Fausz said there is no way to build a house on that lot and satisfy all of the subdivision restrictions. Mr. Meyer would like to combine the two lots into one large lot. He has talked with the Homeowner's Association, and no one has a problem with this proposed change. Mr. Fausz said the Planning Commission unanimously approved this request. Motion was made by Commissioner Wittenauer, with a second by Commissioner Koerber to approve this request from Kenneth Jr. and Kimberly Meyer for the Resubdivision of Lots 16 and 17 of Chantilly Village – Phase I. All voting Aye, none Nay and none Absent. Motion carried.

**ORDINANCE 17-4**

WHEREAS, Kenneth Jr. & Kimberly Meyer have filed a Final Plat being called "Resubdivision of Lots 16 & 17 of Chantilly Village – Phase 1"; and

WHEREAS, the Monroe County Regional Planning Commission recommended to Approve the Plat " Resubdivision of Lots 16 & 17 of Chantilly Village – Phase 1"; and

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Monroe County, Illinois to Approve the Plat "Resubdivision of Lots 16 & 17 of Chantilly Village – Phase 1".

Passed by the Board of County Commissioners of Monroe County, Illinois at Waterloo, this 2<sup>nd</sup> day of October, 2017.

Motion: Wittenauer  
Aye: Three  
Absent: None

Second: Koerber  
Nay: None

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Robert Elmore, Chairman

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Dennis M. Knobloch, County Clerk

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Delbert Wittenauer, Member

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Vicki Koerber, Member

Nathan and Katie House came to the meeting to discuss a rezoning of property from A-1 to A-2 they own north of Gilmore Lake Road. Mr. Fausz said this is a 22-acre parcel. He said the decision was approved by the Planning Commission, but denied by the Board of Appeals. The main problem expressed was drainage issues. There was extensive discussion regarding the drainage of downspouts, etc. from their proposed home site. The property owners said they would also raise their driveway and add a culvert to help control drainage. Allen Stumpf, a neighboring property owner, was at the meeting, and he said there have been some drainage issues with some of the homes in that area, but he has no problem with the rezoning of this property for a home site. The builder was also in attendance and provided a layout map showing the proposed home location and the drainage plan. Motion was made by Commissioner Wittenauer, with a second by Commissioner Koerber to approve the request to rezone the property of Nathan and Katie House from A-1 to A-2. All voting Aye, none Nay and none Absent. Motion carried.

**ORDINANCE 17-5**

WHEREAS, Nathan & Katie House have filed a petition for parcel 04-25-100-012 lying North of Gilmore Lake Road to be rezoned from A-1 to A-2; and

WHEREAS, the Monroe County Regional Planning Commission recommended to Approve the Rezoning of Parcel 04-25-100-012 lying North of Gilmore Lake Road from A-1 to A-2; and

WHEREAS, the Monroe County Zoning Board of Appeals voted to recommend to Deny which the Rezoning of Parcel 04-25-100-012 lying North of Gilmore Lake Road from A-2 to A-2; and

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Monroe County, Illinois to Approve the Rezoning of Parcel 04-25-100-012 lying North of Gilmore Lake Road from A-1 to A-2:

Passed by the Board of County Commissioners of Monroe County, Illinois at Waterloo, this 2<sup>nd</sup> day of October, 2017.

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Motion: Wittenauer  
Aye: Three  
Absent: None

Second: Koerber  
Nay: None

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Robert Elmore, Chairman

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Dennis M. Knobloch, County Clerk

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Delbert Wittenauer, Member

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Vicki Koerber, Member

All guests left the meeting.

There was miscellaneous discussion regarding review of the Departmental budget requests for the various County offices.

There being no further business to come before the Board, motion to adjourn was made by Commissioner Koerber, with a second by Commissioner Wittenauer. All voting Aye, none Nay and none Absent. Motion carried.