

Proceedings
of the
County Board
of
McLean County,
Illinois

June 17, 2008

*Subject to approval at
July 22, 2008
County Board Meeting*



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June 17, 2008

The McLean County Board met on Tuesday, June 17, 2008 at 9:05 a.m. in Room 400 of Government Center, 115 East Washington Street, Bloomington, Illinois with Chairman Matt Sorensen presiding.

NOTICE OF PUBLIC HEARING

**RE: Intent of the County Board of the County of McLean, Illinois
To Approve a Consolidated Vehicle Procurement Application
To Purchase Four Vehicles for SHOWBUS**

Notice is hereby given that a public hearing will be held by McLean County at the McLean County Government Center, Room 400, 115 E. Washington Street, Bloomington, Illinois at 9:00 a.m. on June 17, 2008 regarding a State of Illinois Para Transit Vehicle Grant for all of Ford, Iroquois, Livingston and DeWitt Counties and the rural areas of McLean County.

At the hearing, McLean County will afford an opportunity for interested persons or agencies to be heard with respect to the proposal by the Building and Zoning Department for a Consolidated Vehicle Procurement Application to purchase four vehicles for SHOWBUS for public rural transportation for McLean, Livingston, Iroquois and Ford Counties.

The following Members answered to roll call:

Members Diane Bostic, John Butler, William Caisley, Don Cavallini, Rick Dean, George Gordon, Ann Harding, Stan Hoselton, Duane Moss, Robert Nuckolls, Benjamin Owens, Bette Rackauskas, Tari Renner, Paul Segobiano, David Selzer, and Matt Sorensen.

The following Members were absent:

Members Cathy Ahart, Terry Baggett, and Walter Clark.

Consent Agenda:

Chairman Sorensen asked if there were any items to be removed from the Consent Agenda.

The Consent Agenda read as follows:

Consent Agenda:

- A. Approval of the Proceedings of the County Board, April 15, 2008
- B. County Highway Department – Jack Mitchell, County Engineer
 - 1) Request Approval of Resolution and Bid from May 22, 2008 County Non-MFT Construction and Township MFT Maintenance Letting
- C. Building and Zoning – Phil Dick, Director
 - 1) Zoning Cases:
 - a) Request Approval of the application in case SU-08-04 for a Special Use to allow a allow a single family residence in the Agriculture District for the son of a farm owner on property which is located in White Oak Township immediately east of 1000 East Road and approximately ¼ mile south of County Highway 12
 - b) Request Approval of the application in case ZA-08-02 on parcel (27) 38-07-100-002 for a map amendment to change the zoning classification from A-Agriculture District to M-1 Restricted Manufacturing District; on property which is located in West Township at 30314 US 150 Highway, Farmer City, IL
 - c) Request Approval of the application in case SU-08-05, parcel no. (14) 13-27-400-018 for a special use to amend the legal description of special use case 80-07-S that was approved for a single family residence in the Agriculture District – to allow the single family residential use to be on a smaller acreage than originally approved on property which is located in Dry Grove Township at 15276 N 975 East Road, Bloomington, IL
 - d) Request Approval of the application of the McLean County Zoning Board of Appeals in case ZA-08-03 for a text amendment of the McLean County Zoning Ordinance. The proposed text amendment makes certain changes to the text of the McLean County Zoning Ordinance including the following:
 - (1) Adding new flood damage prevention ordinance as part of Article 5 and flood insurance rate maps,
 - (2) Extending time limit for variances,
 - (3) adding erosion, sediment and storm water Control measures,
 - (4) Amending inoperable vehicle regulations,
 - (5) Adding family recreation areas,

- (6) Adding a provision for a winery and small wind energy system,
- (7) Adding regulations for kennels and public stables,
- (8) Allowing seed sales in the Agriculture District,
- (9) Lowering the fence requirement for salvage yards,
- (10) Extending time periods for special uses before they expire,
- (11) Allowing off premises directional signs,
- (12) Adding a 3rd category for the LESA system,
- (13) Adopting new soil data for the LESA system and other minor changes.

- 2) Subdivision Cases:
None

D. Transfer Ordinances

E. Other Resolutions, Contracts, Leases, Agreements, Motions

- 1) Executive Committee
 - a) Request approval of Renewal of One-year Centranet Contract with Verizon – Facilities Technologies
- 2) Finance Committee
 - a) Request Approval of 2008 Amendments to Chapter 21 of the McLean County Code – Animals (to bring the County’s Ordinance into Compliance with recent revisions to the Illinois Animal Control Act and comport with Changes to the City of Bloomington and Town of Normal’s Ordinances) – Health Department
- 3) Property Committee
 - a) Request Approval of Mutual Release Agreement between McLean County and Mr. Kevin Crutcher of Coffee Depot, LLC – Facilities Management
 - b) Request Approval of Lease Agreement between McLean County and Virgil Hovar for Coffee Depot, LLC – Facilities Management
 - c) Request Approval of the Bid received from Pro-Sound Center, Normal, Illinois for the Purchase of a new Sound System for the Third Floor Courtrooms in the Law and Justice Center – Facilities Management

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

1) REAPPOINTMENTS:

BOARD FOR CARE AND TREATMENT OF PERSONS WITH DEVELOPMENTAL DISABILITIES

Cynthia H. Sullivan Kerber, PhD, APN, CS
School of Nursing, Illinois Wesleyan University
220 Stevenson Hall
Bloomington, IL 61701
(Three-year term to expire on June 30, 2011)

CROPSY STREET LIGHT DISTRICT

Mr. Mario Gonzalez
P.O. Box 41
Cropsey, IL 61731
(three-year term expiring June 30, 2011)

McLEAN COUNTY BOARD OF HEALTH

Cynthia H. Sullivan Kerber, PhD, APN, CS
School of Nursing, Illinois Wesleyan University
220 Stevenson Hall
Bloomington, IL 61701
(Three-year term to expire on June 30, 2011)

MCLEAN COUNTY BOARD OF HEALTH

Duane Moss
1402 Essex Court
Normal, IL 61761
(Three-year term expiring June 30, 2011)

MCLEAN COUNTY BOARD OF HEALTH

Dan Steadman, D.D.S.
1112 Broadway
Normal, IL 61761
(Three-year term expiring June 30, 2011)

T.B. CARE AND TREATMENT BOARD

Cynthia H. Sullivan Kerber, PhD, APN, CS
School of Nursing, Illinois Wesleyan University
220 Stevenson Hall
Bloomington, IL 61701
(Three-year term to expire on June 30, 2011)

T.B. CARE AND TREATMENT BOARD

Dan Steadman, D.D.S.
1112 Broadway
Normal, IL 61761
(Three-year term expiring June 30, 2011)

2) APPOINTMENTS:

GRIDLEY TOWNSHIP FIRE PROTECTION DISTRICT

Mr. Michael D. Stoller
28428 N. 2025 East Rd.
Gridley, IL 61744
(To complete a Three-year term expiring April 30, 2009)

3) RESIGNATIONS

GRIDLEY TOWNSHIP FIRE PROTECTION DISTRICT

Mr. Stanley Ringger
29288 N. 2025 East Rd.
Gridley, IL 61744

- G. Approval of Resolutions of Congratulations and Commendation
 - A. Request Approval of a Resolution of Congratulations to The Tri-Valley High School Girls' Softball Team

**RESOLUTION BY THE COUNTY BOARD OF MCLEAN COUNTY
FOR AWARD OF ONE (1) MCLEAN COUNTY Non-MFT CONSTRUCTION PROJECT
& ONE (1) ROAD DISTRICT MFT MAINTENANCE PROJECT**

WHEREAS, the bids were reviewed by the Transportation Committee of the McLean County Board at their meeting on June 3, 2008, for a letting held on May 22, 2008 for one (1) McLean County 2008 Non-MFT Construction Section and one (1) Road District 2008 MFT Maintenance Section, and,

WHEREAS, the Transportation Committee duly approved the bids on June 3, 2008, now, therefore,

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

2008 Non-MFT CONSTRUCTION SECTION:

AC Pavement Striping, Co, 695 Church Rd, Elgin, IL 60123, was the successful bidder on the following section:

McLean County..... Sec 08-00160-01-SC..... Townline Rd / Sec V.
(CH 24) \$139,547.55

2008 MFT MAINTENANCE SECTION:

Rowe Construction Co, a Div of RA Cullinan & Son, Inc, 1523 N Cottage Ave, PO Box 609, Bloomington, IL 61702-0609, was the successful bidder on the following section:

Danvers RD..... Sec 08-12000-00-GM GR 13 ... @... \$29,700.00

 6-17-08
Matt Sorensen, Chairman (date)

STATE OF ILLINOIS]
] SS
COUNTY OF MCLEAN]

I, Peggy Ann Milton, County Clerk in and for said County is the State aforesaid and keeper of the records and files thereof, as provided by statutes, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the County Board of McLean County at its monthly meeting held at Bloomington, Illinois on June 17, 2008.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Bloomington, Illinois, in said County this 17th day of June A.D., 2008.

[SEAL}


Peggy Ann Milton, McLean County Clerk

McLEAN COUNTY HIGHWAY DEPARTMENT
May 22, 2008

McLEAN COUNTY
Sec. 08-00160-01-SC

ITEMS
Micro-Surf, Ty II (2 Passes)

| DELIVERY | UNIT | QUANTITY | UNIT PRICE | ENGINEERS ESTIMATE TOTAL | ROWE UNIT PRICE | ROWE TOTAL | MICRO-SURFACING INC. UNIT PRICE | MICRO-SURFACING INC. TOTAL | AC PAVEMENT UNIT PRICE | AC PAVEMENT TOTAL |
|----------|-------|----------|------------|--------------------------|-----------------|------------|---------------------------------|----------------------------|------------------------|-------------------|
| | Sq Yd | 52,265 | \$2.95 | \$154,181.75 | | \$0.00 | \$2.86 | \$149,477.90 | \$2.67 | \$139,547.55 |
| | | | | \$154,181.75 | | \$0.00 | | \$149,477.90 | | \$139,547.55 |
| | | | | | | -100.00% | | -3.05% | | -9.49% |

CHENEY'S GROVE RD
Sec. 07-08119-00-SP

ITEMS

Furn Exc
Bit Malt's Prm Ct (MC-30)
Bit Malt's Cover Seal C/PG 46-28
Cover Ct Agg CA-14
Seal Ct Agg CA-15/16
Agg Bse Cse, Ty B
RR Insurance

| DELIVERY | UNIT | QUANTITY | UNIT PRICE | ENGINEERS ESTIMATE TOTAL | ROWE UNIT PRICE | ROWE TOTAL |
|----------|-------|----------|------------|--------------------------|-----------------|-------------|
| | Cu Yd | 300 | \$21.00 | \$6,300.00 | \$55.10 | \$16,530.00 |
| | Gal | 400 | \$7.25 | \$2,900.00 | \$4.08 | \$1,632.00 |
| | Gal | 1,250 | \$4.50 | \$5,625.00 | \$3.81 | \$4,762.50 |
| | Ton | 30 | \$35.00 | \$1,050.00 | \$79.46 | \$2,383.80 |
| | Ton | 15 | \$35.00 | \$525.00 | \$65.84 | \$987.60 |
| | Ton | 600 | \$27.50 | \$16,500.00 | \$37.73 | \$22,638.00 |
| | L Sum | 1 | \$5,000.00 | \$5,000.00 | \$3,162.90 | \$3,162.90 |
| | | | | \$37,900.00 | | \$52,096.80 |
| | | | | | | 37.46% |

DANVERS ROAD DISTRICT
Sec. 08-12000-00-GM GR 13

ITEMS

Agg Surf Cse, Ty B

| DELIVERY | UNIT | QUANTITY | UNIT PRICE | ENGINEERS ESTIMATE TOTAL | STARK UNIT PRICE | STARK TOTAL | ROWE UNIT PRICE | ROWE TOTAL |
|----------|------|----------|------------|--------------------------|------------------|-------------|-----------------|-------------|
| On Road | Ton | 2,200 | \$16.50 | \$36,300.00 | \$17.00 | \$37,400.00 | \$13.50 | \$29,700.00 |
| | | | | \$36,300.00 | | \$37,400.00 | | \$29,700.00 |
| | | | | | | 3.03% | | -18.18% |

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

ERROR: This is the findings of fact and the recommendation of the McLean County Zoning Board of Appeals to the McLean County Board concerning an application of Doug Boitnott, in case SU-08-04, parcel no. (28) 06-23-300-005. He is requesting a special use to allow a special use to allow a single family residence in the Agriculture District for the son of a farm owner. A special use was previously approved on the property in case SU-05-26 and has since expired, on property which is part of the SW ¼ of Section 23, Township 25N, Range 1E of the 3rd P.M.; and is located in White Oak Township immediately east of 1000 East Road and approximately ¼ mile south of County Highway 12.

2949
650

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on June 3, 2008 in Room 400, Government Center, 115 East Washington Street, Bloomington, Illinois and hereby report their findings of fact and their recommendation as follows:

PHYSICAL LAYOUT – The 3 acre property is vacant and is currently in crop production. The property has 250 feet of frontage on the east side of 1000 East Road, an oil and chip road 16 feet in width. The property is relatively flat and drains to the southwest.

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

LAND EVALUATION AND SITE ASSESSMENT (LESA) - A LESA analysis was completed for the site. The soils score was 114 out of 125 points. The site assessment score was 116 out of 175 points. The total LESA score was 230 points out of 300. A score of 225 points and above means the property is of high value for agricultural land protection.

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

STANDARDS FOR RECOMMENDING:

1. **The proposed special use will not be detrimental to or endanger the health, safety, morals, comfort, or welfare of the public.** This standard is met. The applicant is the son of the owners of the original agriculture tract from which this property is being set aside.
2. **The proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted or substantially diminish property values in the immediate area.** This standard is met. The proposed dwelling for the son of the farm owners of the agricultural tract is compatible with uses in the vicinity.
3. **The proposed special use will not impede the orderly development of the surrounding property for uses permitted in the district.** This standard is met. The applicant is the son of the owners of the farm from which this property is set aside.

4. **Adequate utilities, access roads, drainage and/or other necessary facilities have been or will be provided.** This standard is met. The proposed dwelling will be served by private well and septic system approved by the County Health Department. The property has 250 feet of frontage on the east side of 1000 East Road.
5. **Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.** This standard is met. It appears that safe sight distance can be provided at the proposed entrance. The applicant has obtained approval for a one lot subdivision, on which the White Oak Township Road Commissioner has signed off.
6. **The establishment, maintenance and operation of the special use will be in conformance with the preamble to the regulations of the Agriculture District.** This standard is met.
7. **The proposed special use, in all other respects, conforms to the applicable regulations of the Agriculture District.** This standard is met.

After considering all the evidence and testimony presented, this Board finds that the application meets all the standards as found in the McLean County Zoning Ordinance, provided one of the initial occupants of the proposed dwelling is the applicant.

Therefore this Board recommends that a special use be granted on the property described above to allow the construction of one single family dwelling along with future customary accessory buildings and structures as may be approved by the Director of Building and Zoning and that development follows the plans and specifications as presented with such minor changes as the Director of Building and Zoning may determine to be in general compliance with such plans and specifications and with zoning regulations and provided one of the initial occupants of the proposed dwelling is the applicant.

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

Respectfully submitted this 3rd day of June 2008, McLean County Zoning Board of Appeals

Sally Rudolph
Chair

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

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

This is the findings of fact and the recommendation of the McLean County Zoning Board of Appeals to the McLean County Board concerning an application of Kevin Castle in case ZA-08-02 on parcel (27) 38-07-100-002. He is requesting a map amendment to change the zoning classification from A-Agriculture District to M-1 Restricted Manufacturing District; on property which is part of the NW ¼ of Section 7, Township 21N, Range 5E of the 3rd P.M., and is located in West Township at 30314 US 150 Highway, Farmer City, IL.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on June 3, 2008 in Room 400, Government Center, 115 East Washington Street, Bloomington, Illinois and hereby report their findings of fact and their recommendation as follows:

PHYSICAL LAYOUT – The two acre property is relatively flat and drains to the west. The property has a building on it that was used for many years for butchering and packing meat. The property has 207 feet of frontage on the northeast side of U.S. 150 Highway, an asphalt road 27 feet in width.

SURROUNDING ZONING AND LAND USE - The land to the north and east is in the Agriculture District. The land to the south and west is in the M-1 Restricted manufacturing District. The land to the north and east is used as pasture. The land to the south has farm buildings and is in pasture. The land to the west is in crop production.

ANALYSIS OF STANDARDS - After considering all the evidence and testimony presented at the hearing, this Board makes the following analysis of the standards listed in Section 207.6 (Standards for Map Amendments) of the Zoning Ordinance.

1. **The proposed amendment is compatible with appropriate uses, appropriate zoning classifications in the area and appropriate trends of development in the general area, giving due consideration to dominant uses.** This standard is met. The applicant is requesting to change the zoning classification from A-Agriculture District to M-1 Restricted Manufacturing District on approximately 2 acres. A meat packing facility was operated at this location for many years. The applicant intends to park a mobile fish wagon and sell food from it to travelers along the road. The property directly across US Route 150 from this site is in the M-1 Restricted Manufacturing District.
2. **The proposed zoning classifications are appropriate as it relates to the physical characteristics of the subject property, giving due consideration to the uses permitted in both the existing and the proposed zoning classifications.** This standard is met. The property is relatively flat and was used as a meat packing facility since before zoning was adopted by the County in 1966. The topography and dimensions of the property are better suited for uses permitted in the M-1 Restricted Manufacturing District than for agricultural uses.
3. **Adequate and safe accessibility to the subject property from a public road is available or can be reasonably supplied, giving due consideration to uses permitted in the proposed zoning classification.** This standard is met. The property has 207 feet of frontage on the northeast side of U.S. 150 Highway. It appears that safe site distance can be provided at the existing entrance. Staff at the County Highway Department agreed that safe sight distance can be provided at the existing entrance.

4. **Adequate public roads connected to the arterial highway system are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.** This standard is met. This property has frontage on U.S. 150 Highway which is an arterial highway.
5. **The proposed amendment is consistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the M-1 Restricted Manufacturing District will not have a substantial detrimental effect on the drainage patterns in the area.** This standard is met. The property is relatively flat and is not located within the 100 year flood hazard area.
6. **Adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the M-1 Restricted Manufacturing District.** This standard is met. The LeRoy Community Fire Protection District will provide fire protection for the subject property. The applicant will need to obtain approval from the County Health Department before obtaining a change of use permit.
7. **The proposed amendment is consistent with the public interest, giving due consideration to the purpose and intent of this ordinance.** This standard is met.

After considering all the evidence and testimony presented, this board finds that the proposed map amendment requested meets all the standards for recommending granting as found in Section 207.6 (Standards for Map Amendments) of the McLean County Zoning Ordinance and that such request is in the public interest.

Therefore, the Zoning Board of Appeals hereby recommends approval of the request to change the zoning district classification of the property described above from A-Agriculture District to a classification of M-1 Restricted Manufacturing District.

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

Respectfully submitted this 3rd day of June 2008, McLean County Zoning Board of Appeals

Sally Rudolph
Chair

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

ORDINANCE AMENDING THE ZONING DISTRICT MAP
OF THE McLEAN COUNTY ZONING ORDINANCE

WHEREAS, an application has been made for an amendment to the McLean County Zoning District Map requesting that the zoning district classification be changed from its present classification of A-Agriculture District to a classification of M-1 Restricted Manufacturing District on a three acre property which is part of the NW ¼ of Section 7, Township 21N, Range 5E of the 3rd P.M. and is located in West Township at 30314 US 150 Highway, Farmer City, IL; and

WHEREAS, the McLean County Zoning Board of Appeals held a public hearing on said application under Case No. ZA-08-02 according to law; and

WHEREAS, the McLean County Board has found that the proposed amendment meets all the standards set forth in Article 2 Section 207 (Standards for Map Amendments) of the McLean County Zoning Ordinance; and

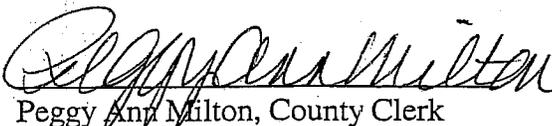
WHEREAS, the proposed amendment is in the public interest and is consistent with the purpose and intent of the McLean County Zoning Ordinance; now, therefore,

BE IT ORDAINED that the McLean County Zoning District Map be and hereby is amended to change the zoning classification of the aforescribed real estate from a classification of A-Agriculture District to a classification of M-1 Restricted Manufacturing District.

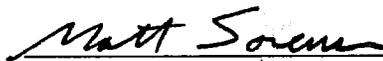
Adopted by the County Board of McLean County, Illinois this 17th day of June 2008

ATTEST:

APPROVED:



Peggy Ann Milton, County Clerk
McLean County, Illinois



Matt Sorensen, Chairman
McLean County Board

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

This is the findings of fact and the recommendation of the McLean County Zoning Board of Appeals to the McLean County Board concerning an application of Wayne Lutz, in case SU-08-05, parcel no.(14) 13-27-400-018. He is requesting a special use to amend the legal description of special use case 80-07-S that was approved for a single family residence in the Agriculture District – to allow the single family residential use to be on a smaller acreage than originally approved, on property which is part of Section 27, Township 24N, Range 1E of the 3rd P.M.; and is located in Dry Grove Township at 15276 N 975 East Road, Bloomington, IL.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on June 3, 2008 in Room 400, Government Center, 115 East Washington Street, Bloomington, Illinois and hereby report their findings of fact and their recommendation as follows:

PHYSICAL LAYOUT – The 11 acre property contains a dwelling, a detached building and land in crop production. The property has approximately 350 feet of frontage on the west side of 975 East Road, an oil and chip road 16 feet in width. The property is gently sloping and drains to the north.

SURROUNDING ZONING AND LAND USES - The property is surrounded by land in the A-Agriculture District. The land to the north is wooded in part and contains a single family dwelling. The land to the east and west is in crop production. The land to the south contains a single family dwelling and a public stable.

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

STANDARDS FOR RECOMMENDING:

1. **The proposed special use will not be detrimental to or endanger the health, safety, morals, comfort, or welfare of the public.** This standard is met. The applicant is proposing to amend the legal description of special use case 80-07-S that allowed a single family residence on 16 acres in the Agriculture District. The applicant is proposing to set the house on 11 acres. The subject site is gently sloping and in part used for crop production. In 1982 the property was divided into two parcels but continued to be owned by the applicant's parents. One parcel contained 11 acres with the home and the other parcel contained 5 acres and was wooded with walnut trees. The applicant's father is now deceased and the applicant is the executor of his estate. The applicant would now like to sell the 11 acre home site separate from the 5 acre wooded parcel. In order to sell the 11 acre home site, the applicant must amend the special use that was approved on the entire 16 acres.
2. **The proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted or substantially diminish property values in the immediate area.** This standard is met. Nearby

property that is currently used for single family residences and crop production will continue to be desirable for such uses.

3. **The proposed special use will not impede the orderly development of the surrounding property for uses permitted in the district.** This standard is met. Nearby land that is suitable for residential and agricultural uses will continue to be suitable for such uses.
4. **Adequate utilities, access roads, drainage and/or other necessary facilities have been or will be provided.** This standard is met. The property has approximately 350 feet of frontage on the west side of 975 East Road.
5. **Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.** This standard is met. It appears that safe sight distance can be provided at the existing entrance. The existing entrance has been used for residential purposes since 1980.
6. **The establishment, maintenance and operation of the special use will be in conformance with the preamble to the regulations of the Agriculture District.** This standard is met.
7. **The proposed special use, in all other respects, conforms to the applicable regulations of the Agriculture District.** This standard is met.

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

Therefore this Board recommends that a special use be granted on the property described above to amend the legal description of special use case 80-07-S that was approved for a single family residence in the Agriculture District – to allow the single family residential use to be on a smaller acreage than originally approved and that development follows the plans and specifications as presented with such minor changes as the Director of Building and Zoning may determine to be in general compliance with such plans and specifications and with zoning regulations.

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

Respectfully submitted this 3rd day of June 2008, McLean County Zoning Board of Appeals

Sally Rudolph
Chair

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

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

This is the findings of fact and the recommendation of the McLean County Zoning Board of Appeals concerning an application of the McLean County Zoning Board of Appeals in case ZA-08-03. They are requesting a text amendment of the McLean County Zoning Ordinance.

The proposed text amendment makes changes to the text of the McLean County Zoning Ordinance including the following:

Adding new flood damage prevention ordinance as part of Article 5 and flood insurance rate maps, extending time limit for variances, adding erosion, sediment and storm water control measures, amending inoperable vehicle regulations, adding family recreation areas, adding a provision for a winery and small wind energy system, adding regulations for kennels and public stables, allowing seed sales in the Agriculture District, lowering the fence requirement for salvage yards, extending time periods for special uses before they expire, allowing off premises directional signs, adding a 3rd category for the LESA system, adopting new soil data for the LESA system and other minor changes.

After due notice, as required by law, the Board of Appeals held a public hearing in this case on June 3, 2008 in Room 400, Government Center, 115 East Washington Street, Bloomington, Illinois and hereby report their findings of fact and their recommendation as follows:

This Board finds that the proposed Zoning Ordinance amendment will aid in the implementation of the McLean County Regional Comprehensive Plan, will limit damage to property in flood hazard areas, will continue and strengthen the County's policy of farmland preservation, will conserve property values, and will promote building development to the best advantage of the entire County. We find that these changes are in the public interest and will protect the public health, safety and welfare.

Therefore, the Board of Appeals recommends that the McLean County Zoning Ordinance be amended as proposed in the attached text and the attached ordinance.

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

Respectfully submitted this 3rd day of June 2008, McLean County Zoning Board of Appeals

Sally Rudolph
Chair

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

AMENDATORY ORDINANCE
AMENDING THE McLEAN COUNTY ZONING ORDINANCE

WHEREAS, the Zoning Board of Appeals in case ZA-08-03 has proposed that certain portions of the text of the McLean County Zoning Ordinance be amended; and

WHEREAS, the McLean County Zoning Board of Appeals, after due notice as required by law, held a public hearing on said proposal identified as Case ZA-08-03 and has recommended that the said zoning ordinance be amended: and

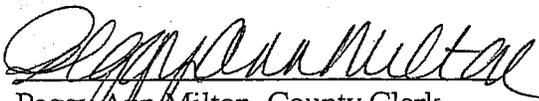
WHEREAS, the County Board of McLean County, Illinois deems it necessary and proper and in the public interest to so amend said zoning ordinance of said county; now, therefore,

BE IT ORDAINED that the McLean County Zoning Ordinance be and hereby is amended according to the attached document.

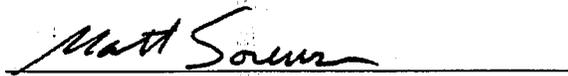
Adopted by the County Board of McLean County, Illinois this 17th day of June 2008

ATTEST:

APPROVED:



Peggy Ann Milton, County Clerk
McLean County, Illinois



Matt Sorensen, Chairman
McLean County Board

Proposed Amendment of the McLean County, Illinois Zoning Ordinance

The parts to be deleted have a strike out through them, the added items are underlined. The Land Evaluation and Site Assessment (LESA) part of Article 11 on soils is new but not underlined. The Flood Plain Overlay District Regulations, in Article 5, are completely new and follow the model flood plain regulations presented by the Illinois Department of Natural Resources (IDNR) and the Federal Emergency Management Agency (FEMA).

ARTICLE 1
GENERAL PROVISIONS

103 PURPOSE AND INTENT.

14. Stabilize and protect the natural beauty of the area wooded, flood prone, and wetland areas and to encourage the restoration of native prairie in open areas;
17. Preserve, protect and encourage the development and improvement of agricultural lands for the production of food and other agricultural products.

109 SCOPE OF REGULATIONS.

1. All buildings or structures erected hereafter, all uses of land, buildings, or structures established hereafter, all structural alteration, relocation, or substantial improvement of existing buildings, or structures occurring hereafter shall be subject to all regulations of this ordinance which are applicable to the zoning districts in which such building, structure, use, or land shall be located; except in a Residence District and the Agriculture District, a single-family detached dwelling may be erected on a lot of record existing on or before February 11, 1974 even though such lot does not conform with width and area requirements for the district in which it is located and provided that there is compliance with all other regulations contained in this ordinance and other applicable McLean County ordinances, regulations and codes.
2. ~~Where a building permit for a building or structure has been issued in accordance with the law prior to February 11, 1974, and provided that construction is begun within six months of the effective date of the building permit and diligently pursued to completion, said building or structure may be completed in accordance with the approved plans on the basis of which the building permit has been issued, and further, may upon completion be occupied under a certificate of occupancy by the use which originally designated subject thereafter, if applicable, to the provisions of this ordinance.~~ Where a building permit for a building or structure has been issued in accordance with this ordinance, construction shall be diligently pursued to completion. In this case, "diligently pursued" shall mean that construction shall not cease for a period longer than eight months.
3. Where the Director of Building and Zoning of McLean County has issued a building or use permit for a permitted use or special use, such permit shall become null and void unless work thereon is substantially under way within ~~120~~ 180 days of the date of the issuance of such permit, or within the period of time beyond ~~120~~ 180 days granted by the County Board. In this case, "substantially under way" shall mean the foundation / base / poles are installed.

5. One manufactured home / mobile home shall be permitted as a provisional accessory residential use on a lot where a single family dwelling lawfully located thereon has been either destroyed or so damaged as to be uninhabitable by fire, explosion or natural disaster, subject to the following conditions and stipulations:
 - A. Such manufactured home / mobile home shall not be placed on the lot, nor shall it be occupied until the Director of Building and Zoning has issued a Provisional Occupancy Permit for such use. Application for such permit shall be made by the owner of the lot and shall be accompanied by a sworn affidavit certifying intent to rebuild the destroyed or damaged dwelling and agreeing to the conditions and stipulations of this section, certification of approval of the required sewage disposal system and potable water supply by the McLean County Health Department, evidence that posting of surety required herein has been accomplished, ~~a fee of \$50.00~~ as listed in Appendix A and such other information as the Director of Building and Zoning may require to determine compliance with this ordinance:

113 EXEMPTIONS. The following structures and uses shall be exempt from the provisions of these regulations:

7. Retaining walls ~~on public property~~; and

**ARTICLE 2
ADMINISTRATION AND ENFORCEMENT**

201 ORGANIZATION. The administration of this ordinance is hereby vested in two offices of the government of the County as follows:

1. Zoning Enforcement Office
2. Zoning Board of Appeals

203 ZONING BOARD OF APPEALS.

4. Administrative Variance:

Time limit- No administrative variance shall be valid for a period longer than one year from the date of approval of such variance unless a permit is obtained for such structure within such period and the erection or alteration of a building, structure or land improvement is started or the use is commenced within such period.

5. Meetings and Rules:

- C. The Zoning Board shall keep ~~minutes~~ an audio recording of its proceedings showing the vote of each member upon each and every question.

6. Procedure for Variances:

- G. Time limit- No variance shall be valid for a period longer than one year from the date of approval of such variance unless a permit is obtained for such structure within such period and the erection or alteration of a building, structure or land improvement is started or the use is commenced within such period.

205 CONSTRUCTION PERMITS AND FEES. A construction permit shall be required for the improvement of, or addition to a building, structure, or land improvement or part thereof; for the relocation of a building, structure or part thereof and such building shall not be dilapidated; whether relocated on the same lot or onto any lot under the jurisdiction of this ordinance; or, for any structural alteration which will result in changing the use of all or any part of a building or structure. Exempted from such permit requirements shall be buildings, structures and uses excepted from the regulations of this ordinance or by Illinois Statutes; driveways serving off-street parking areas of eight (8) spaces or less; open fences not more than four (4) feet in height; sidewalks; and light standards, birdhouses, flag poles and similar accessory structures, berms and or retaining walls that do not affect the drainage on adjacent properties less than 36 inches in height, the location of which are not restricted by this ordinance.

1. Such construction permits shall be acquired by the owner of the property or by the authorized agent of such owner before physically undertaking, including excavation, or such construction, erection extension, addition, relocation or alteration, or substantial improvement.
2. Application for such construction permit shall be made to the Department of Building and Zoning, accompanied by plans, specifications and other supplementary information necessary to determine compliance with this ordinance, including when applicable, a certification that performance standards as required by this ordinance will be complied with and certification that a road access permit has been granted by the appropriate road authority. When applicable laws or regulations of the State of Illinois or McLean County require sewage disposal facilities to serve the proposed use, the application shall be accompanied by a certification from the McLean County Health Department approving the sewage disposal facilities proposed for such use. The application shall be accompanied by such elevation and other data necessary to determine compliance with any applicable flood hazard regulations of this ordinance.

New public/commercial buildings shall be designed and built in accordance with the requirements of the Americans With Disabilities Act and with the current version of the Illinois Accessibility Code including the provision of accessible/handicap parking spaces as specified in Article 9, Section 906.7 of this ordinance. Plans for such public buildings shall contain the seal of a registered architect or engineer. The architect or engineer shall also certify in writing that the building design is in accordance with the Americans With Disabilities Act and the current version of the Illinois Accessibility Code. Before occupancy permits are issued for public/commercial buildings, the architect/engineer shall certify that the site and building as built meet the requirements of the Americans With Disabilities Act and the Illinois Accessibility Code. (6-18-02)

Erosion and Sediment Control: Erosion is the process whereby soil or earth is moved by rainfall, flowing water, wind or wave action. Erosion and sediment control measures shall be installed at the time of construction and maintained during both the construction season and any construction shutdown periods where more than 5,000 square feet of land are disturbed or by the time of the stake out inspection when a permit is obtained for a residence, a detached building or a building addition, or within 14 days after final grade is reached or when disturbed areas are left idle for more than 21 days. If installed erosion and sediment control measures prove inadequate as determined by the Director of Building and Zoning, additional erosion control measures shall be installed. Final stabilization with permanent vegetative cover or equivalent permanent stabilization measures shall be in place before erosion and sediment control devices such as silt fences and straw bales may be removed. Standards for control measures for soil erosion shall be at least as protective as the requirements contained in the IEPA's Illinois Urban Manual, 2002 or as amended. Erosion and sediment control measures shall be provided for stockpiles of soil that remain in place for more than three days. All waste generated as a result of site development (including discarded building materials, concrete truck washout, chemicals, litter, sanitary waste or any other waste) shall be properly disposed of and be prevented from being carried off the site by either wind or water. Winter shutdown shall be addressed early in the fall growing season so that slopes and other bare soil areas may be stabilized with temporary and/or permanent vegetative cover for proper erosion and sediment control. Agricultural uses are exempt from this section.

Storm Water Control Measures: Storm water control measures shall be required for permits on lots greater than one acre in area, not to include residences or buildings accessory to residential uses. Evaluation of plans shall be based on storm water design requirements of retention and detention facilities in Chapter 6 of the McLean County Subdivision Ordinance.

4. The fee for the above specified construction permit shall be found in Appendix A.

206 OCCUPANCY PERMITS.

1. An occupancy permit shall be applied for coincident with the application for a construction permit as set forth in Section 205 above, and shall be issued within 14 days after the completion of the project for which construction permit was issued, or within 14 days after application has been made for a change of use where no construction is involved. A record of all occupancy permits shall be kept on file in the office of the Director of Building and Zoning and copies shall be furnished, upon request, to any person having proprietary or tenancy interest in the property affected. No additional fees shall be charged for any occupancy permit unless it is sought for a change in use only, as governed by Section 205.1 above, refer to Appendix A for fee.
2. Issuance of Occupancy Permit.
 - B. Pending the issuance of a regular occupancy permit, a temporary occupancy permit may be issued during the completion of any building, structure or land improvement or during the partial occupancy thereof, except a temporary occupancy permit may not be issued for required transition screens other than plantings. Application for a temporary occupancy permit shall include a statement covering the items of work to be completed, denoting the reasons for which the temporary occupancy permit is requested, and certifying that the work can and will be completed within the duration of the temporary occupancy permit. A temporary occupancy permit shall be valid for a period not to exceed eight consecutive months except when the only work to be completed is the surfacing of parking or loading areas or driveways, such temporary occupancy permit may be valid for a period of one year with the stipulations that such parking or loading area or driveway is maintained in a reasonably dust-free condition during the period of temporary occupancy. The fee for such temporary occupancy permit shall be found in Appendix A.

207 AMENDMENTS.

5. Notice of time and place of such hearing shall be published in a newspaper of general circulation in McLean County, published weekly or more frequently, not more than 60 days or less than 15 days before such hearing as prescribed by applicable Illinois Statutes. Courtesy notices shall may be sent to owners, as determined from current real estate tax records of property located within 250' of the perimeter of the property included in the proposed amendment. Supplemental or additional notices may be published or distributed as the Zoning Board of Appeals may, by rule, prescribe from time to time.

208 VIOLATION AND PENALTY.

In case any building or structure is erected, constructed, reconstructed, altered, repaired,

converted or maintained or any building, structure or land is used in violation of this ordinance, or other regulation under authority conferred hereby, the proper authorities of the county or of the township in which the building, structure or land is located, or any person the value or use of whose property is or may be affected by such violation, in addition to other remedies, may withhold permits on such land and may institute any appropriate action or proceedings in the circuit court to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business, or use in or about such premises. Any person who violates the terms of this ordinance shall be guilty of a petty offense punishable by a fine not to exceed \$500, with each week the violation remains uncorrected constituting a separate offense: (6-18-02)

Inoperable Motor Vehicles: Parking or storage of inoperable or unlicensed motor vehicles or parts thereof shall not be permitted unless in a lawfully established junk yard or salvage yard. (6-18-02)

All inoperable motor vehicles, whether on public or private property, are a nuisance. Any person who fails to obey a notice received from the County which states that such person is to dispose of any inoperable motor vehicles under his or her control shall be fined not less than \$100 and not more than \$500. Each week a violation continues shall constitute a separate offense. (6-18-02)

Any inoperable motor vehicle or parts thereof will be removed by the County Sheriff after 7 days from the issuance of a county notice. However, nothing in this Section shall apply to any motor vehicle that is kept within a building when not in use, to operable historic vehicles over 25 years of age, or to a motor vehicle on the premises of a place of business engaged in the wrecking or junking of motor vehicles.

As used in this Section, "inoperable motor vehicle" means any motor vehicle from which, for a period of at least 7 days, the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. "Inoperable motor vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations. 55 ILCS 5/5 - 1092

~~Nothing in this section shall apply to any motor vehicle that is kept within a building when not in use or to historic vehicles over 25 years of age. (6-18-02)~~

**ARTICLE 3
RULES AND DEFINITIONS**

303 DEFINITIONS.

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| Agriculture | <p>The use of a tract of land the use of which is one of the following:</p> <ul style="list-style-type: none"> · the growing, harvesting and storage of crops including but not limited to legumes, hay, grain, fruit, vegetables, flowers, trees, bushes; · the feeding, breeding and management of fish, livestock, poultry or fur bearing animals other than those uses which are defined as “Animal Feeding Operations”; · dairying; or · any other agricultural or horticultural use or combination thereof, including without limitation, bee keeping, aquaculture, silviculture, and any other activities customarily engaged in by persons engaged in business of farming. · Buildings for protecting or storing farm machinery or equipment, for housing and preparing livestock or poultry for market. <p>Whenever a structure is being constructed as an agricultural building on parcels of less than 40 acres of <u>tillable land</u> the applicant shall submit to the Zoning Enforcement Officer <u>Director of Building and Zoning</u> a signed statement upon a form prescribed by the Zoning Enforcement Officer <u>Director of Building and Zoning</u> attesting to the authenticity of the agricultural use. The burden of proof that the parcel is a genuine agricultural operation is placed on the applicant. It shall be deemed a genuine agricultural use if substantial income is generated from agricultural activities on the parcel.</p> |
| | |
| Kennel | <p>Boarding, breeding or training facilities for four or more dogs, cats or other household domestic animals that are more than four months of age, including dogs owned by the occupants of the property. For a lot or tract of land comprising more than two and one-half acres, the resident of the property may have one additional such animal for each additional one and one-half acre, <u>up to a maximum of seven.</u> See “Animal Care General” and “Animal Care Limited.” (2-20-01)</p> |

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| Massage Parlor | <p>An establishment which has a fixed place of business having a source of income or compensation 60% or more of which is derived from the practice of any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulation of</p> |

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| | <p>external parts of the human body with the hands or with the aid of any mechanical electric apparatus or appliances with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotion, ointment or other similar preparations commonly used in the practice of massage. Under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or gratuity; provided that this term shall not include any establishment operated or supervised by a medical or chiropractic practitioner or professional physical therapist licensed by the State of Illinois. <u>The Massage Licensing Act gives the state exclusive jurisdiction over massage therapists. Neither the county nor any city may regulate massage therapists after January 1, 2003. (Section 57/55, 225 ILCS 57/1)</u></p> |
| | |
| <u>Recreational Area, Family</u> | <p><u>Picnic areas, ponds for fishing and/or swimming and camping areas for not more than two (2) tents or recreational vehicles, as herein defined. Such tents or vehicles shall be parked, placed or used on the premises for no more than 45 days in one calendar year with no period of occupancy to extend beyond 15 consecutive days. Mobile homes and / or permanent buildings are not permitted, except buildings used exclusively for shelters open on three (3) sides. Said buildings shall not occupy an area exceeding 600 square feet of land area. Such family recreation area may be used only by the owner, his family and occasional non-paying guests.</u></p> |
| | |
| <u>Seed Sales, Agriculture</u> | <p><u>Premises or buildings where agricultural seed products are stored and sold at retail or wholesale.</u></p> |
| <u>Tower, Competitive Communication (5-17-08)</u> | <p><u>Commercial AM/FM radio, television and microwave and cellular telephone transmission tower and accessory equipment and buildings.</u></p> |
| <u>Tower, Meteorological</u> | <p><u>A tower which has equipment attached to it which is designed to assess wind and other atmospheric data and accessory equipment and buildings.</u></p> |
| <u>Tower, Telecommunications</u> | <p><u>A tower used to hold facilities of a telecommunications carrier such as those of a cellular telephone provider and accessory equipment and buildings.</u></p> |
| <u>Winery</u> | <p><u>A facility comprising of building or buildings used to convert fruit juices to wine, and to age, bottle, store, distribute and sell said wine.</u></p> |

| | |
|----------------------------------|---|
| | <u>A winery includes crushing, fermenting, and refining, bottling, blending, bulk and bottle storage, aging, shipping, receiving, laboratory equipment and maintenance facilities, sales, and administrative office functions, and may include tasting and winery promotional events.</u> |
| <u>Wind Energy System, Small</u> | <u>A wind energy conversion system consisting of a single wind turbine, single tower, and associated control or conversion electronics that generates power for an individual property for the purpose of reducing on-site consumption of utility power.</u> |

**ARTICLE 5
DISTRICT REGULATIONS**

501 "A" AGRICULTURE DISTRICT.

6. Total Accessory Structure Area (excluding attached garages, barns/livestock shelters constructed prior to July 27, 1966, corn cribs, etc.): (6-18-02)

On lots 1-6 acres in areas containing 5 or more lots: 2400 square feet. (6-18-02)

On lots less than 5 acres: 3600 square feet (excluding barns/livestock shelters less than 2000 square feet in area and area used for indoor riding arenas). (6-18-02)

On lots 5 acres or more: 4200 square feet (excluding barns/livestock shelters less than 2000 square feet in area built after July 27, 1966 and area used for indoor riding arenas). (6-18-02)

Accessory buildings for the storage and repair of agricultural machinery and equipment owned and used by the occupant of a dwelling found to be necessary for the conduct of agriculture are not limited by this section. (2-20-01)

7. Limitations on the construction of new single family residences and the subdivision of parent tracts in the Agriculture Zoning District:

The following provisions shall apply in conjunction with the provisions of the Land Subdivision Ordinance of McLean County. Where residential uses are established by special use, the acreage of the residential tract may be reduced administratively provided compliance with other regulations.

502 "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT.

4. Intensity of Use Regulations: Except as modified by the provisions of Article 5:

D. Maximum Lot Coverage: 35 percent. Total area of accessory buildings, including attached garages, shall not exceed the following:

- (1) On lots .5 to .74 acres or less: 1500 square feet;
- (2) On lots .75 to .99 acres: 1725 square feet;
- (3) On lots 1.00 to 1.49 acres: 1950 square feet;
- (4) On lots 1.5 acres or more: 2400 square feet. (2-20-01)

5. Height Regulations:

A. Principal Structure: Not more than two and one-half stories or 35 feet, whichever is less.

B. Accessory Structure: The side wall of an accessory structure shall not exceed 12 feet in height unless otherwise specified.

503 "R-2" TWO-FAMILY RESIDENTIAL DISTRICT.

4. Intensity of Use Regulations: Except as modified by the provisions of Article 6:

D. Maximum Lot Coverage: 40 percent. Total area of accessory buildings, including attached garages, shall not exceed the following:

- (1) On lots .5 to .74 acres or less: 1500 square feet;
- (2) On lots .75 to .99 acres: 1725 square feet;
- (3) On lots 1.00 to 1.49 acres: 1950 square feet;
- (4) On lots 1.5 acres or more: 2400 square feet. (2-20-01)

5. Height Regulations:

A. Principal Structures: Not more than two and one-half stories or 35 feet, whichever is less.

B. Accessory Structures: The side wall of an accessory structure shall not exceed 12 feet in height unless otherwise specified.

504 "C" COMMERCIAL DISTRICT.

7. Use Limitations:

G. All storage of materials, products or equipment, except those related to or used for agricultural research, testing and/or analysis purposes, shall be within a fully enclosed building or in an open yard so screened in accordance with a site plan approved by the Director of Building & Zoning that the materials stored are not clearly visible within one

thousand (1,000) feet of the property line. Where topographic conditions make effective screening impractical, the Zoning Board of Appeals may make variances as they deem advisable.

505 "M-1" RESTRICTED MANUFACTURING DISTRICT.

7. Use Limitations:

- G. All storage of materials, products or equipment, except those related to or used for agricultural research, testing and/or analysis purposes, shall be within a fully enclosed building or in an open yard so screened in accordance with a site plan approved by the Zoning Board of Appeals Director of Building & Zoning that the materials stored are not clearly visible within one thousand (1,000) feet of the property line. Where topographic conditions make effective screening impractical, the Zoning Board of Appeals may make variances as they deem advisable.

506 "M-2" GENERAL MANUFACTURING DISTRICT.

7. Use Limitations:

- C. All storage of materials, products or equipment, except those related to or used for agricultural research, testing and/or analysis purposes, shall be within a fully enclosed building or in an open yard so screened in accordance with a site plan approved by the Zoning Board of Appeals Director of Building and Zoning that the materials stored are not clearly visible within one thousand (1,000) feet of the property line. Where topographic conditions make effective screening impractical, the Zoning Board of Appeals may make variances as they deem advisable.

507 "FP" FLOOD PLAIN OVERLAY DISTRICT.

The attached FLOOD DAMAGE PREVENTION ORDINANCE will replace existing Flood Plain Overlay District with new model ordinance as provided by the Illinois Department of Natural Resources.

**ARTICLE 6
USE REGULATIONS**

601 USE TABLE. The use table provides a tabular summary of the land use types allowed within each base zoning district. The table is intended for reference and does not necessarily reflect all of the regulations that may apply to particular uses or districts. In the event of conflict between the use regulations listed within this Article and the zoning district regulations of Article 5, the text of the zoning district regulations shall prevail.

1. Permitted (by-Right): Uses identified in a zoning district column of the Use Table with a "P" are "permitted by-right" and shall be permitted in such zoning district. Permitted uses shall also be subject to the standards and regulations as may be indicated in the "use standards" column and all other requirements of this zoning ordinance.
2. Special Uses: Uses identified in a zoning district column of the Use Table with a "S" are "special uses" and shall be permitted in such zoning district if reviewed and approved in accordance with the standards of Article 8. Special uses shall be subject to the standards and regulations as may be indicated in the "use standards" column and all other requirements of this zoning ordinance.
3. Not Permitted: Uses not identified in a zoning district column of the Use Table as permitted by-right or by special use are not allowed in such zoning district unless otherwise expressly permitted by other regulations of this zoning ordinance.
4. Use Standards: A number in the "Use Standards" column of the Use Table refers to standards and regulations applicable to the particular use in one or more of the districts in which such use is allowed. The referenced standards appear in Section 602 of this Article.

| USE TYPE | ZONING DISTRICTS | | | | | | |
|-------------------------|------------------|-----|-----|----------------|-----|-----|---------------|
| | RESIDENTIAL | | | NONRESIDENTIAL | | | Use Standards |
| | A | R-1 | R-2 | C | M-1 | M-2 | |
| Accessory Uses | P | P | P | P | P | P | 1 |
| Home Occupations | P | P | P | P | P | P | 18 |
| Temporary Uses | P | P | P | P | P | P | 39 |
| Home Office | P | P | P | P | P | P | |
| RESIDENTIAL USES | | | | | | | |
| Assisted Living | | S | P | P | | | |
| Duplex | | | P | | | | 22 |
| Group Home | P | P | P | | | | 17, 22 |
| Group Residential | | | | S | | | |

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| USE TYPE | ZONING DISTRICTS | | | | | | Use Standards |
|---|------------------|----------|----------|----------------|----------|----------|---------------|
| | RESIDENTIAL | | | NONRESIDENTIAL | | | |
| | A | R-1 | R-2 | C | M-1 | M-2 | |
| Manufactured Home | | | P | | | | 21 |
| Manufactured Home – Residential Design | P | P | P | | | | 22 |
| Manufactured Home Park | | | S | | | | 23 |
| Mobile Home | | | P | | | | 21 |
| Modular Home | P | P | P | | | | 22 |
| Multi-Family | | | S | | | | 25 |
| Recreational Area, Family | <u>P</u> | | | | | | |
| Rural Home-Based Off-Premise Business (2-20-01) | S | | | | | | 44 |
| Single-Family, Attached Dwelling | | | P | | | | 22, 33 |
| Single-Family, Detached Farm Dwelling | P | P | P | P | P | P | 22, 34 |
| Single-Family, Detached Non-Farm Dwelling | P | P | P | | | | 22, 35 |
| Single-Family, Underground Dwelling | P | P | P | | | | 36 |
| Single-Family, Zero-Lot-Line Dwelling | | P | P | | | | 37 |
| Transitional Living Facility | | | P | <u>S</u> | | | 40 |
| Wind Energy System, Small | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>50</u> |
| COMMERCIAL USES | | | | | | | |
| Adult Entertainment Establishment | | | | | S | S | 2 |
| Agricultural Processing (2-20-01) | S | | | S | S | P | |
| Agricultural Tourism (9-19-2006) | S | | | | | | 49 |
| Agricultural Sales and Service (2-20-01) | | | | P | P | P | |
| Animal Care, General | S | | | S | P | P | |
| Animal Care, Limited (2-20-01) | S | | | P | P | P | |
| Auction Rooms (2-20-01) | | | | P | | | |
| Bank or Financial Institution | | | | P | | | |
| Bar or Tavern | | | | P | | | |
| Bed and Breakfast | S | S | S | S | | | 6 |
| Car Wash | | | | S | S | S | |

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| USE TYPE | ZONING DISTRICTS | | | | | | |
|--|------------------|-----|-----|----------------|-----|-----|---------------|
| | RESIDENTIAL | | | NONRESIDENTIAL | | | Use Standards |
| | A | R-1 | R-2 | C | M-1 | M-2 | |
| Catering Establishment | | | | P | P | | |
| Child Care Facility | | | | P | | | |
| Child Care Institution | | S | S | S | S | S | |
| Construction Sales and Service | | | | S | P | P | |
| Day Care Center | | S | S | S | S | S | 13 |
| Day Care Home | S | S | S | | | | 13 |
| Food Store | | | | P | | | |
| Greenhouses | S | | | P | P | P | 16 |
| Health Club | | | | P | P | | |
| Hotel or Motel | | | | P | P | | |
| Kennel | S | | | S | P | P | 47 |
| Manufactured Home Sales | | | | P | P | | |
| Office, General | | | | P | P | | |
| Paintball Establishments (2-20-01) | S | | | | | | 27 |
| Parking Lot, Commercial | S | | | P | P | | |
| Plant Nursery | S | | | | S | S | 16 |
| Racetracks | | | | S | S | S | 28 |
| Recreation and Entertainment, Indoor | | | | P | P | | |
| Recreation and Entertainment, Outdoor | S | | | S | S | | 29 |
| Repair Service | | | | P | P | P | |
| Research Service | | | | S | P | P | |
| Restaurant, Fast-Food | | | | P | P | | |
| Restaurant, General | | | | P | P | | |
| Retail Sales and Service | | | | P | P | | |
| Service Station, Automotive | | | | S | P | P | |
| Service Station, Truck Stop | | | | S | P | P | |
| Studio (Radio, Television, Film, or Music) | | | | P | P | | |
| Vehicle and Equipment Sales | | | | P | P | P | 42 |
| Vehicle/Equipment Storage Yard | | | | | P | P | 42 |
| Vehicle Paint and Body Shop | | | | S | S | P | 42 |

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| USE TYPE | ZONING DISTRICTS | | | | | | |
|---|------------------|-----|-----|----------------|-----|-----|---------------|
| | RESIDENTIAL | | | NONRESIDENTIAL | | | |
| | A | R-1 | R-2 | C | M-1 | M-2 | Use Standards |
| Vehicle Repair | | | | S | P | P | 42 |
| Warehouse, Self Storage | | | | P | P | P | 46 |
| PUBLIC, QUASI-PUBLIC, AND INSTITUTIONAL | | | | | | | |
| Airport or Airstrip | S | S | S | | S | S | 4 |
| Auditorium or Stadium | | | | S | S | S | |
| Camp, Institutional | S | | | | | | 7 |
| Camp, Recreational | S | | | | | | 8 |
| Cemeteries, Mausoleums or Columbarium | S | | | S | S | S | 9 |
| Churches, Chapels, Temples or Synagogues | P | S | S | P | | | 10 |
| Club, Private | | | | P | S | | |
| College or University | | | P | P | P | P | |
| Competitive Communication or Meteorological Tower | S | | | S | S | P | 11 |
| Correctional Facility | | | | | S | S | |
| Crematory | | | | S | P | P | |
| Cultural Service (02-21-2006) | S | | | P | P | S | |
| Funeral Home | | | | P | P | | |
| Golf Course | S | S | S | P | | | 15 |
| Government Service | P | S | S | P | P | P | |
| Heliport or Helipad | S | | | S | P | P | |
| Hospital | | | | P | P | | |
| Library | | S | S | P | P | | |
| Marina | | S | S | P | | | 24 |
| Medical Service | | | | P | | | |
| Military Service | | | | S | S | S | |
| Nursing Home | | S | P | S | | | |
| Parks and Recreation Area | S | S | S | S | S | S | |
| Post Office | | | | P | P | | |
| Recreational Vehicle Park | S | | | P | P | | 30 |
| Safety Service | S | S | S | S | S | S | |

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| USE TYPE | ZONING DISTRICTS | | | | | | Use Standards |
|--|------------------|-----|-----|----------------|-----|-----|---------------|
| | RESIDENTIAL | | | NONRESIDENTIAL | | | |
| | A | R-1 | R-2 | C | M-1 | M-2 | |
| School (Elementary, Middle, High) | P | P | P | P | | | 32 |
| Shooting Range | S | | | | | S | |
| Stables, Public | S | | | | | | 48 |
| Telecommunications Towers (2-20-01) | P | S | S | P | P | P | 43 |
| Vocational School | S | S | S | S | P | P | |
| MANUFACTURING, INDUSTRIAL AND EXTRACTIVE USES | | | | | | | |
| Asphalt or Concrete Plant | | | | | | P | 5 |
| Basic Industry | | | | | S | P | |
| Contractor Shop and office | | | | P | P | P | 12 |
| Fertilizer Distribution Plant / Agriculture Seed Sales | S | | | | P | P | 14 |
| Food/Bakery Product Manufacturing | | | | | P | P | |
| Freight Terminal | | | | | S | S | 45 |
| Gas and Fuel Sales/Storage | | | | | S | P | |
| Hazardous Operation | | | | | | S | |
| Integrated Center | | | | S | S | S | |
| Landfill (if not a regional pollution control facility) | | | | | | S | 19 |
| Landscape Waste Composting and Mulching Facility | S | | | | S | S | 20 |
| Laundry Plant | | | | | P | P | |
| Manufacturing and Assembly | | | | | P | P | |
| Mining or Quarrying | S | | | | S | S | 19 |
| Oil or Gas Drilling/Refining | S | | | | S | P | 26 |
| Printing and Publishing | | | | | P | P | |
| Salvage Yard | | | | | S | P | 31 |
| Solid Waste Collection/Processing (if not a regional pollution control facility) | | | | | S | S | 38 |
| Solid Waste Transfer Station (if not a regional pollution control facility) | | | | | S | P | |
| Stockyard | S | | | | | S | |

CHAPTER 40 - McLEAN COUNTY, ILLINOIS ZONING ORDINANCE

| USE TYPE | ZONING DISTRICTS | | | | | | Use Standards |
|---|------------------|-----|-----|----------------|-----|-----|---------------|
| | RESIDENTIAL | | | NONRESIDENTIAL | | | |
| | A | R-1 | R-2 | C | M-1 | M-2 | |
| Transit Facility | | | | P | P | P | |
| Trucking Facility | | | | S | P | P | 45 |
| Utility, Major (if not regional pollution control facility) | S | S | S | S | S | S | 41 |
| Utility, Minor | P | P | P | P | P | P | |
| Warehousing and Wholesale | | | | | P | P | |
| Welding or Machine Shop | | | | | S | P | |
| Winery | P | | | | | | 51 |

602 USE STANDARDS. The use standards of this section shall apply to permitted uses, special uses and accessory uses as noted.

11. Competitive Communication or Meteorological Tower: A competitive telecommunications or meteorological tower shall conform with the following (these facilities may be permitted uses in the Agriculture and Commercial Districts when located at least 500 feet from the R-1 and R-2 Districts): (2-20-01)

- A. No building or tower that is part of a competitive telecommunication tower facility shall encroach onto any recorded easement prohibiting the encroachment unless the grantees of the easement have given their approval.
- B. Lighting shall be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting shall be shielded so that no glare extends substantially beyond the boundaries of a facility.
- C. No facility shall encroach onto an existing septic field.
- D. Any competitive telecommunication facility located in a special flood hazard area or wetland shall comply with the requirements of the "FP" Flood Plain Overlay District and Illinois Department of Water Resources.
- E. Existing trees more than 3 inches in diameter shall be preserved if reasonably feasible during construction. If any tree more than 3 inches in diameter is removed during construction, a tree 3 inches or more in diameter of the same or a similar species shall be planted as a replacement unless

otherwise specified by the Zoning Board of Appeals. Tree diameter shall be measured at a point 3 feet above ground level.

- F. If any elevation of a competitive telecommunication facility faces an existing, adjoining R-1 or R-2 zoning district, low maintenance landscaping shall be provided on or near the site of the facility in order to screen the facility. The quantity and type of landscaping shall be approved by the Director of Building and Zoning.
 - G. Fencing or walls shall be installed around the perimeter of each facility or the base of the tower shall not be climbable for a distance of eight (8) feet measured from the ground.
 - H. Height and other design aspects of competitive communication towers shall be approved by a registered engineer, and FAA impact documentation shall be submitted to and approved by the Director of Building and Zoning. Orange safety balls shall be installed on each side of towers where guy wires are used for towers over 100 feet in height.
14. Fertilizer Distribution Plants and Agricultural Seed Sales: Facilities shall provide approval from road authority.
31. Salvage Yard: The following standards shall apply to salvage yards, scrap and waste material storage yards, auto wrecking and junk yards.
- A. Separation from Residential: No salvage yard shall be located within 300 feet of an R-1 or R-2 zoning district.
 - B. Screening: The operation shall be conducted wholly within a non-combustible building or within an area surrounded on all sides by a solid fence or wall at least ~~12~~ 9 feet in height. The fence or wall shall be of uniform height, uniform texture and color, and shall be so maintained by the proprietor as to insure maximum safety to the public, obscure the junk from normal view of the public, and preserve the general welfare of the neighborhood. The fence or wall shall be installed in a way that retains all scrap, junk, or other materials within the yard. Scrap, junk or other salvaged materials shall be piled or stored so that they are not visible from outside the fenced in area and do not exceed the height of the enclosing fence or wall within 50 feet of the inside of such fence or wall.
46. Warehouse, Self-Storage: The following standards shall apply to all warehouse self-storage facilities. (6-18-02)
- A. All self-storage facilities shall be limited to the rental of storage bays and the pickup and deposit of goods or property in dead storage.

- B. Use of storage bays shall be limited to storage of personal goods.
- C. Storage bays shall not be used to manufacture, fabricate or process goods; service or repair vehicles, boats, small engines, or electrical equipment or to conduct similar repair activities; conduct garage sales or retail sales of any kind; or to conduct any other commercial or industrial activity on the site.
- D. Individual storage bays or private postal boxes within a self-storage facility shall not be considered premises for the purposes of assigning a legal address in order to obtain an occupational license or other governmental permit or license to do business nor as a legal address for residential purposes.
- E. Outside accessory storage of Recreational Vehicles (RV's) and Boats is allowed on graveled or hard surfaced parking areas if shown on an approved site plan and if clearly designated on the ground but shall not exceed 20% of the lot area.

47. Kennel: The following standards shall apply to all Kennel facilities.

- A. All outdoor areas for animals, including animal runs and animal exercise yards, shall be at least 600 feet from any lot in the R-1 or R-2 District, or at least 600 feet away from a lot containing a dwelling as the principal use.
- B. Minimum fencing requirement: Outdoor areas for animal shall be fenced at least six feet in height and shall meet the yard requirements of accessory structures.
- C. Obtain the necessary permit(s) from the Illinois Department of Agriculture (IDOA).
- D. Handicap parking requirement: At least (1) one handicap parking space shall be provided.

48. Public Stables: The following standards shall apply to all Public Stable facilities.

- A. Maximum limit of horses shall be no more than (2) two horses per acre of land used for stable purposes.
- B. Shall be accessory to an existing single family residence or a farm as defined herein.
- C. Handicap parking requirement: At least (1) one handicap parking space shall be provided.

proposed to be sited in an agricultural area that may have aircraft operating at low altitudes, the applicant shall notify all such crop dusting businesses no later than 5 business days prior to submitting a building permit application. Copies of letters must be included in the building permit application. Orange safety balls shall be installed on each side of towers where guy wires are used for towers over 80 feet in height.

- E. Local Utility Company Notification: If a small wind energy system is to be connected to the electricity grid, the applicant shall notify the electric utility service provider that serves the proposed site of his intent to install an interconnected customer-owned electricity generator no later than 5 business days prior to submitting a building permit application. Copies of letters must be included in the building permit application.
- F. Minimum Distances: The distance between any protruding blades utilized on a small wind energy system and the ground shall be a minimum of 15 feet as measured at the lowest point of the arc of the blades.
- G. Radio and Television Signals: The small wind energy system shall not cause any radio, television, microwave, or navigation interference. If a signal disturbance problem is identified, the applicant shall correct the problem within 90 days of being notified of the problem.
- H. Appearance: The small wind energy system shall maintain a galvanized neutral finish or be painted to conform the system color to the surrounding environment to minimize adverse visual effects. No small wind energy system shall have any signage, writing, pictures, or decorations placed on it at any time other than warning, equipment, and ownership information. No small wind energy system shall have any flags, streamers, banners, and other decorative items that extend from any part of the system placed on it at any time.
- I. Removal Upon End of Useful Life: When a system reaches the end of its useful life and can no longer function, the owner of the system shall remove the system within 120 days of the day on which the system last functioned. The owner is solely responsible for removal of the system and all costs, financial or otherwise, of system removal.
- J. Fencing: The tower shall be enclosed with a fence of at least six (6) feet in height or the base of the tower shall not be climbable for a distance of eight (8) feet measured from the ground.
- K. Required Safety Features: The small wind energy system shall have an automatic overspeed control to render the system inoperable when winds are blowing in excess of the speeds for which the system is designed and a

manually operable method to render the system inoperable in the event of a structural or mechanical failure of any part of the system.

L. Tower: The upright portion of a small wind energy system to which the primary generator devices are attached.

M. System Height shall be measured from height above grade of the highest point of the arc of the blades and shall be limited as follows:

| | <u>Ag, C, M-1 & M-2 Districts</u> | <u>R-1 & R-2 Districts</u> |
|--------------------------|---------------------------------------|--------------------------------|
| <u>Acreage</u> | <u>Height</u> | <u>Height</u> |
| <u>.99 or less acres</u> | <u>50 feet</u> | <u>50 feet</u> |
| <u>1 to 1.99 acres</u> | <u>65 feet</u> | <u>65 feet</u> |
| <u>2 to 4.99 acres</u> | <u>80 feet</u> | <u>80 feet</u> |
| <u>5 or more acres</u> | <u>150 feet</u> | <u>80 feet</u> |

51. Winery: The following standards shall apply to a winery in the Agriculture District:

A. Minimum parcel size in acres: A minimum of 6.5 acres of land.

B. Minimum wine producing acres: A minimum of 4 acres of wine grapes are planted and capable of producing a crop.

C. Parking requirement: A minimum of 3 paved parking spaces.

D. Handicap parking requirement: At least (1) one handicap parking space must be provided.

E. Shall be accessory to an existing single family residence or a farm as defined herein.

F. Setbacks: All production facilities, tasting facilities, and outdoor use areas, excluding parking lots shall be a minimum of 50 feet from all property lines.

G. Tasting Facilities: The tasting facility shall be clearly related, and subordinate to the primary operation of the winery. The primary focus of the tasting facility shall be the marketing and sale of the wine and grape products produced at the winery. Incidental sales of wine related merchandise and food shall be allowed.

H. Retail sales of wine fruit products shall be limited to those produced, vented, cellared, or bottled by the winery operator or grown on the winery premises or custom crushed at another facility for the wine operator.

I. Uses for receptions, clubs or conventions are not allowed.

**ARTICLE 8
SPECIAL USE PERMITS**

802 PROCEDURES.

1. General Special Uses

- E. Recommendation: The Zoning Board of Appeals shall submit a written report and recommendation to the County Board within 30 days after the close of the public hearing. The concurring vote of at least ~~five~~ four members of the Zoning Board of Appeals shall be necessary in order to recommend approval to the County Board of a special use permit application.

803 STANDARDS FOR ISSUANCE OF SPECIAL USE PERMITS. Generally: Before any permit shall be granted, the Zoning Board of Appeals shall make written findings certifying that adequate provision has been made for the following:

6. The establishment, maintenance and operation of the special use will be in conformance with the intent ~~preamble to the regulations~~ of the district in which the special use is proposed to be located.

805 TIME LIMIT.

1. Sunset: A special use permit shall expire, ~~upon public hearing~~, unless a construction permit is taken within ~~12~~ 24 months to effectuate such specially permitted use; or if no construction permit is required, evidence of use is filed with the Director of Building and Zoning.
2. Abandonment: Once a specially permitted use ceases or is abandoned for a period of more than 12 months, the special use permit shall expire ~~upon public hearing~~; except that the special use permit for an auto salvage yard shall automatically expire if the state license for operating the auto salvage yard lapses for a period of time more than six months.
3. Upon a public hearing, a special use permit may be revoked by the County Board:
- A. For a violation of the codes and ordinances of McLean County including, but not limited to, the zoning ordinance;
- B. For a violation of the district regulations;

- C. For a violation of non-compliance with the conditions, limitations or requirements contained in the special use permit or these regulations.

ARTICLE 9
OFF-STREET PARKING AND LOADING REGULATIONS

908 **OFF-STREET PARKING SPACE REQUIREMENTS.** The minimum number of off-street parking spaces required for uses allowed are provided in Schedule A and Schedule B below. Schedule A provides off-street parking requirements for land uses with a single type of activity and Schedule B provides off-street parking requirements for land uses with multiple types of activities.

1. Required Spaces: Schedule A

| Land Use | Required Number of Parking Spaces |
|---|---|
| RESIDENTIAL USES | |
| Assisted Living | 1 for each 2 beds |
| Duplex | 2 per dwelling unit |
| Group Home | 1 for each 2 beds |
| Group Residential | 1 for each 2 beds |
| Manufactured Home – Residential Design | 2 per dwelling unit |
| Manufactured Home | 2 per dwelling unit |
| Manufactured Home Park | Spaces required pursuant to Article 5, 502.20.B |
| Mobile Home | 2 per dwelling unit |
| Modular Home | 2 per dwelling unit |
| Multi-Family | 1 ½ per dwelling unit |
| Single-Family, Attached Dwelling | 2 per dwelling unit |
| Single-Family, Detached Non-Farm Dwelling | 1 per dwelling unit (2-20-01) |
| Single-Family, Underground Dwelling | 2 per dwelling unit |
| Single-Family, Zero-Lot-Line Dwelling | 2 per dwelling unit |
| Transitional Living Facility | In accordance with requirements designated by the Director of Building and Zoning |
| COMMERCIAL USES | |
| Adult Entertainment Establishment | 1 per 300 square feet of floor area |

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| Land Use | Required Number of Parking Spaces |
|--|--|
| Agricultural Processing | 1 per 300 square feet of floor area |
| Agricultural Sales and Service | 1 per 300 square feet of floor area |
| Military Service | In accordance with requirements designated by the Director of Building and Zoning |
| Nursing Home | 1 per two beds |
| Parks and Recreation Area | 1 per two employees plus spaces in adequate number as determined by the Director of Building and Zoning to serve the visiting public |
| Post Office | 1 per 300 square feet |
| Recreational Vehicle Park | 1 per camping space plus one per three camping spaces for visitors |
| Safety Service | In accordance with requirements designated by the Director of Building and Zoning |
| School (Elementary, Middle, High) | Elementary or Middle: 1 per faculty member and other employees. High School: 1 per four students based on the maximum number of students that can be accommodated in accordance with such design capacity of the building |
| Shooting Range | 1 per two employees, plus spaces in adequate number as determined by the Director of Building and Zoning to serve the visiting public |
| Vocational School | 1 per two employees, plus 1 per five students, based on the maximum number of students that can be accommodated in accordance with such design capacity |
| MANUFACTURING, INDUSTRIAL AND EXTRACTIVE USES | |
| Asphalt or Concrete Plant | 1 per employee |
| Basic Industry | 1 per employee |
| <u>Contractors Office and Shop</u> | <u>1 per employee in the warehouse area and</u> <u>1 per 300 square feet in the office area</u> |
| Fertilizer Distribution Plant | 1 per employee |

ARTICLE 10
SIGN REGULATIONS

1006 CLASSIFICATION OF SIGNS. Functional Types:

| Functional Sign Type | Definition |
|--------------------------------------|--|
| Advertising Sign/ Billboards | A sign which directs the attention of the public to any goods, merchandise, property, business, service, entertainment or amusement conducted or produced which is bought or sold, furnished, offered or dealt in elsewhere than on the premises where such sign is located or to which it is affixed. |
| Bulletin Board Sign | A sign that indicates the name of an institution or organization on whose premises it is located and which contains the name of the institution or organization, the name or names of persons connected with it, and announcement of persons, events or activities occurring at the institution. Such sign may also present a greeting or similar message. |
| Business Sign | A sign which directs attention to a business or profession conducted, or to products, services or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed. |
| Identification Sign | A sign giving only the name and address of a structure, business, development or establishment. Such signs may be wholly or partly devoted to a readily-recognized symbol. |
| Church Identification Sign (6-18-02) | A sign giving only the name and address of a church. Such signs may be wholly or partly devoted to a readily recognizable symbol. |
| Memorial Sign | A sign, monument or statue serving to help people remember some person or event. |
| Name Plate Sign | A sign giving the name and/or address of the owner or occupant of a structure or premises on which it is located and, where applicable, a professional status. |
| <u>Off Premises Directional Sign</u> | <u>A sign which gives direction to an establishment in the Agriculture District. Such sign is not allowed for a home occupation.</u> |

1008 EXEMPTIONS:

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1. Total Exemptions: The following signs shall be exempt from the requirements of this article, except for the provisions of Sections ~~1005.1~~ 1007.1 through 1007.9 above and except that such signs shall comply with appropriate setback requirements as specified in this ordinance. (6-18-02) Such signs shall not be illuminated, but may be of the beaded reflector type upon approval thereof by the Director of Building and Zoning. Such signs shall be of the types and contain only such displays as follows:

1013 DISTRICT REGULATIONS.

1. District Sign Regulations Table: The District Sign Regulation Table of this section provides a tabular summary of the sign types allowed within each base-zoning district.
 - A. Permitted Signs: Signs identified in a zoning district column of the district regulations table below with a "P" are permitted and shall be permitted in such zoning district, subject to such standards as may be indicated in the "standards" row and all other requirements of this Zoning Ordinance.
 - B. Not Permitted: Sign types not identified in a zoning district column of the District Sign Regulation Table as permitted are not allowed in such zoning district unless otherwise expressly permitted by other regulations of this Zoning Ordinance.

| | ZONING DISTRICTS | | | | | |
|--------------------------------------|------------------|---------------|---------------|---------------|---------------|---------------|
| | A | R-1 | R-2 | C | M-1 | M-2 |
| STANDARDS | 1014.1 | 1014.2 | 1014.2 | 1014.3 | 1014.4 | 1014.4 |
| FUNCTIONAL SIGN TYPES | | | | | | |
| Advertising Sign (Billboard) | | | | P | | |
| Bulletin Board | P | P | P | P | P | P |
| Business Sign | P | P | P | P | P | P |
| Identification Sign | P | P | P | P | P | P |
| Church Identification Sign (6-18-02) | P | P | P | P | P | P |
| Name Plate Sign | P | P | P | P | P | P |
| <u>Off Premises Directional Sign</u> | P | | | | | |
| Temporary Sign | P | P | P | P | P | P |
| STRUCTURAL SIGN TYPES | | | | | | |
| Awning, Canopy or Marquee Sign | | | | P | P | P |

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Article 10 - Sign Regulations

| | ZONING DISTRICTS | | | | | |
|-----------------------|------------------|---|---|---|---|---|
| Elevated Sign | P | | | P | P | P |
| Ground Sign | P | P | P | P | P | P |
| Monument Sign | P | P | P | P | P | P |
| Portable Display Sign | | | | | | |
| Projecting Sign | | | | P | P | P |
| Roof Sign | | | | P | P | P |
| Wall Sign | | | | P | P | P |
| Window Sign | P | P | P | P | P | P |

1014 SIGN STANDARDS.

1. "A" Agriculture District:

- A. Number of Signs Permitted: There shall not be more than one sign per lot, except that on a corner lot two signs, one facing each street shall be permitted.
- B. Maximum Gross Surface Area:

| Sign Type | Maximum Gross Surface Area |
|--------------------------------------|--|
| Bulletin Board | 50 sq. ft. |
| Business Sign | 32 sq. ft. |
| Identification Sign | 4 sq. ft. |
| Church Identification Sign (6-18-02) | 32 sq. ft. |
| Name Plate Sign | 4 sq. ft. |
| <u>Off Premises Directional Sign</u> | <u>24 sq. ft.</u> |
| Temporary Sign | As regulated by Temporary Signs in sub-section 1010 of this article. |

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- C. Maximum Height: 35 feet, except when an elevated sign is located within 3,000 feet of the center of a federal aid interstate highway interchange in which case said elevated sign shall not exceed 70 feet.
- D. Required Setback: No sign shall be placed closer to the front property line than one-half the distance of the front yard except that exempt signs, off premises directional signs, church identification signs, and subdivision identification signs may be 2 feet from any property line but may not encroach into or be located within a required sight triangle or as yard requirements stipulate in Sections 702 and 705. (6-18-02)
- E. Projection: No sign shall project beyond the property line into a public way.

2. "R-1" Single Family Residential and "R-2" Higher Density Residential Districts:

- A. Number of Signs Permitted: There shall not be more than one sign per lot, except that on a corner lot two signs, one facing each street shall be permitted.
- B. Maximum Gross Surface Area:

| Sign Type | Maximum Gross Surface Area |
|--------------------------------------|---|
| Bulletin Board | 50 sq. ft. |
| Business Sign | 32 sq. ft. |
| Identification Sign | 32 sq. ft. |
| Church Identification Sign (6-18-02) | 32 q. ft. |
| Name Plate Sign | 4 sq. ft. |
| Temporary Sign | As regulated by Temporary Signs in subsection 1010 of this article. |

- C. Maximum Height: One story or 15 feet above curb level, whichever is lower.
- D. Required Setback: 10 feet from all property lines, except real estate signs with a minimum setback of 8 feet from all property lines except that exempt signs, church identification signs, and subdivision identification

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Article 10 - Sign Regulations

signs may be 2 feet from the property line but shall not encroach into or be located within a required sight triangle or as yard requirements stipulate in Sections 702 and 705. (6-18-02)

- E. Projection: No sign shall project beyond the property line into the public way,
 - F. Illumination: Illuminated signs shall be permitted.
3. "C" Commercial District:
- A. Number of Signs Permitted:
 - (1) All permitted functional sign types: One per zoning lot and two on a corner lot with one sign facing each street; except as modified for Advertising Signs in subsection 3.G below.
 - (2) Awning, canopy or marquee, and window signs: No limitations.
 - (3) Projecting, wall and roof signs: One per street frontage per establishment
 - (4) Ground, monument or elevated signs: One per street frontage.
 - B. Maximum Gross Surface Area: The gross surface area of all signs on a lot shall not exceed six times the lineal feet of street frontage of such lot, and on corner lots or through lots, each lot line abutting a street shall be considered a separate frontage; except as modified by Temporary Signs in sub-section 1010 of this article.
 - C. Maximum Height: Except as otherwise limited in height by this Article, 30 feet; except an elevated sign located within 3,000 feet of the center of a federal aid interstate highway interchange shall not exceed 70 feet.
 - D. Required Setback: A ground, monument, or portable display sign shall be located not less than 10 feet from a lot line abutting a street, or five feet from a rear or interior side lot line, otherwise none.
 - E. Illumination: Illuminated signs shall be permitted.
 - F. Projection: A business sign attached to a building wall shall not project therefrom more than six feet and an advertising sign attached to a building wall shall not project therefrom more than 18 inches.

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- G. Advertising Signs (Billboards): Advertising signs (billboards) may be established in the "C" zoning district, provided that they meet the following conditions:
- (1) Not more than five (5) advertising signs may be located per linear mile of street or highway regardless of the fact that such advertising signs may be located on different sides of the subject street or highway.
 - (2) No advertising sign shall be located within 1,000 feet of another advertising sign abutting either side of the same street or highway.
 - (3) No advertising sign shall be located within 200 feet of a residential zone and/or existing residence. If the advertising sign is illuminated, this required distance shall be increased to 300 feet.
 - (4) No advertising sign shall be located closer than 20 feet from a property line adjoining a public right-of-way or 10 feet from any interior boundary lines of the premises on which the advertising sign is located. Setbacks shall be measured from the surface display area to the vertical extension of the property line.
 - (5) The surface display area of any side of an advertising sign may not exceed 400 feet. In the case of advertising sign structures with tandem or stacked advertising sign faces, the combined surface display area of both faces may not exceed 400 square feet.
 - (6) The height of an advertising sign shall not exceed 35 feet above the grade of the ground on which the advertising sign sits or the grade of the abutting roadway, whichever is higher.
 - (7) No advertising sign shall be on top of, cantilevered, or otherwise suspended above the roof of any building.
 - (8) An advertising sign may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, the path of on-coming vehicles, or any adjacent premises. In no event shall any advertising sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.
 - (9) An advertising sign must be constructed in such a fashion that it will withstand all wind and vibration forces which can normally be expected to occur in the vicinity. An advertising sign must be

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maintained so as to assure proper alignment of structure, continued structural soundness, and continued readability of message.

- (10) An advertising sign established within a business, commercial, or industrial area, as defined in the "Highway Advertising Act of 1972" (1972 PA 106, as amended) bordering interstate highways, freeways or primary highways as defined in said Act shall, in addition to complying with the above conditions, also comply with all applicable provisions of the Act and the regulations provided thereunder, as such may from time to time be amended.

4. "M-1" Restricted Manufacturing District and "M-2" General Manufacturing District:

A. Number of Signs Permitted:

- (1) All permitted functional sign types: One per zoning lot and two on a corner lot with one sign facing each street.
- (2) Awning, canopy or marquee, and window signs: No limitations.
- (3) ~~Ground, monument, Projecting, wall, and roof signs: One per zoning lot establishment.~~
- (4) ~~Ground, monument, or elevated signs: One per business located on a platted lot which is no more than 100 feet from the intersection of a federal aid highway right of way and a perpendicular local street street frontage.~~

B. Maximum Gross Surface Area: The total gross area in square feet of all signs on a lot shall not exceed 6 times the lineal feet of street frontage of such lot, except as modified by Temporary Signs in sub-section 1011 of this article.

C. Maximum Height: 30 feet. ~~except as modified by Advertising Signs in sub-section 4.G below.~~

D. Required Setback: No sign shall be placed closer to the front property line than one-half the distance of the front yard; except that real estate signs shall be exempt from setback requirements.

E. Projection: Projecting signs shall be affixed flat against the building walls and may project therefrom not more than 18 inches.

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F. Illumination: Illuminated signs shall be permitted.

ARTICLE 11
LAND EVALUATION AND SITE ASSESSMENT (LESA) SYSTEM

1101 PURPOSE AND INTENT. The Land Evaluation and Site Assessment (LESA) System has been designed to provide a rational process for assisting local officials in making farmland conversion decisions through the local zoning process. The system will be used by the staff of McLean County, ~~Soil Conservation Service~~ USDA Natural Resources Conservation Service (NRCS) and the McLean County Soil and Water Conservation District when reporting to local hearing bodies and elected officials concerning petitions to allow the conversion of farmland to non-agricultural uses. The system contains two (2) separate but related reports as follows:

1. Land Evaluation - an evaluation of soil properties and their relative desirability for agricultural use (~~125~~ 100 points maximum); and
2. Site Assessment - an assessment of other factors relating to the site that should be considered before farmland is converted to other uses (~~175~~ 200 points maximum).

1102 POINT SYSTEM. The system has been designed to provide for the assignment of a maximum of 300 points which would indicate maintaining land for agricultural use to 0 points which would indicate conversion of land to other uses is acceptable. The following breakdown should be used in evaluating land for rezoning from agriculture to other non-agricultural related uses. ~~Point values of 225 and above indicate that the site is a prime location for agricultural retention. Point values of less than 225 indicate that the site is suitable for non-agricultural related uses.~~ The higher the point value the more viable is the site for agricultural retention.

| | |
|--|--|
| 225 <u>230</u> points and above | Very high for agricultural land protection |
| <u>220</u> thru <u>229</u> points | <u>Moderate for agricultural land protection</u> |
| 225 <u>219</u> points and below | Low for agricultural land protection |

1103 FACTORS TO BE CONSIDERED. The factors to be considered and the points assigned to each factor are listed below:

1. Land Evaluation

The land evaluation section of the system is designed to provide an average site value based on a maximum number of ~~125~~ 100 points. This value is determined by:

- A. Grouping all soils in McLean County into one of ~~nine~~ seven soil groups by using a soil capability class, productivity index and a prime, important, or not prime farmland designation (see Section 1105 and Section 1106). ~~and~~

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- B. Calculating a relative value of each soil group by dividing the highest productivity index of the groups found in the County into the productivity index for each soil group and multiplying the quotient by 1.25 (see Section 1106).
- C. The average site value is then calculated in accordance with the following example:

| Soil Group | Relative Value | Number of Acres In Site | Product of Relative Value |
|------------|----------------|-------------------------|---------------------------|
| 1 | 100 | 4 | 400 |
| 2 | 95 | 8 | 760 |
| 3 | 84 | 12 | 1008 |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| TOTALS | | 24 | 2168 |

D.
$$\frac{\text{Product of Relative Value}}{\text{Acres in Site}} = \text{Average Site Value}$$

$$\frac{2168}{24} = 90.33 \times 1.25 = 112.913$$

2. Site Assessment

Agricultural economic viability of a site cannot be measured in isolation from existing and impending land use needs of McLean County. The Site Assessment process provides a system for identifying important factors other than soils that affect the economic viability of a site for agricultural uses.

This section describes each of 14 Site Assessment factors to be considered when a change to another land use is proposed in an area zoned A-Agriculture, under the

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provisions of the McLean County Zoning Ordinance. The ~~14~~ **16** Site Assessment factors are grouped into the following three major areas of consideration:

- A. Location and Land Use Considerations;
- B. Public Policy Considerations; and
- C. Public Service and Community Facility Considerations.

Based upon current land use data, land use regulations, site inspection and other pertinent information, a point value is determined by analyzing each site assessment factor and selecting a number value that best reflects the quality of the property in question.

3. Other Considerations:

The National Flood Insurance Program and Flood Insurance Rate Maps (FIRM), as established by the Federal Emergency Management Agency (FEMA), shall be considered, as shall any adopted local Land Resource Management Plan, when assigning points to LESA factors.

1104 SITE ASSESSMENT FACTORS, VALUES, AND DESCRIPTIONS OF FACTORS.

1. Location and Land Use Considerations

A. Land area in an agricultural use within one mile of site.

| | | Points Assigned |
|-------------|-----------|-----------------|
| 90% to 100% | 15 points | _____ |
| 75% to 89% | 12 points | _____ |
| 50% to 74% | 9 points | _____ |
| 25% to 49% | 6 points | _____ |
| 10% to 24% | 3 points | _____ |
| 0% to 9% | 0 points | _____ |

This factor is a major indicator of the agricultural character of an area. Areas in the County that are dominated by agricultural uses are generally more viable for farm purposes. The definition of "agricultural land uses" should be interpreted to mean all agricultural and related uses that can be considered to be part of the farm operation. This would include farmland (cropland), pasture lands, or timberlands whether or not in current production and farm residences, barns, and out-buildings.

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The one mile area of consideration for this factor was selected because in McLean County, a one mile radius is a reasonable and manageable area when analyzing the land use and overall characteristics of the area.

Since this factor is a major indicator of the agricultural character of an area, it has a maximum value of 15 points.

B. Land in an agricultural use adjacent to the site.

| (% of total frontage) | | Points Assigned |
|-----------------------|-----------|-----------------|
| 90% to 100% | 20 points | _____ |
| 75% to 89% | 16 points | _____ |
| 50% to 74% | 12 points | _____ |
| 25% to 49% | 8 points | _____ |
| 10% to 24% | 4 points | _____ |
| 0% to 9% | 0 points | _____ |

In order to limit potential nuisance complaints and other forms of conflict, pre-existing adjacent land uses should be evaluated in all cases. Since this factor is also a major indicator of the agricultural character of an area, it has a maximum value of 20 points.

C. Size of the site to be converted.

| | | Points Assigned |
|------------------------------------|---------------------|-----------------|
| <u>20</u> 80 acres or more | <u>20</u> 30 points | _____ |
| <u>10</u> 40 to <u>20</u> 79 acres | <u>15</u> 20 points | _____ |
| <u>5</u> 20 to <u>10</u> 39 acres | <u>10</u> 20 points | _____ |
| <u>3</u> 10 to <u>5</u> 19 acres | <u>5</u> 20 points | _____ |
| 0 to <u>3</u> 9 acres | 0 points | _____ |

This factor recognizes that the size of the parcel of land has an impact on the site's viability for agricultural purposes.

This factor has been assigned a maximum value of 20 30 points.

2. Public Policy Considerations

A. Land area zoned for Agricultural use within one mile of the site.

| | | Points Assigned |
|-------------|-----------|-----------------|
| 90% to 100% | 15 points | _____ |
| 74% to 89% | 12 points | _____ |
| 50% to 74% | 9 points | _____ |
| 25% to 49% | 6 points | _____ |

| | | |
|------------|----------|-------|
| 10% to 24% | 3 points | _____ |
| 0% to 9% | 0 points | _____ |

This factor is important since zoning regulations derive from the police power. When land is zoned other than A-Agriculture District, the potential exists for non-agricultural uses which may be incompatible with agriculture. The one mile radius is a reasonable and manageable area in McLean County when analyzing the land use and overall characteristics of the area.

This factor has been assigned a maximum value of 15 points.

B. Land area zoned for Agriculture use adjacent to the site (% of site boundary)

| | | Points Assigned |
|-------------|-----------|-----------------|
| 90% to 100% | 20 points | _____ |
| 74% to 89% | 16 points | _____ |
| 50% to 74% | 12 points | _____ |
| 25% to 49% | 8 points | _____ |
| 10% to 24% | 4 points | _____ |
| 0% to 9% | 0 points | _____ |

This factor is important because when land in the vicinity of the site is zoned other than A-Agriculture District, the potential exists for non-agricultural uses which may be incompatible with agriculture.

This factor has been assigned a maximum value of 20 points.

C. Land area adjacent to the site proposed for Agriculture use on the Land Use Plan.

| | | Points Assigned |
|-------------|-----------|-----------------|
| 90% to 100% | 20 points | _____ |
| 74% to 89% | 17 points | _____ |
| 50% to 74% | 12 points | _____ |
| 25% to 49% | 8 points | _____ |
| 10% to 24% | 4 points | _____ |
| 0% to 9% | 0 points | _____ |

This factor is important because the Land Use Plan adopted by the County Board constitutes the County's policy regarding the preservation of prime farm land for agricultural use and the identification of other areas for residential, commercial, industrial use and other non-agricultural uses.

This factor has been assigned a maximum value of 20 points.

D. Availability of other development sites in the vicinity of the site

| | | |
|--------------------------------------|-----------|-----------------|
| | | Points Assigned |
| Other properly zoned sites available | 10 points | _____ |
| Limited other sites available | 6 points | _____ |
| No other sites available | 0 points | _____ |

This factor can be used for site comparison where it may be essential to convert land to a non-agricultural use. Often with a little investigation, sites for development on less productive agricultural land can be identified as alternatives. The total points assigned to one site can be compared with the total points determined for any number of other sites.

This factor has been assigned a maximum value of 10 points.

E. Environmental considerations (flood hazards, wetlands, aquifer recharge area, wildlife habitat and unique community values).

| | | |
|-----------------------------|-----------|-----------------|
| | | Points Assigned |
| Major negative impact | 10 points | _____ |
| Substantial negative impact | 6 points | _____ |
| Minor negative impact | 2 points | _____ |
| No negative impact | 0 points | _____ |

This factor addresses whether the proposed use or zoning change will have impact on neighboring properties from surface runoffs. This factor is also concerned with environmentally sensitive areas such as floodplains and wetlands and takes into account whether reasonable provisions have been made to collect and divert surface runoff in order to reduce the likelihood of damage to adjoining properties. The selection and design of measures will depend on varying local conditions such as soils, topography, physical features and the extent of impervious surface. Refer to McLean County Zoning Ordinance for the range of permitted uses in the proposed zoning district. The McLean County Regional Comprehensive Plan and the McLean County Greenways Regional Plan should provide guidance for this section.

This factor has been assigned a maximum value of 10 points.

3. Public Service and Community Facility Considerations

A. Access to adequate transportation:

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- (1) Frontage on a County Highway, a township road, or a city street building to rural standards.

| | Points Assigned | |
|--|-----------------|--|
| Poor surface condition and pavement width of less than 22 feet. 20 10 points | _____ | |
| Good surface condition and a pavement width of less than 22 feet. 12 8 points | _____ | |
| Poor surface condition and pavement width of more than 22 feet. 9 6 points | _____ | |
| Good surface condition and pavement width of more than 22 feet. 6 4 points | _____ | |

- (2) Frontage on a city collector street built to urban standards. 3 2 points

- (3) Frontage on a city major street built to urban standards. 0 points

Access to transportation is a consideration in the location of all types of uses. The location of industrial, commercial, and residential uses within 1.0 mile of existing municipalities results in a more efficient movement of goods and people. The location of non-agricultural uses along rural roads may necessitate the upgrading and widening of rural roads, which results in a further loss of farmland. High volume/high speed traffic may not be compatible with agricultural uses.

The type of road providing access to a site whether existing or to be provided by a developer, and the availability of transportation modes are major factors in determining suitability of the planned use or proposed rezoning.

The factor has been assigned a maximum value of 20 10 points.

B. Availability of a public sanitary sewer system.

| | Points Assigned | |
|--|-----------------|--|
| Sewer system not available 10 points | _____ | |
| Sewer system >1500 feet from site 8 points | _____ | |
| Sewer system between 750 - 1500 feet from site 6 points | _____ | |
| Sewer system > 750 feet from site 4 points | _____ | |
| Sewer system < 750 feet from site 2 points | _____ | |
| Sewer system available at site 0 points | _____ | |

The availability to a site of a central sewer system with sufficient capacity encourages growth and reduces the long-term viability of a site for agriculture.

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According to the Illinois Private Sewage Disposal Act and Code, "new or renovated private sewage disposal systems shall not be approved where a public sanitary sewer is located within 200 feet of the property and is available for connection."

This factor has been assigned a maximum value of 10 points.

C. Availability of a public water system.

| | | Points Assigned |
|--|--------------------|-----------------|
| Public system not available. | <u>10</u> 5 points | _____ |
| System >1500 feet from site. | <u>8</u> 4 points | _____ |
| System between 750 -1500 feet from site. | <u>6</u> 3 points | _____ |
| System >750 feet from site. | <u>4</u> 2 points | _____ |
| System < 750 feet from site. | <u>2</u> 1 point | _____ |
| System available at site. | 0 points | _____ |

This factor recognizes that the existence of a central water system encourages growth and reduces the long-term viability of a site for agriculture. As a central water system is extended into an agricultural area, the character of the area may change and more non-agricultural development occur.

This factor has been assigned a maximum value of 10 5 points.

D. Public Protection Classification (Fire Insurance Rating)

| | | Points Assigned |
|-----------------------------|--------------------|-----------------|
| Classifications 9 and 10 | <u>10</u> 5 points | _____ |
| Classification 8 | <u>8</u> 4 points | _____ |
| Classification 7 | <u>6</u> 3 points | _____ |
| Classification 6 | <u>4</u> 2 points | _____ |
| Classification 5 | <u>2</u> 1 point | _____ |
| Classifications 1 through 4 | 0 points | _____ |

Fire protection requires a combination of equipment, manpower, and availability and supply of water. This factor is also related to distance between fire station and proposed development. Fire insurance ratings in McLean County are determined by the Fire Suppression Rating Schedule," published by the Insurance Services Office of Illinois, 101 North Wacker Street, Chicago, IL 60606. These ratings are based on the fire fighting capability of the rural fire protection districts serving the unincorporated areas of McLean County and are listed in Appendix D attached hereto.

This factor has been assigned a maximum value of 10 5 points.

E. Availability of elementary school space.

| | | |
|--------------------------------|--------------------|-----------------|
| | | Points Assigned |
| Over 30 minutes from site | <u>10</u> 5 points | _____ |
| 15 to 30 minutes from site | <u>6</u> 3 points | _____ |
| Less than 15 minutes from site | <u>2</u> 1 point | _____ |
| Walking distance of site | 0 points | _____ |

Availability of elementary school space allows new students to be accommodated without increasing the cost of public education to the entire community. The lack of elementary school space is a signal that the school system is not able to keep up with the growth and student overcrowding may be caused by any further development. This factor is important when reviewing a zoning map amendment or a site development proposal that will result in an increase in the school population.

This factor has been assigned a maximum value of 10 5 points.

F. Distance to shopping and employment centers.

| | | |
|-------------------------|------------------|------------------------|
| | | <u>Points Assigned</u> |
| <u>5 miles and over</u> | <u>10</u> points | _____ |
| <u>3 to 5 miles</u> | <u>8</u> points | _____ |
| <u>2 to 3 miles</u> | <u>6</u> point | _____ |
| <u>1 to 2 miles</u> | <u>4</u> points | _____ |
| <u>½ to 1 mile</u> | <u>2</u> point | _____ |
| <u>less than ½ mile</u> | <u>0</u> points | _____ |

A site near existing shopping and employment centers is more viable for urban development than a site located many miles from urban areas. Because urban uses are generally considered to be incompatible with agricultural pursuits, the impact on agricultural and rural areas will be minimized when development occurs close to established urban development.

This factor has been assigned a maximum value of 10 points.

1105 GLOSSARY.

| | |
|-------------------|---|
| Agricultural Land | Land in farms regularly used for agricultural production. The term includes all land devoted to crop or livestock enterprises, for example, the farmstead lands, drainage ditches, water supply, cropland, pasture land, or timberland (whether or not in current production), and grazing land of every kind in farms. |
| Agriculture | The devotion of land to the growing of farm or truck garden crops, horticulture, viticulture or pasturage as a principal use, together with accessory animal and poultry husbandry, |

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| | |
|---|---|
| | dairying, apiculture and other common accessory uses including farm dwellings as defined herein and other buildings and structures for agricultural purposes upon such land. |
| <p>Capability Class (June 17, 2008)</p> | <p>Capability classes are broad groupings of soil mapping units that have similar potentials and/or limitations and hazards. These classes are useful as a means of introducing the map users to more detailed information on a soils map. The classes show the location, amount and general suitability of the soils for agricultural use.</p> <p>The national capability classification shows soils groupings in eight classes:</p> <p>Class 1 - soils have slight limitations that restrict their use.</p> <p>Class 2 - soils have moderate limitations that restrict the choice of plants or require moderate conservation practices.</p> <p>Class 3 - soils have severe limitations that restrict the choice plants or that require special conservation practices, or both.</p> <p><u>Class 4 - soils have very severe limitations that restrict the choice of plants or that require very careful management, or both.</u></p> <p><u>Class 5 - soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.</u></p> <p><u>Class 6 - soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.</u></p> <p><u>Class 7 - soils have very sever limitations that make them unsuitable for cultivation and restrict their use mainly to grazing, forestland, or wildlife habitat.</u></p> <p><u>Class 8 - soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.</u></p> |
| Farmland of Statewide | This land is of statewide importance for the production of food, |

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| | |
|---|---|
| <p>Importance</p> | <p>feed, fiber, forage and oilseed crops. Generally, additional farmland and that economically produce high yields or crops when treated and managed according to acceptable farming methods. Some may produce as high a yield as prime farmlands if conditions are favorable.</p> |
| <p>Prime Farmland</p> | <p>Prime farmland is land that is best suited to food, feed, forage, fiber, and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well managed soil economically to produce a sustained high yield of crops. Prime farmland produces the highest yields with minimum inputs of energy and economic resources, and farming it results in the least damage to the environment.</p> <p>Prime farmland has an adequate and dependable supply to moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 - 6 percent.</p> |
| <p><u>Prime Farmland Classification</u></p> | <p><u>Prime = All areas are prime farmland;</u> <u>Prime 2 = Areas are prime farmland where drained;</u> <u>Prime 5 = Areas are prime where drained and protected from flooding or not frequently flooded during the growing season.</u></p> |
| <p>Productivity Index</p> | <p>Productivity indexes for grain crops express the estimated yields of the major grain crops as percentage of the average yields obtained under basic management. Soil productivity is strongly influenced by the capacity of a soil to supply the nutrient and soil-stored water needs of a growing crop in a given climate. Source: <u>Soil Productivity in Illinois, Circular 1156, Optimum Crop, Pasture, and Forestry Productivity Ratings for Illinois Soils, Bulletin 811, August 2000, University of Illinois, College of Agriculture, Cooperative Extension Office.</u></p> |

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1106 LAND EVALUATION SOIL GROUPS.

| Group | Mapping Unit Symbol | Mapping Unit Name | Land Capability Class | Productivity Index | Prime Important Farmland |
|--|---------------------|---|-----------------------|--------------------|--------------------------|
| LE Group 1, Ag Value 100, Acres 141,665 Percent of County Land - 18.72 | | | | | |
| 1 | 51A | Muscataune silt loam, 0-2% slopes | 1 | 147 | Prime |
| 1 | 154A | Flanagan silt loam, 0-2% slopes | 1 | 144 | Prime |
| 1 | 902A | Ipava-Sable complex, 0-2% slopes | 1 | 143 | Prime 2 |
| 1 | 198A | Elburn silt loam, 0-2% slopes | 1 | 143 | Prime |
| 1 | 43A | Ipava silt loam, 0-2% slopes | 1 | 142 | Prime |
| 1 | 199A | Plano silt loam, 0-2% slopes | 1 | 142 | Prime |
| 1 | 59A | Lisbon silt loam, 0-2% slopes | 1 | 141 | Prime |
| 1 | 86A | Oscos silt loam, 0-2% slopes | 1 | 141 | Prime |
| 1 | 149A | Brenton silt loam, 0-2% slopes | 1 | 141 | Prime |
| 1 | 715A | Arrowsmith silt loam, 0-2% slopes | 1 | 140 | Prime |
| LE Group 2, Ag Value 95, Acres 288,104 Percent of County Land - 38.06 | | | | | |
| 2 | 199B | Plano silt loam, 2-5% slopes | 2e | 141 | Prime |
| 2 | 86B | Oscos silt loam, 2-5% slopes | 2e | 140 | Prime |
| 2 | 171B | Catlin silt loam, 2-5% slopes | 2e | 137 | Prime |
| 2 | 152A | Drummer silty clay loam, 0-2% slopes | 2w | 144 | Prime 2 |
| 2 | 721A | Drummer and Elpaso silty clay loam, 0-2% slopes | 2w | 144 | Prime 2 |
| 2 | 68A | Sable silty clay loam, , 0-2% slopes | 2w | 143 | Prime 2 |
| 2 | 8077A | Huntsville silt loam, 0-2% slopes, occasionally flooded | 2w | 143 | Prime |

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| Group | Mapping Unit Symbol | Mapping Unit Name | Land Capability Class | Productivity Index | Prime Important Farmland |
|---|---------------------|--|-----------------------|--------------------|--------------------------|
| 2 | 8451A | Lawson silt loam, 0-2% slopes, occasionally flooded | 2w | 140 | Prime |
| 2 | 8107A | Sawmill silty clay loam, 0-2% slopes, occasionally flooded | 2w | 139 | Prime 2 |
| 2 | 8074A | Radford silt loam, 0-2% slopes, occasionally flooded | 2w | 136 | Prime |
| 2 | 293A | Andres silt loam, 0-2% slopes | 1 | 135 | Prime |
| 2 | 893B | Catlin-Saybrook silt loam, 2-5% slopes | 2e | 135 | Prime |
| 2 | 199B2 | Plano silt loam, 2-5% slopes, eroded | 2e | 135 | Prime |
| 2 | 663A | Clare silt loam, 0-2% slopes | 1 | 134 | Prime |
| 2 | 213A | Normal silt loam, 0-2% slopes | 1 | 133 | Prime |
| 2 | 481A | Raub silt loam, 0-2% slopes | 1 | 133 | Prime |
| 2 | 61A | Atterberry silt loam, 0-2% slopes | 1 | 132 | Prime 2 |
| 2 | 667A | Kaneville silt loam, 0-2% slopes | 1 | 128 | Prime |
| 2 | 343A | Kane silt loam, 0-2% slopes | 1 | 125 | Prime |
| 2 | 567A | Elkhart silt loam, 0-2% slopes | 1 | 125 | Prime |
| 2 | 236A | Sabina silt loam, 0-2% slopes | 1 | 122 | Prime |
| LE Group 3, Ag Value 84, Acres 274,967 Percent of County Land – 36.33 | | | | | |
| 3 | 244A | Hartsburg silty clay loam, 0-2% slopes | 2w | 134 | Prime 2 |
| 3 | 8073A | Ross loam, 0-2% slopes, occasionally flooded | 2w | 134 | Prime |
| 3 | 86B2 | Osco silt loam, 2-5% slopes, eroded | 2e | 134 | Prime |
| 3 | 67A | Harpster silty clay loam, 0-2% slopes | 2w | 133 | Prime 2 |

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| Group | Mapping Unit Symbol | Mapping Unit Name | Land Capability Class | Productivity Index | Prime Important Farmland |
|-------|---------------------|--|-----------------------|--------------------|--------------------------|
| 3 | 8720A | Aetna silt loam, 0-2% slopes, occasionally flooded | 2w | 131 | Prime 2 |
| 3 | 145B | Saybrook silt loam, 2-5% slopes | 2e | 131 | Prime |
| 3 | 171B2 | Catlin silt loam, 2-5% slopes, eroded | 2e | 131 | Prime |
| 3 | 294B | Symerton silt loam, 2-5% slopes | 2e | 130 | Prime |
| 3 | 56B2 | Dana silt loam, 2-5% slopes, eroded | 2e | 129 | Prime |
| 3 | 125A | Selma loam, 0-2% slopes | 2w | 129 | Prime 2 |
| 3 | 148B2 | Proctor silt loam, 2-5% slopes, eroded | 2e | 128 | Prime |
| 3 | 614B | Chenoa silty clay loam, 2-5% slopes | 2e | 128 | Prime |
| 3 | 667B | Kaneville silt loam, 2-5% slopes | 2e | 127 | Prime |
| 3 | 541B2 | Graymont silt loam 2-5% slopes, eroded | 2e | 127 | Prime |
| 3 | 232A | Ashkum silty clay loam, 0-2% slopes | 2w | 127 | Prime 2 |
| 3 | 145B2 | Saybrook silt loam, 2-5% slopes, eroded | 2e | 125 | Prime |
| 3 | 146A | Elliot silt loam, 0-2% slopes | 2w | 125 | Prime |
| 3 | 3107A | Sawmill silty clay loam, 0-2% slopes, frequently flooded | 3w | 125 | Prime 5 |
| 3 | 567B | Elkhart silt loam, 2-5% slopes | 2e | 124 | Prime |
| 3 | 272A | Edgington silt loam, 0-2% slopes | 2w | 124 | Prime 2 |
| 3 | 330A | Peotone silty clay loam, 0-2% slopes | 3w | 123 | Prime 2 |
| 3 | 614B2 | Chenoa silty clay loam, 2-5% slopes, eroded | 2e | 123 | Prime |
| 3 | 687B2 | Penfield loam, 2-5% slopes, eroded | 2e | 123 | Prime |

CHAPTER 40 - McLEAN COUNTY, ILLINOIS ZONING ORDINANCE

| Group | Mapping Unit Symbol | Mapping Unit Name | Land Capability Class | Productivity Index | Prime Important Farmland |
|---|---------------------|--|-----------------------|--------------------|--------------------------|
| 3 | 496A | Fincastle silt loam, 0-2% slopes | 2w | 121 | Prime 2 |
| 3 | 233B | Birkbeck silt loam, 2-5% slopes | 2e | 121 | Prime |
| 3 | 567B2 | Elkhart silt loam, 2-5% slopes, eroded | 2e | 119 | Prime |
| 3 | 290A | Warsaw loam, 0-2% slopes | 2s | 119 | Prime |
| 3 | 17A | Keomah silt loam, 0-2% slopes | 2w | 119 | Prime 2 |
| 3 | 233B2 | Birkbeck silt loam, 2-5% slopes, eroded | 2e | 116 | Prime |
| 3 | 279B2 | Rozetta silt loam, 2-5% slopes, eroded | 2e | 114 | Prime |
| 3 | 622B2 | Wyanet silt loam, 2-5% slopes, eroded | 2e | 114 | Prime |
| 3 | 134B2 | Camden silt loam, 2-5% slopes, eroded | 2e | 113 | Prime |
| 3 | 290B2 | Warsaw loam, 2-5% slopes, eroded | 2e | 113 | Prime |
| 3 | 60B2 | La Rose silt loam, 2-5% slopes, eroded | 2e | 112 | Prime |
| 3 | 91B2 | Swygert silty clay loam, 2-4% slopes, eroded | 2e | 112 | Prime |
| 3 | 223B2 | Varna silt loam, 2-4% slopes, eroded | 2e | 110 | Prime |
| 3 | 322B2 | Russell silt loam, 2-5% slopes, eroded | 2e | 110 | Prime |
| 3 | 27B2 | Miami silt loam, 2-5% slopes, eroded | 2e | 106 | Prime |
| 3 | 193B2 | Mayville silt loam, 2-5% slopes, eroded | 2e | 105 | Prime |
| 3 | 327B2 | Fox silt loam, 2-5% slopes, eroded | 2e | 104 | Prime |
| LE Group 4, Ag Value 80, Acres 32,231 Percent of County Land – 4.26 | | | | | |
| 4 | 171C2 | Catlin silt loam, 5-10% slopes, eroded | 3e | 128 | Important |
| 4 | 56C2 | Dana silty clay loam, 5-10% slopes, eroded | 3e | 126 | Important |

CHAPTER 40 - McLEAN COUNTY, ILLINOIS ZONING ORDINANCE

| Group | Mapping Unit Symbol | Mapping Unit Name | Land Capability Class | Productivity Index | Prime Important Farmland |
|---|---------------------|---|-----------------------|--------------------|--------------------------|
| 4 | 148C2 | Proctor silt loam, 5-10% slopes, eroded | 3e | 126 | Important |
| 4 | 145C2 | Saybrook silt loam, 5-10% slopes, eroded | 3e | 123 | Important |
| 4 | 687C2 | Penfield loam, 5-10% slopes, eroded | 3e | 121 | Important |
| 4 | 233C2 | Birkbeck silt loam, 5-10% slopes, eroded | 3e | 113 | Important |
| 4 | 622C2 | Wyandot silt loam, 5-10% slopes, eroded | 3e | 112 | Important |
| 4 | 134C2 | Camden silt loam, 5-10% slopes, eroded | 3e | 111 | Important |
| 4 | 60C2 | La Rose silt loam, 5-10% slopes, eroded | 3e | 110 | Important |
| 4 | 223C2 | Varna silty clay loam, 4-6% slopes, eroded | 3e | 108 | Important |
| 4 | 322C2 | Russell silt loam, 5-10% slopes, eroded | 3e | 108 | Important |
| 4 | 27C2 | Miami silt loam, 5-10% slopes, eroded | 3e | 104 | Important |
| 4 | 193C2 | Mayville silt loam, 5-10% slopes, eroded | 3e | 102 | Important |
| 4 | 327C2 | Fox silt loam, 5-10% slopes, eroded | 3e | 101 | Important |
| LE Group 5, Ag Value 69, Acres 10,301 Percent of County Land – 1.36 | | | | | |
| 5 | 60D2 | La Rose silt loam, 10-18% slopes, eroded | 4e | 105 | Important |
| 5 | 570D2 | Martinsville silt loam, 10-18% slopes, eroded | 4e | 101 | Important |
| 5 | 27D2 | Miami silt loam, 10-18% slopes, eroded | 4e | 100 | Important |
| 5 | 224C2 | Strawn loam, 5-10% slopes, eroded | 3e | 98 | Important |
| 5 | 318B2 | Lorenzo silt loam, 2-5% slopes, eroded | 3s | 98 | Important |
| 5 | 964D | Miami and Hennepin soils, 10-18% slopes | 4e | 90 | Important |
| LE Group 6, Ag Value 41, Acres 3,911 Percent of County Land – 0.52 | | | | | |

CHAPTER 40 - McLEAN COUNTY, ILLINOIS ZONING ORDINANCE

| Group | Mapping Unit Symbol | Mapping Unit Name | Land Capability Class | Productivity Index | Prime Important Farmland |
|---|---------------------|---|-----------------------|--------------------|--------------------------|
| 6 | 964F | Miami and Hennepin soils, 18-35% slopes | 6e | 67 | Not Prime |
| 6 | 224G | Strawn loam, 35-60% slopes | 7e | 50 | Not Prime |
| LE Group 7, Ag Value 0, Acres 5,729 Percent of County Land – 0.76 | | | | | |
| 7 | 533 | Urban land | 8 | 0 | Not Prime |
| 7 | 802B | Orthents, loamy, undulating | 8 | 0 | Not Prime |
| 7 | 865 | Pits, gravel | 8 | 0 | Not Prime |

CHAPTER 40 - McLEAN COUNTY, ILLINOIS ZONING ORDINANCE

1107 FIRE INSURANCE RATINGS IN RURAL McLEAN COUNTY.

| Fire Protection Agencies Serving Rural McLean County | | Fire Insurance Rating |
|--|---|-----------------------|
| 1. | Allin Township Fire Protection District | 9 |
| 2. | Bellflower Fire Protection District..... | 9 |
| 3. | Bloomington Township Fire Protection District..... | 9 |
| 4. | Carlock Fire Protection District | 9 |
| 5. | Chenoa Fire Protection District | 9 |
| 6. | Congerville Fire Protection District..... | 9 |
| 7. | Dale Township Fire Protection District | 9 |
| 8. | Downs Community Fire Protect District | 9 |
| 9. | Farmer City Fire Protection District | 9 |
| 10. | LeRoy Community Fire Protection District..... | 7 |
| 11. | Lexington Community Fire Protection District | 7 |
| 12. | Mount Hope Fire Protection District | 8*-9** |
| 13. | Northern Piat County Fire Protection District | 9 |
| 14. | Octavia Fire Protection District | 9 |
| 15. | Randolph Township Fire Protection District | 9 |
| 16. | Saybrook-Arrowsmith Fire Protection District..... | 8*-9** |
| 17. | Gridley Fire Protection District..... | 8*-9** |
| 18. | Hudson Community Fire Protection District | 8 |
| 19. | Ellsworth Fire Protection District | 9 |
| 20. | Danvers Community Fire Protection District | 8 |
| 21. | Towanda Community Fire Protection District..... | 9 |
| 22. | El Paso Fire Protection District..... | 8*-9** |
| 23. | Sullivant Community Fire Protection District | 9 |
| 24. | Forrest-Strawn-Wing Fire Protection District..... | 9 |
| 25. | Pontiac Rural Fire Protection District..... | 9 |
| 26. | Wapella Community Fire Protection District | 8 |
| 27. | Gibson City Fire Protection District | 6 |
| 28. | Armington Fire Protection District | 9 |
| 29. | Atlanta Fire Protection District..... | 8 |
| 30. | Little Mackinaw Fire Protection District | 9 |
| 31. | Mackinaw Fire Protection District..... | 8 |
| 32. | Sangamon Valley Fire Protection District | 8*-9** |

* Fire Insurance Rating for Residential Buildings

** Fire Insurance Rating for Commercial and Industrial Buildings

Appendix - A

Fee Schedule

- A. Single family dwellings -- **\$250**
- B. Permits for additions to single family dwellings, including but not limited to attached garages, based upon the square feet of lot covered by such addition:
 - Less than 650 square feet -- **\$75**
 - At least 650 square feet but less than 1,200 square feet -- **\$85**
 - At least 1,200 square feet but less than 2,500 or more -- **\$110**
 - 2,500 square feet of more -- **\$200**
- C. Detached buildings accessory to and on the same lot as single family dwellings, based on the square feet of lot covered by such building:
 - Less than 250 square feet -- **\$60**
 - At least 250 square feet but less than 650 square feet -- **\$75**
 - At least 650 square feet but less than 1,200 square feet -- **\$85**
 - At least 1,200 square feet but less than 2,500 square feet -- **\$110**
 - 2,500 square feet or more -- **\$200**
- D. Structures (other than buildings) accessory to single family dwellings and on the same lot as such dwelling:
 - Swimming pools, above-ground or in-ground -- **\$75**
 - Other structures -- **\$75**
- E. Business or advertising signs;
 - With a gross area of less than 50 square feet -- **\$65**
 - With a gross area of 50 square feet but less than 200 square feet -- **\$75**
 - With a gross area of 200 square feet or more -- **\$90**
- F. The fee for all other permits shall be \$2.50 for each one thousand dollars, or fraction thereof up to a value of \$500,000. From a value of \$500,000 to a value of \$5 million the fee shall be \$1,250, plus \$.50 for each one thousand dollars of the value of the proposed improvements over \$500,000. From a value of \$5 million and up the fee shall be \$3,450 plus \$.10 for each one thousand dollars of the value of the proposed improvements over \$5 million. There shall be a minimum fee of **\$75**. (6-18-02)
- G. Temporary Mobile Home Fee - **\$50**
- H. The fee for an occupancy permit shall be **\$75**
 - Temporary occupancy permits -- **\$75**

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- I Appeals – There is no filing fee for an appeal of an administrative decision;
- J Variations - **\$300**
- K Administrative Variations - **\$100**
- L Map Amendments – less than 2 acres - **\$350**
 - at least 2 acres but less than 15 acres - **\$400**
 - at least 15 acres but less than 25 acres - **\$500**
 - at least 25 acres but less than 80 acres - **\$600**
 - at least 80 acres and up to 100 acres - **\$650**
 - more than 100 acres - **\$650** plus \$6.00 per acre over 100 acres
- M Text Amendments - **\$450**
- N Concept Plan for Planned Developments - **\$300**
- O Planned Development –
 - less than 2 acres - **\$350**
 - at least 2 acres but less than 15 acres - **\$400**
 - at least 15 acres but less than 25 acres - **\$500**
 - at least 25 acres but less than 80 acres - **\$600**
 - at least 80 acres and up to 100 acres - **\$650**
 - more than 100 acres - **\$650** plus \$6.00 per acre over 100 acres
- P Special Use Permits – less than 2 acres - **\$350**
 - at least 2 acres but less than 15 acres - **\$400**
 - at least 15 acres but less than 25 acres - **\$500**
 - at least 25 acres but less than 80 acres - **\$600**
 - at least 80 acres and up to 100 acres - **\$650**
 - more than 100 acres - **\$650** plus \$6.00 per acre over 100 acres
- Q Non-Commercial Parks and Outdoor Recreation Areas – The fee for special uses for such areas which are owned by a public entity, a philanthropic organization or a non-profit corporation shall be **\$225** regardless of property area. (2-20-01)
- R Temporary Permits – **\$100**
- S Exemption from fees – Any application by the McLean County Board, the Zoning Board of Appeals, a committee of the McLean County Board or the McLean County Regional Planning Commission shall be exempt from the above fees
- T Cost of publication in addition to fees – The cost of publication shall be the amount billed to the Department by the publisher

CHAPTER 40 - McLEAN COUNTY, ILLINOIS ZONING ORDINANCE

U. Cost of copies - \$.25 per 8½" by 11" black and white page; \$1.00 for color photos; \$15.00 per zoning map; \$25.00 per Zoning Ordinance; \$25.00 per Subdivision Ordinance.

FLOOD DAMAGE PREVENTION ORDINANCE

This ordinance will replace Section 507 of Article 5, Flood Plain Overlay District, of the McLean County Zoning Ordinance that was previously approved on February 20, 2001. This ordinance includes an amended Flood Insurance Rate Map of McLean County prepared by the Federal Emergency Management Agency and dated July 16, 2008.

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Section 16. Effective Date

60.3(d) for counties with detailed mapping and countywide maps

Ordinance # _____

AN ORDINANCE REGULATING DEVELOPMENT IN FLOODPLAIN AREAS

Be it ordained by the County Board of McLean County, Illinois as follows:

507 "FP" FLOOD PLAIN OVERLAY DISTRICT.

Section 1. Purpose.

This ordinance is enacted pursuant to the police powers granted to this McLean County by the County Statutory Authority in 55 ILCS 5/5-1041 and 5/5-1063 in order to accomplish the following purposes:

- A. To prevent unwise developments from increasing flood or drainage hazards to others;
- B. protect new buildings and major improvements to buildings from flood damage;
- C. to lessen the burden on the taxpayer for flood control, repairs to public facilities and utilities, as well as flood rescue and relief operations;
- D. to lessen the burden on the taxpayer for flood control, repairs to public facilities and utilities, and flood rescue and relief operations;
- E. maintain property values and a stable tax base by minimizing the potential for creating blight areas;
- F. make federally subsidized flood insurance available, and
- G. to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

Section 2. Definitions.

For the purposes of this ordinance, the following definitions are adopted:

Base Flood- The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year flood. The base flood elevation at any location is as defined in Section 3 of this ordinance.

Base Flood Elevation (BFE)- The elevation in relation to mean sea level of the crest of the base flood.

Basement- That portion of a building having its floor sub-grade (below ground level) on all sides.

Building- A walled and roofed structure, including gas or liquid storage tank, that is principally above ground, including manufactured homes, prefabricated buildings and gas or liquid storage tanks. The term also includes recreational vehicles and travel trailers installed on a site for more than one hundred eighty (180) days per year.

Critical Facility- Any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put special populations at risk.

Examples of critical facilities where flood protection should be required include: emergency services facilities (such as fire and police stations), schools, hospitals retirement homes and senior care facilities, major roads and bridges, critical utility sites (telephone switching stations or electrical transformers, and hazardous material storage facilities (chemicals, petrochemicals, hazardous or toxic substances).

Development- Any man-made change to real estate including, but not necessarily limited to:

1. Demolition, construction, reconstruction, repair, placement of a building, or any structural alteration to a building;
2. substantial improvement of an existing building;
3. installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than one hundred eighty (180) days per year;
4. installation of utilities, construction of roads, bridges, culverts or similar projects;
5. construction or erection of levees, dams walls or fences;
6. drilling, mining, filling, dredging, grading, excavating, paving, or other alterations of the ground surface;

7. storage of materials including the placement of gas and liquid storage tanks, and channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters.

“Development” does not include routine maintenance of existing buildings and facilities, resurfacing roads, or gardening, plowing, and similar practices that do not involve filing, grading, or construction of levees.

Existing Manufactured Home Park or Subdivision- A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home Park or Subdivision- The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA- Federal Emergency Management Agency

Flood- A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Flood Fringe- That portion of the floodplain outside of the regulatory floodway.

Flood Insurance Rate Map- A map prepared by the Federal Emergency Management Agency that depicts the floodplain or special flood hazard area (SFHS) within a community. This map includes insurance rate zones and may or may not depict floodways and show base flood elevations.

Flood Insurance Study- An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Floodplain and Special Flood Hazard Area (SFHA)- These two terms are synonymous. Those lands within the jurisdiction of the County that are subject to inundation by the base flood. The floodplains of the Big Slough, Brooks Creek, Buck Creek, Burlison Creek, Corn Valley Creek, Denman Creek, Eastbrook Drain, Funks Branch, Henline Creek, Kickapoo Creek, King Mill Creek, Kings Mill Creek, Little Crooked Creek, Little Kickapoo Creek, Little Mackinaw River, Lone Tree Creek, Loving Branch, Mackinaw River, Middle Branch Eastbrook Drain, Middle Fork Sugar Creek, Money Creek, Mud Creek, North Fork Salt Creek, Prairie Creek, Rock Creek, Salt Creek, Sangamon River, Short Point Creek, Six Mile Creek, Sugar Creek, Timber Creek Turkey Creek, West Branch Easterbrook Drain, West Fork Sugar Creek are generally identified on the countywide Flood Insurance Rate Map of McLean County prepared by the Federal Emergency Management Agency and dated July 16, 2008. Floodplain also includes those areas of known flooding as identified by the County.

Floodproofing- Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate, property and their contents.

Floodproofing Certificate- A form published by the Federal Emergency management agency that is used to certify that a building has been designed and constructed to be structurally dry flood proofed to the flood protection elevation.

Flood Protection Elevation (FPE)- The elevation of the base flood plus one foot of freeboard at any given location in the floodplain.

Floodway- That portion of the floodplain required to store and convey the base flood. The floodway for the floodplains of a portion of Little Kickapoo Creek, a portion of Sugar Creek, a portion of Goose Creek, Skunk Creek, and the West Branch of Sugar Creek and the Brookridge Branch of Little Kickapoo Creek shall be as delineated on the countywide Flood Insurance Rate Map of McLean County prepared by FEMA and dated July 16, 2008. The floodways for each of the remaining floodplains of the McLean County shall be according to the best data available from the Federal, State, or other sources.

Freeboard- An increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, future watershed development, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

Historic Structure- Any structure that is:

1. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
3. Individually listed on the state inventory of historic places by the Illinois Historic Preservation Agency.
4. Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.

IDNR/OWR- Illinois Department of Natural Resources/Office of Water Resources.

Lowest Floor- the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor. Provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 7 of this ordinance.

Manufactured Home- A structure transportable in one or more sections, that is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities.

Manufactured Home Park or Subdivision- A parcel (or contiguous parcels) of land divided into two or more lots for rent or sale.

New Construction- Structures for which the start of construction commenced or after the effective date of floodplain management regulations adopted by a community and includes any subsequent improvements of such structures.

New Manufactured Home Park or Subdivision- A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

NFIP- National Flood Insurance Program.

Recreational Vehicle or Travel Trailer- A vehicle which is:

1. built on a single chassis;
2. four hundred (400) square feet or less in size;
3. designed to be self-propelled or permanently towable by a light duty truck and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Repetitive Loss- Flood related damages sustained by a structure on two separate occasions during a ten year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred.

SFHA- See definition of floodplain.

Start of Construction- Includes substantial improvement and means the date the building permit was issued. This, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement, was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or placement of a manufactured home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

Structure (see "Building")

Substantial Damage- Damage of any origin sustained by a structure whereby the cumulative percentage of damage subsequent to the adoption of this ordinance equals or exceeds fifty percent (50%) of the market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. The term includes "Repetitive Loss Buildings" (see definition).

Substantial Improvement- Any reconstruction, rehabilitation, addition or improvement of a structure taking place subsequent to the adoption of this ordinance in which the cumulative percentage of improvements:

1. Equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started, or
2. increases the floor area by more than twenty percent (20%).

"Substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred repetitive loss or substantial damage, regardless of the actual repair work done.

The term does not include:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
2. any alteration of a structure listed on the National Register of Historic Places or the Illinois Register of Historic Places.

Violation- The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the required federal, state, and/or local permits and elevation certification is presumed to be in violation until such time as the documentation is provided.

Section 3. Base Flood Elevation.

This ordinance's protection standard is the base flood. The best available base flood data are listed below. Whenever a party disagrees with the best available data, the party shall finance the detailed engineering study needed to replace the existing data with better data and submit it to the FEMA and IDNR/OWR for approval prior to any development of the site.

- A. The base flood elevation for the floodplains of a portion of Little Kickapoo Creek, a portion of Sugar Creek, a portion of Goose Creek, Skunk Creek, and the West Branch of Sugar Creek and the Brookridge Branch of Little Kickapoo Creek shall

be as delineated on the 100-year flood profiles in the countywide Flood Insurance Study of McLean County prepared by the Federal Emergency Management Agency dated July 16, 2008.

- B. The base flood elevation for each floodplain delineated as an "AH Zone" or AO Zone" shall be that elevation (or depth) delineated on the county wide Flood Insurance Rate Map of McLean County.
- C. The base flood elevation for each of the remaining floodplains delineated as a "A Zone" on the countywide Flood Insurance Rate Map of McLean County shall be according to the best data available from federal, state or sources. Should no other data exist, an engineering study must be financed by the applicant to determine base flood elevations.

Section 4. Duties of the Director of Building and Zoning.

The Director of Building and Zoning shall be responsible for the general administration of this ordinance and ensure that all development activities within the floodplains under the jurisdiction of McLean County meet the requirements of this ordinance. Specifically, the Director of Building and Zoning shall:

- A. Process development permits in accordance with Section 5;
- B. ensure that all development in a floodway (or a floodplain with no delineated floodway) meets the damage prevention requirements of Section 6;
- C. ensure that the building protection requirements for all buildings subject to Section 7 are met and maintain a record of the "as-built" elevation of the lowest floor (including basement) or floodproof certificate;
- D. assure that all subdivisions and annexations meet the requirements of Section 8;
- E. ensure that water supply and waste disposal systems meet the Public Health standards of Section 9;
- F. if a variance is requested, ensure that the requirements of Section 11 are met and maintain documentation of any variances granted;
- G. inspect all development projects and take any and all penalty actions outlined in Section 13 as a necessary to ensure compliance with this ordinance;
- H. assure that applicants are aware of and obtain any and all other required local, state, and federal permits;
- I. notify IDNR/OWR and any neighboring communities prior to any alteration or relocation of a watercourse;

- J. provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques;
- K. cooperate with state and federal floodplain management agencies to coordinate base flood data and to improve the administration of this ordinance;
- L. maintain for public inspection base flood data, floodplain maps, copies of state and federal permits, and documentation of compliance for development activities subject to this ordinance;
- M. perform site inspections to ensure compliance with this ordinance and make substantial damage determinations for structures within the floodplain, and
- N. maintain the accuracy of floodplain maps including notifying IDNR/OWR and/or submitting information to FEMA within six months whenever a modification of the floodplain may change the base flood elevation or result in a change to the floodplain map.

Section 5. Development Permit.

No person, firm, corporation, or governmental body not exempted by law shall commence any development in the floodplain without first obtaining a development permit from the Director of Building and Zoning. The Director of Building and Zoning shall not issue a development permit if the proposed development does not meet the requirements of this ordinance.

- A. The application for development permit shall be accompanied by:
 - 1. drawings of the site, drawn to scale showing property line dimensions;
 - 2. existing grade elevations and all changes in grade resulting from excavation or filling;
 - 3. the location and dimensions of all buildings and additions to buildings;
 - 4. the elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 7 of this ordinance, and
 - 5. cost of project or improvements as estimated by a licensed engineer or architect. A signed estimate by a contractor may also meet this requirement.
- B. Upon receipt of an application for a development permit, the Director of Building and Zoning shall compare the elevation of the site to the base flood elevation. Any development located on land that can be shown by the base flood elevation. Any development located on land that can be shown by survey data to be higher than the current base flood elevation and which has not been filled after the date of the site's first Flood Insurance Rate Map is not in the floodplain and therefore

not subject to the requirements of this ordinance. Conversely, any development located on land shown to be below the base flood elevation and hydraulically connected, but not shown on the current Flood Insurance Rate Map, is subject to the provisions of this ordinance.

The Director of Building and Zoning shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map identification.

The Director of Building and Zoning shall be responsible for obtaining from the applicant copies of all other federal, state, and local permits, approvals or permit-not-required letters that may be required for this type of activity. The Director of Building and Zoning shall not issue a permit unless all other federal, state, and local permits have been obtained.

Section 6. Preventing Increased Flood Heights and Resulting Damages.

Within any floodway identified on the countywide Flood Insurance Rate Map, and within all other floodplains where a floodway has not been delineated, the following standards shall apply:

- A. Except as provided in Section 6(B) of this ordinance, no development shall be allowed which, acting in combination with existing and anticipated development will cause any increase in flood heights or velocities or threat to public health and safety. The following specific development activities shall be considered as meeting this requirement:
 1. Bridge and culvert crossings of streams in rural areas meeting the following conditions of the Illinois Department of Natural Resources, Office of Water Resources Statewide Permit Number 2:
 - a. the crossing will not result in an increase in water surface profile elevation in excess of 1.0 feet, and
 - b. the crossing will not result in an increase in water surface profile elevation in excess of one half (0.5) feet at a point one thousand (1,000) feet upstream of the proposed structure.
 - c. There are no buildings in the area impacted by the increases in water surface profile.
 - d. The proposed bridge or culvert crossing will not involve straightening, enlarging, or relocating the existing channel.
 - e. The design must be certified by a licensed professional engineer in the State of Illinois and the designs must meet the conditions of an IDNR/OWR permit.

- f. The design must be certified by a second licensed professional engineer.
2. Barge fleeting facilities meeting the following conditions of IDNR/OWR Statewide Permit Number 3:
 - a. The permit is only applicable when deadmen, pier cells, or other similar anchorage devices have been permitted by the U.S. Army Corps of Engineers.
3. Aerial utility crossings meeting the following conditions of IDNR/OWR Statewide Permit Number 4;
 - a. The utility line must be constructed above the existing 100-year flood elevation or attached to an existing bridge.
 - b. A utility line attached to an existing bridge shall be constructed above the low cord elevation of the bridge.
 - c. No supporting towers or poles shall be located in a river, lake or stream.
 - d. Supporting towers including foundation and poles shall be designed and located so as to not cause an obstruction of flood flows by trapping debris.
 - e. All disturbed areas shall be returned to pre-construction grades and re-vegetated.
 - f. All Illinois Commerce Commission, National Electrical Safety Code, and federal requirements must be met.
4. Minor boat docks meeting the following conditions of IDNR/OWR Statewide Permit Number 5:
 - a. The boat dock must not extend more than fifty (50) feet into a waterway and no more than one quarter (1/4) of the width of the waterway and shall not extend beyond the navigational limited established by the IDNR and Corps of Engineers.
 - b. The width of the boat dock shall not be more than ten (10) feet.
 - c. For L-Shaped or T-shaped docks, the length of that portion parallel to the shoreline must not exceed fifty percent (50%) of the landowner's shoreline frontage nor fifty (50) feet.
 - d. Docks must be aligned so as not to cross the projection of property lines into the waterway or come within ten (10) feet of the projected property line.

- e. Dock posts must be marked by reflective devices.
 - f. The boat dock must be securely anchored to prevent detachment during times of high wind or water.
 - g. Metal drums or containers may not be used as buoyancy units unless they are filled with floatation foam. Containers which previously stored pesticides, herbicides, or any other toxic chemicals are not permissible.
 - h. This permit does not authorize any other related construction activity such as shore protection or fill.
 - i. Non-floating boat docks must be constructed in a manner which will minimize obstruction to flow.
 - j. At any future date, the permittee must agree to make necessary modifications to the dock as determined by the IDNR or Corp of Engineers
5. Minor, non-obstructive activities meeting the following conditions of IDNR/OWR Statewide Permit Number 6:
- a. The following activities (not involving fill or positive change in grade) are covered by this permit:
 - i. The construction of underground utility lines, wells, or septic tanks not crossing a lake or stream.
 - ii. The construction of light poles, sign posts, and similar structures.
 - iii. The construction of sidewalks, driveways, athletic fields (excluding fences), patios, and similar structures.
 - iv. The construction of properly anchored, un-walled, open structures such as playground equipment, pavilions, and carports.
 - v. The placement of properly anchored buildings not exceeding seventy (70) square feet in size, nor ten (10) square feet in any dimension. Only one such building on a property is authorized by this statewide permit.
 - vi. The raising of existing buildings, provided no changes are made to the outside dimensions of the building and the placement of fill is not involved.
6. Outfall Structures and drainage ditch outlets meeting the following conditions of IDNR/OWR Statewide Permit Number 7:

- a. Any outfall structure, including any headwall or end-section, shall not extend riverward or lakeward of the existing adjacent natural bank slope or adjacent bank protection.
 - b. The velocity of the discharge shall not exceed the scour velocity of the channel soil, unless channel erosion would be prevented by the use of riprap or other design measures.
 - c. Outlets from drainage ditches shall not be opened to a stream until the ditch is vegetated or otherwise stabilized to minimize stream sedimentation.
 - d. Disturbance of streamside vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed floodway areas, including the stream banks, shall be restored to their original contours and seeded or otherwise stabilized upon completion of construction.
7. Underground pipeline and utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 8:
- a. In all cases, the crossing shall be placed beneath the bed of the river, lake or stream and, unless the crossing is encased in concrete or entrenched in bedrock, a minimum of three (3) feet of cover shall be provided. The river, lake or stream bed shall be returned to its original condition.
 - b. Disturbance of streamside vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed floodway areas, including stream banks, shall be restored to their original contours and seeded or otherwise stabilized upon completion of construction.
 - c. Any utility crossing carrying material which may cause water pollution, as defined by the Environmental Protection Act (415 ILCS 5), shall be provided with shut-off valves on each side of the body of water to be crossed.
 - d. If blasting is to be utilized in the construction of the crossing, the permittee shall notify the IDNR/OWR at least ten (10) days prior to the blasting date to allow monitoring of any related fish kills.
8. Bank stabilization projects meeting the conditions of IDNR/OWR Statewide Permit Number 9:
- a. Only the following materials may be utilized in urban areas: stone and concrete riprap, steel sheet piling, cellular blocks, fabric-formed concrete, gabion baskets, rock and wire mattresses, sand/cement filled bags, geotechnical fabric materials, natural

vegetation and treated timber. Urban areas are defined as: areas of the State where residential, commercial, or industrial development currently exists or, based on land use plans or controls, is expected to occur within ten (10) years. (The Department should be consulted if there is a question of whether or not an area is considered urban).

- b. In addition to the materials listed in Section 6(8)(a), other materials (e.g. tire revetments) may be utilized in rural areas provided all other conditions of this permit are met.
- c. The following materials shall **not** be used in any case: auto bodies, garbage or debris, scrap lumber, metal refuse, roofing materials, asphalt or other bituminous materials, or any material which would cause water pollution as defined by the Environmental Protections Act (415 ILCS 5).
- d. The affected length of shoreline, stream bank, or channel to be protected shall not exceed, either singularly or cumulatively, one thousand (1000) feet.
- e. All material utilized shall be properly sized or anchored to resist anticipated forces of current and wave action.
- f. Materials shall be placed in a way which would not cause erosion or the accumulation of debris on properties adjacent to or opposite the project.
- g. Materials shall not be placed higher than the existing top of the bank.
- h. Materials shall be placed so that the modified bank full-width and cross-sectional area of the channel will conform to or be no more restrictive than that of the natural channel upstream and downstream of the site.

For projects involving continuous placement of riprap along the bank, toe of the bank or other similar applications, in no case shall the cross-sectional area of the natural channel be reduced by more than ten percent (10%) nor the volume of material placed exceed two (2) cubic yards per lineal foot of the stream bank or shoreline. The bank may be graded to obtain a flatter slope and to lessen the quantity of material required.

- i. If broken concrete is used, all protruding materials such as reinforcing rods shall be cut flush with the surface of the concrete and removed from the construction area.

- j. Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed areas shall be seeded or otherwise stabilized upon completion of construction.
 - k. In the case of seawalls and gabion structures on lakes, the structure shall be constructed at or landward of the water line as determined by the normal pool elevation, unless:
 - i. It is constructed in alignment with an existing seawall(s) or gabion structure(s), and
 - ii. the volume of material placed, including the structure, would not exceed two (2) cubic yards per lineal foot.
 - l. Excess material excavated during the construction of the bank or shoreline protection shall be placed in accordance with local, state, and federal laws and rules, shall not be placed in a floodway.
9. Accessory structures and additions to existing residential buildings meeting the conditions of IDNR/OWR Statewide Permit Number 10:
- a. The accessory structure or building addition must comply with the requirements of the local floodplain ordinance.
 - b. The principle structure to which the project is being added must have been in existence on the effective date of this permit (July 25, 1988).
 - c. The accessory structure or addition must not exceed five hundred (500) square feet in size and must not deflect floodwaters onto another property, and
 - d. must not involve the placement of any fill material.
 - e. No construction shall be undertaken in, or within fifty (50) feet of the bank of the stream channel.
 - f. The accessory structure or addition must be properly anchored to prevent its movement during flood conditions.
 - g. Only one accessory structure or addition to an existing structure shall be authorized by this permit; plans for any subsequent addition must be submitted to IDNR/OWR for review.
 - h. Disturbances of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed floodway areas shall be seeded or otherwise stabilized upon completion of construction.

10. Minor maintenance dredging activities meeting the following conditions of IDNR/OWR Statewide Permit Number 11:
 - a. The affected length of the stream shall not either singularly or cumulatively exceed one thousand (1000) feet.
 - b. The project shall not include the construction of any new channel; all work must be confined to the existing channel or to reestablishing flows in the natural stream channel, and
 - c. the cross-sectional area of the dredged channel shall conform to that of the natural channel upstream and down stream of the site.
 - d. Dredged or spoil material shall not be disposed of in a wetland and shall be either:
 - i. removed from the floodway;
 - ii. used to stabilize an existing bank provided no materials would be placed higher than the existing top of bank and provided the cross-sectional area of the natural channel would not be reduced by more than ten percent (10%), nor the volume of material placed exceed two (2) cubic yards per lineal foot of streambank;
 - iii. used to fill an existing washed out or scoured floodplain area such that the average natural floodplain elevation is not increased;
 - iv. used to stabilize and existing levee provided the height of the levee would not be increased nor its alignment changed;
 - v. placed in a disposal site previously approved by the Department in accordance with the conditions of the approval, or
 - vi. used for beach nourishment, provided the material meets all applicable water quality standards.
 - e. Disturbance of streamside vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed floodway areas, including the stream banks, shall be seeded or otherwise stabilized upon completion of construction.
11. Bridge and culvert replacement structures and bridge widening meeting the following conditions of IDNR/OWR statewide Permit Number 12:

- a. A licensed professional engineer shall determine and document that the existing structure has not been the cause of demonstrable flood damage. Such documentation shall include, at a minimum, confirmation that:
 - i. No buildings or structures have been impacted by the backwater induced by the existing structure, and
 - ii. there is no record of complaints of flood damages associated with the existing structure.
 - b. A licensed professional engineer shall determine that the new structure will provide the same or greater effective waterway opening as the existing structure. For bridge widening projects the existing piers and the proposed pier extensions must be in line with the direction of the approaching flow upstream of the bridge.
 - c. The project shall not include any appreciable raising of the approach roads. (This condition does not apply if all points on the approaches exist at an elevation equal to or higher than the 100-year frequency flood headwater elevation as determined by a FEMA flood insurance study completed or approved by IDNR/OWR).
 - d. The project shall not involve the straightening, enlargement or relocation of the existing channel of the river or stream except as permitted by the Department's Statewide Permit Number 9 (Minor Shoreline, channel and Streambank Protection Activities) or Statewide Permit Number 11 (Minor Maintenance Dredging Activities).
 - e. The permittee shall maintain records of projects authorized by this permit necessary to document compliance with the above conditions.
12. Temporary construction activities meeting the following conditions of IDNR/OWR statewide Permit Number 13:
- a. No temporary construction activity shall be commenced until the individual permittee determines that the permanent structure (if any) for which the work is being performed has received all required federal, state and local authorizations.
 - b. The term "temporary" shall mean not more than one construction season. All temporary construction materials must be removed from the stream and floodway within one year of their placement and the area returned to the conditions existing prior to the beginning of construction. Any desired subsequent or repetitive

material placement shall not occur without the review and approval of the IDNR/OWR.

- c. The temporary project shall be constructed such that it will not cause erosion or damage due to increases in water surface profiles to adjacent properties. For locations where there are structures in the upstream floodplain, the temporary project shall be constructed such that all water surface profile increases, due to the temporary project, are contained within the channel banks.
 - d. This permit does not authorize the placement or construction of any solid embankment or wall such as a dam, roadway, levee, or dike across any channel or floodway.
 - e. No temporary structure shall be placed within any river or stream channel until a licensed professional engineer determines and documents that the temporary structure will meet the requirements of Special Condition Number 3 of this statewide permit. Such documentation shall include, at a minimum, confirmation that no buildings or structures will be impacted by the backwater induced by the temporary structure.
 - f. The permittee shall maintain records of projects authorized by this permit necessary to document compliance with the above condition.
 - g. Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed areas shall be seeded or otherwise stabilized upon completion of the removal of the temporary construction.
 - h. Materials used for the project shall not cause water pollution as defined by the Environmental Protection Act (415 ILCS 5).
13. Any Development determined by IDNR/OWR to be located entirely within a flood fringe area shall be exempt from State Floodway permit requirements.
- B. Other development activities not listed in 6(A) may be permitted only if:
- 1. permit has been issued for the work by IDNR/OWR (or written documentation is provided that an IDNR/OWR permit is not required), or
 - 2. sufficient data has been provided to FEMA when necessary, and approval obtained from FEMA for a revision of the regulatory map and base flood elevation.

Section 7. Protecting Buildings.

A. In addition to the damage prevention requirements of Section 6 of this ordinance, all buildings located in the floodplain shall be protected from flood damage below the flood protection elevation. This building protection requirement applies to the following situations:

1. Construction or placement of a new building or alteration or addition to an existing building valued at more than one thousand dollars (\$1,000) or seventy (70) square feet.
2. Substantial improvements or structural alterations made to an existing building that increase the floor area by more than twenty percent (20%) or equal or exceed the market value by fifty percent (50%). Alteration shall be figured cumulatively subsequent to the adoption of this ordinance. If substantially improved, the existing structure and the addition must meet the flood protection standards of this section.
3. Repairs made to a substantially damaged building. These repairs shall be figured cumulatively subsequent to the adoption of this ordinance. If substantially damaged the entire structure must meet the flood protection standards of this section.
4. Installing a manufactured home on a new site or a new manufactured home on an existing site. (The building protection requirements do not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage).
5. Installing a travel trailer or recreational vehicle on a site for more than one hundred eighty (180) days per year.
6. Repetitive loss to an existing building as defined in Section 2(CC).

B. Residential or non-residential buildings can meet the building protection requirements by one of the following methods:

1. The building may be constructed on permanent land fill in accordance with the following:
 - a. The lowest floor (including basement) shall be at or above the flood protection elevation.
 - b. The fill shall be placed in layers no greater than six inches before compaction and should extend at least ten (10) feet beyond the foundation before sloping below the flood protection elevation.

- c. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or other structural measure.
 - d. The fill shall be composed of rock or soil and not incorporated debris or refuse material, and
 - e. shall not adversely affect the flow of surface drainage from or onto neighboring properties and when necessary stormwater management techniques such as swales or basins shall be incorporated.
2. The building may be elevated on solid walls in accordance with the following:
- a. The building or improvements shall be elevated on stilts, piles, walls, crawlspace, or other foundation that is permanently open to flood waters.
 - b. The lowest floor and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the flood protection elevation.
 - c. If walls are used, all enclosed areas below the flood protection elevation shall address hydrostatic pressures by allowing the automatic entry and exit of flood waters. Designs must either be certified by a licensed professional engineer or by having a minimum of one (1) permanent opening on each wall no more than one (1) foot above grade with a minimum of two (2) openings. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the base flood elevation, and
 - d. the foundation and supporting members shall be anchored, designed, and certified so as to minimize exposure to hydrodynamic forces such as current, waves, ice, and floating debris.
 - i. All structural components below the flood protection elevation shall be constructed of materials resistant to flood damage.
 - ii. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed.
 - iii. The area below the flood protection elevation shall be used solely for parking or building access and not later modified or occupied as habitable space, or

- iv. in lieu of the above criteria, the design methods to comply with these requirements may be certified by a licensed professional engineer or architect.
3. The building may be constructed with a crawlspace located below the flood protection elevation provided that the following conditions are met:
4. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
5. Any enclosed area below the flood protection elevation shall have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. A minimum of one opening on each wall having a total net area of not less than one (1) square inch per one (1) square foot of enclosed area. The openings shall be no more than one (1) foot above grade.
6. The interior grade of the crawlspace below the flood protection elevation must not be more than two (2) feet below the lowest adjacent exterior grade.
7. The interior height of the crawlspace measured from the interior grade of the crawl to the top of the foundations wall must not exceed four (4) feet at any point.
8. An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event.
9. Portions of the building below the flood protection elevation must be constructed with materials resistant to flood damage, and
10. utility systems within the crawlspace must be elevated above the flood protection elevation.

C. Non-residential buildings may be structurally dry floodproofed (in lieu of elevation) provided a licensed professional engineer or architect certifies that:

1. Below the flood protection elevation the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood.
2. The building design accounts for flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and the impact from debris and ice.

3. Floodproofing measures will be incorporated into the building design and operable without human intervention and without an outside source of electricity.
4. Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this subsection.

D. Manufactured homes or travel trailers to be permanently installed on site shall be:

1. Elevated to or above the flood protection elevation in accordance with Section 7(B), and
2. anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 Ill. Adm. Code § 870.

E. Travel trailers and recreational vehicles on site for more than one hundred eighty (180) days per year shall meet the elevation requirements of section 7(D) unless the following conditions are met:

1. The vehicle must be either self-propelled or towable by a light duty truck.
2. The hitch must remain on the vehicle at all times.
3. The vehicle must not be attached to external structures such as decks and porches
4. The vehicle must be designed solely for recreation, camping, travel, or seasonal use rather than as a permanent dwelling.
5. The vehicles largest horizontal projections must be no larger than four hundred (400) square feet.
6. The vehicle's wheels must remain on axles and inflated.
7. Air conditioning units must be attached to the frame so as to be safe for movement from the floodplain.
8. Propane tanks as well as electrical and sewage connections must be quick-disconnect and above the 100-year flood elevation.
9. The vehicle must be licensed and titled as a recreational vehicle or park model, and
10. must either:
 - a. entirely be supported by jacks, or

- b. have a hitch jack permanently mounted, have the tires touching the ground and be supported by block in a manner that will allow the block to be easily removed by used of the hitch jack.

F. Garages, sheds or other minor accessory structures constructed ancillary to an existing residential use may be permitted provided the following conditions are met:

1. The garage of shed must be non-habitable.
2. The garage or shed must be used only for the storage of vehicles and tools and cannot be modified later into another use.
3. The garage or shed must be located outside of the floodway or have the appropriate state and/or federal permits.
4. The garage or shed must be on a single family lot and be accessory to an existing principle structure on the same lot.
5. Below the base flood elevation, the garage or shed must be built of materials not susceptible to flood damage.
6. All utilities, plumbing, heating, air conditioning and electrical must be elevated above the flood protection elevation.
7. The garage or shed must have at least one permanent opening on each wall not more than one (1) foot above grade with one (1) square inch of opening for every one (1) square foot of floor area.
8. The garage or shed must be less than ten thousand dollars (\$10,000) in market value or replacement cost whichever is greater or less than five hundred (500) square feet.
9. The structure shall be anchored to resist floatation and overturning.
10. All flammable or toxic materials (gasoline, paint, insecticides, fertilizers, etc.) shall be stored above the flood protection elevation.
11. The lowest floor elevation should be documented and the owner advised of the flood insurance implications.

Section 8. Subdivision Requirements

The McLean County Zoning Board of Appeals shall take into account hazards, to the extent that they are known, in all official actions related to land management use and development.

- A. New subdivisions, manufactured home parks, annexation agreements, planned unit developments, and additions to manufactured home parks and subdivisions shall meet the damage prevention and building protections standards of Sections 6

and 7 of this ordinance. Any proposal for such development shall include the following data:

1. The base flood elevation and the boundary of the floodplain, where the base flood elevation is not available from an existing study, the applicant shall be responsible for calculating the base flood elevation;
2. the boundary of the floodway when applicable, and
3. a signed statement by a Licensed Professional Engineer that the proposed plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (765 ILCS 205/2).

Streets, blocks lots, parks and other public grounds shall be located and laid out in such a manner as to preserve and utilize natural streams and channels. Wherever possible the floodplains shall be included within parks or other public grounds.

Section 9. Public Health and Other Standards

A. Public health standards must be met for all floodplain development. In addition to the requirements of Sections 6 and 7 of this ordinance the following standards apply:

1. No development in the floodplain shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the flood protection elevation unless such materials are stored in a floodproofed and anchored storage tank and certified by a professional engineer or floodproofed building constructed according to the requirements of Section 7 of this ordinance.
2. Public utilities and facilities such as sewer, gas and electric shall be located and constructed to minimize or eliminate flood damage.
3. Public sanitary sewer systems and water supply systems shall be located and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
4. New and replacement on-site sanitary sewer lines or waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. Manholes or other above ground openings located below the flood protection elevation shall be watertight.
5. Construction of new or substantially improved critical facilities shall be located outside the limits of the floodplain. Construction of new critical facilities shall be permissible within the floodplain if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor (including basement) elevated or structurally

dry floodproofed to the 500-year flood frequency elevation or three feet above the level of the 100-year flood frequency elevation whichever is greater. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities.

- B. All other activities defined as development shall be designed so as not to alter flood flows or increase potential flood damages.

Section 10. Carrying Capacity and Notification.

For all projects involving channel modification, fill, or stream maintenance (including levees), the flood carrying capacity of the watercourse shall be maintained.

In addition, McLean County shall notify adjacent communities in writing thirty (30) days prior to the issuance of a permit for the alteration or relocation of the watercourse.

Section 11. Variances.

Whenever the standards of this ordinance place undue hardship on a specific development proposal, the applicant may apply to the McLean County Zoning Board of Appeals for a variance. The McLean County Zoning Board of Appeals shall review the applicant's request for a variance and shall submit its recommendation to the McLean County Board. The McLean County Board may attach such conditions to granting of a variance as it deems necessary to further the intent of this ordinance.

- A. No variance shall be granted unless the applicant demonstrates that all of the following conditions are met:
 1. The development activity cannot be located outside the floodplain.
 2. An exceptional hardship would result if the variance were not granted.
 3. The relief requested is the minimum necessary.
 4. There will be no additional threat to public health, safety or creation of a nuisance.
 5. There will be no additional public expense for flood protection, rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities.
 6. The applicant's circumstances are unique and do not establish a pattern inconsistent with the intent of the NFIP, and
 7. all other state and federal permits have been obtained.

- B. The Director of Building and Zoning shall notify an applicant in writing that a variance from the requirements of the building protections standards of Section 7 that would lessen the degree of protection to a building will:
1. Result in increased premium rates for flood insurance up to twenty-five dollars (\$25) per one hundred dollars (\$100) of insurance coverage;
 2. increase the risk to life and property, and
 3. require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.
- C. Variances to the building protection requirements of Section 7 of this ordinance which are requested in connection with reconstruction, repair, or alteration of a historic site or historic structure as defined in "Historic Structures", may be granted using criteria more permissive than the requirements of Sections 6 and 7 of this ordinance subject to the conditions that:
1. The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure.
 2. The repair or rehabilitation will not result in the structure being removed as a certified historic structure.

Section 12. Disclaimer of Liability.

The degree of protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This ordinance does not imply that development either inside or outside of the floodplain will be free from flooding or damage. This ordinance does not create liability on the part of McLean County or any officer or employee thereof for any flood damage that results from proper reliance on this ordinance or any administrative decision made lawfully thereunder.

Section 13. Penalty.

Failure to obtain a permit for development in the floodplain or failure to comply with the conditions of a permit or a variance shall be deemed to be a violation of this ordinance. Upon due investigation, the McLean County State's Attorney may determine that a violation of the minimum standards of this ordinance exists. The McLean County State's Attorney shall notify the owner in writing of such violation.

- A. If such owner fails after ten (10) days notice to correct the violation:
1. McLean County shall make application to the circuit court for an injunction requiring conformance with this ordinance or make such other

order as the court deems necessary to secure compliance with the ordinance.

2. Any person who violates this ordinance shall upon conviction thereof be fined not less than fifty dollars (\$50) or more than seven hundred fifty (\$750) for each offense.
3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues, and
4. McLean County shall record a notice of violation on the title of the property.

- B. The McLean County State's Attorney shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

The McLean County State's Attorney is authorized to issue an order requiring the suspension of the subject development. The stop-work order shall be in writing, indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order. The stop-work order constitutes a suspension of the permit.

No site development permit shall be permanently suspended or revoked until a hearing is held by the McLean County Zoning Board of Appeals. Written notice of such hearing shall be served on the permittee and shall state:

1. The grounds for the complaint, reasons for suspension or revocation, and
2. the time and place of the hearing.

At such hearing the permittee shall be given an opportunity to present evidence on their behalf. At the conclusion of the hearing, the McLean County Zoning Board of Appeals shall determine whether the permit shall be suspended or revoked.

- C. Nothing herein shall prevent McLean County from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Section 14. Abrogation and Greater Restrictions.

This ordinance repeals and replaces other ordinances adopted by the McLean County Board to fulfill the requirements of the National Flood Insurance Program including: February 9, 2001. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 15. Severability.

The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

Section 16. Effective Date.

This ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

Passed by the McLean County Board of McLean County, Illinois, this 17th day of June, 2008.

ATTEST:

APPROVED:



Peggy Ann Milton, County Clerk
McLean County, Illinois



Matt Sorensen, Chairman
McLean County Board



SERVICE AGREEMENT
(Intrastate ICB)

Routing Code: 5V

| | | | |
|-------------------------------|---|-----------------------|--------------|
| Customer Name and address: | McLean County Government ("Customer") 104 W. Front Street, Bloomington, IL 61701 | Main Billing Tel. No: | 309-888-5000 |
| | | ICB Case No. | 2008-444401 |

Services. Customer hereby requests and agrees to purchase from the Verizon company(ies) identified in the applicable Exhibit(s) ("Verizon") the services identified in Exhibit A attached to this Agreement, and in any Addendum expressly made a part hereof, and as further described in Verizon's applicable tariffs, (the "Services") for the service period stated in the Exhibit or Addendum applicable to such Service (the "Service Period"), subject to Verizon's receipt of any necessary regulatory and other governmental approvals required to provide the Services under the terms hereof. The Services will be provided under the terms of this Agreement to the Customer locations specified in the Exhibit(s) and Addenda attached to or made a part hereof.

Charges. Customer will pay the rates and charges set forth in the attached Exhibit(s) and in any Addendum made a part hereof, and shall also pay all applicable taxes, fees, and charges, including Federal End User Common Line Charges, charged pursuant to applicable law, regulations, or tariffs in connection with the Services. If Customer cancels or terminates this Agreement or any Services prior to expiration of the Service Period, Customer will promptly pay to Verizon termination charges as set forth in the applicable Exhibit(s) and Addendum(a). Any tariffed back billing limitations otherwise applicable to the Services shall not apply under this Agreement.

Notices. Notices under this Agreement shall be sent by first-class U.S. mail, postage prepaid, to Customer at the address specified above, and to Verizon at Verizon Business, Attn: Customer Service, 6415 Business Center Drive, Highlands Ranch, CO 80130. Notices shall be deemed effective five business days after such mailing.

Miscellaneous. (a) Neither party will disclose the terms of this Agreement to any other person without the prior written consent of the other party, except as may be necessary to comply with applicable law, regulation, or filing requirements. Either party may issue or permit issuance of a press release or other public statement concerning this Agreement provided its contents have been reviewed and agreed upon by the parties. (b) In the event of a claim or dispute, the law and regulations of the jurisdiction in which Verizon provides to Customer the particular Service that is the subject of such claim or dispute shall apply. This Agreement and its provisions shall not be construed or interpreted for or against any party hereto because that party drafted or caused that party's legal representative to draft any of its provisions. (c) No liability shall result from Service failures caused by fires, floods, severe weather, acts of government or third parties, strikes, labor disputes, inability to obtain necessary equipment or services, or other causes beyond such party's reasonable control. (d) If any provision of this Agreement or the provision of any Service under the terms hereof is illegal, invalid, or otherwise prohibited under applicable law or regulation in any State or jurisdiction, or does not receive any governmental or regulatory approval required by law in any State or jurisdiction, then this Agreement shall be construed as if not containing such provision or requiring the provision of such invalid, illegal, prohibited, or unapproved Service in such State or jurisdiction. (e) Verizon may assign or transfer part or all of this Agreement to any affiliate or successor to substantially all of its assets in the locations where Service is provided hereunder. Upon reasonable prior written notice to Verizon, Customer may assign or transfer this Agreement to any company that is the successor to substantially all of its assets, provided all charges for Services provided prior to such transfer or assignment are paid in full when due. Except as otherwise required by applicable law or regulation, all other attempted assignments shall be void without the prior written consent of the other party. (f) Except as otherwise required by applicable law or regulation, the Services provided hereunder may not be resold by Customer.

Tariffs and Limitation of Liability. The terms and conditions that shall apply in connection with these Services, and the rights and liabilities of the parties, shall be as set forth herein and in all applicable tariffs now or hereafter filed with the applicable state regulatory commission and/or the Federal Communications Commission. In no event shall Verizon be liable for any special, indirect, incidental, or consequential damages arising in connection with this Agreement or the provision of any Services, whether claim is sought in contract, tort (including negligence), strict liability or otherwise. This Agreement (including the Exhibits attached hereto and any Addenda made a part hereof) and all applicable tariffs constitute the entire agreement between the parties and shall supersede all prior oral or written quotations, communications, negotiations, representations, understandings or agreements made by or to any employee, officer, or agent of any party on the subject matter hereof. This Agreement may not be modified or rescinded except by a writing signed by authorized representatives of each party.

AGREED AND ACCEPTED:

MCLEAN COUNTY GOVERNMENT (Customer)

VERIZONBUSINESS NETWORK SERVICES Inc. on behalf of the Verizon company(ies) identified in the applicable Exhibit(s)

By _____

By _____

Name/title _____

Name/title _____

Date _____

Date _____

Routing Code: 5V

Exhibit A

Verizon company name: Verizon North Inc. (referred to in this Exhibit as "Verizon")

State: Illinois

Customer name: McLean County Government

ICB Case No.: 2008-444401

Customer is currently receiving Service under a prior agreement (Verizon internal tracking 2007-405480) that will expire July 6, 2008. In order for Service to continue without interruption and to allow time for filing this Agreement with the Commission prior to the expiration date, this Agreement must be fully executed (signed by both parties) and filed with the Commission no later than July 6, 2008. In order to do so, Customer must sign and date this Agreement and return it to Verizon on or before June 1, 2008.

If this Agreement is not fully executed, filed with the Commission and effective on or before July 6, 2008, Service will be reverted to Verizon's applicable tariff at the minimum term period available in the tariff. If no tariff is available, Service will terminate.

Customer must sign and date this Agreement and return it to Verizon on or before June 1, 2008 or the proposed Service arrangement and pricing will no longer be available.

1. Services and Quantity Commitments. Customer agrees to purchase the following Services from Verizon at the rates set forth below and in quantities set forth below for the Service Period identified below. Any other work, services or facilities required will be provided subject to prevailing tariff rates and charges, or if no tariff is applicable, under separate individual case basis agreement or formal amendment to this Agreement. Customer shall provide to Verizon at each Customer location suitable and secure space, with suitable environmental conditions and uninterruptible power supply, building entrance facilities and conduit, for placement of the facilities and equipment to be used by Verizon to provide such Service.

| <u>Quantity</u> | <u>Service Item</u> | <u>Monthly Unit Rate</u> | <u>Non-recurring Charge / Unit</u> |
|-----------------|---|--------------------------|------------------------------------|
| 768 | Analog CentraNet Lines with Feature Pack 3000 | \$10.50, per line | *See below |
| | Proprietary Set Interface | \$3.50, per line | *See below |

The above charges DO NOT include Federally mandated end user common line charges, any applicable local, state, or federal fees, taxes, surcharges or other applicable tariff charges.

* Non-recurring Charges do not apply for existing, installed Service. Any new Service or changes to existing Service are subject to the applicable tariffed non-recurring charges.

Minimum Commitment. Customer is required to subscribe to a minimum monthly quantity of five hundred (500) Analog CentraNet Lines with Feature Pack 3000 in-service at all times during the Service Period. In the event Customer's quantity of Service falls below 500 lines at any time during the Service Period, termination charges as set forth below will apply and this Agreement will terminate.

2. Effective Date/Regulatory Filing and Review. This Agreement, and any subsequent amendment(s), shall be filed with the Illinois Commerce Commission ("Commission") within thirty (30) days of execution and becomes effective upon filing. Customer acknowledges that the Service cannot be provided until this Agreement is filed with the Commission.

3. Service or Term Period. Customer shall purchase such Services for a period of twelve (12) consecutive months from the in-service date. The in-service date shall be the date, after the effective date defined above, on which Verizon's provisioning has been completed and the Service is available for Customer's use.

4. Termination Charges. If Customer cancels this Agreement in whole or in part or terminates any Services prior to the expiration of the Service Period, Customer shall pay to Verizon a termination charge equal to twenty five percent (25%) of the applicable monthly rate for the terminated Service multiplied by the number of months remaining in the unexpired portion of the Service Period. Any such termination liability charge shall be due and payable in one lump sum within thirty (30) days of billing. If Customer terminates this Agreement subsequent to the execution of this Agreement by the Parties but prior to the in-service date, Customer shall pay to Verizon all costs incurred by Verizon for contract and service preparation. Termination charges will not apply if an exception contained in Verizon's applicable tariff applies.

5. Additional Provisions.

a. Conditions. The parties acknowledge that the rates and other terms of this Agreement are premised on Customer's commitments, unique network design requirements, and Customer's service mix, usage patterns and concentration, and other characteristics.

b. Service Continuation. (i) If, at the time of expiration of the Service Period, a new agreement or tariffed service arrangement with Verizon for the Services is not effective as defined above and Customer has not requested, in writing, disconnection of the Services, then the Services will be reverted to applicable tariff or other Commission-authorized rate(s) for the minimum service commitment period available. The applicable tariff or other Commission-authorized arrangement will govern the service arrangement prospectively, including rates, terms and conditions, which may include charges for termination prior to the end of the minimum tariff service commitment period. If there is no applicable tariff or other Commission-authorized service arrangement, then the Service will be subject to disconnection upon the expiration of the Service Period of this Agreement. If, upon expiration of the Service Period, there is a delay in reverting rates to the applicable tariff or other Commission-authorized rate(s), or in disconnecting the Services if no tariff or Commission-authorized service arrangement is available, the Service Period shall be deemed temporarily extended on a month-to-month basis until such reversion of rates or disconnection of Services is completed. In no event, however, will such temporary extension of the Service Period continue more than twelve months after the expiration of the initial Service Period.

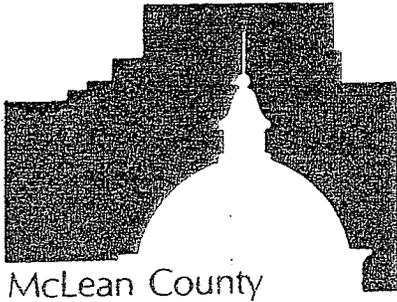
(ii) If Customer indicates to Verizon in writing that it desires to negotiate a new contract or tariffed service arrangement to continue or replace the Services provided for herein, this Agreement shall automatically be extended for a period not to exceed 60 days from the end of the initial Service Period to allow the parties to finalize a new agreement or to transition to a tariffed service arrangement. Written notice must be provided by Customer at least 30 days prior to the end of the initial Service Period. For purposes of this paragraph only, written notice may be by facsimile or electronic mail.

c. Detariffing. In the event any of the Services are hereafter detariffed, then the terms of the tariffs in effect immediately prior to such detariffing shall be deemed to be incorporated by reference and shall continue to apply to the provision of the Service to the same extent as such tariffs applied hereunder prior to such detariffing.

d. Facilities. Additional charges may be required if suitable facilities are not available to provide Services at any locations, or if any additional work, services, or quantities of Services are provided. In the event installation of additional network facilities is required to provide Services, Verizon will inform Customer of such applicable charges, and Verizon will install such facilities only upon mutual written agreement of the parties to such additional charges. If Customer does not agree to pay such additional charges, then this Agreement will be subject to termination by Verizon without application of the termination charges described above.

e. Non Appropriation of Funds. In the event that Customer is not appropriated funds, despite taking all necessary steps to secure such funding to continue to purchase the Services under this Agreement, then the Customer will provide Verizon with reasonable advance notice, but not less than thirty (30) business days advance notice, of the need to terminate Services and the Agreement for lack of appropriated funds. Verizon and Customer will work cooperatively to complete the terminations or modifications to the existing Service/s in the time frame required by the lack of appropriated funding. In the event of termination as described in this paragraph, Customer will be responsible to pay for Services provided up to the date of termination but other early termination charges will not apply, except for any unrecovered costs of Verizon remaining as of date of termination. If the Customer fails to take all necessary steps to secure funding or otherwise the Customer terminates the Agreement for non-funding in order to procure the same or comparable services from another service provider, then early termination charges will apply as specified herein. Non-appropriations of funds under this provision does not apply to or include E-rate Funding. If Customer is appropriated funds to cover the Services so terminated, Customer will first obtain such Services from Verizon.

6. Locations. The Services shall be provided to Customer under the terms hereof at Customer locations located within McLean County, Illinois and within Verizon's franchise serving area. Other Customer locations may be added to this Agreement only upon mutual assent of the parties and where Service is both technically and commercially available.



INFORMATION SERVICES

(309) 888-5100 FAX (309) 888-5124

115 E. Washington, Room 202 P.O. Box 2400 Bloomington, Illinois 61702-2400

**Request for Approval
Of Centranet Renewal with Verizon**

To the Honorable Members of the Executive Committee and the McLean County Board:

Please find attached a one year Service Agreement with Verizon. This contract represents a renewal of services already in place for the telephone system used by the County.

The rate of \$10.50 per line MRC (monthly recurring cost) and \$3.50 PSI (Proprietary Set Interface) is the same rate currently in place and represents no change in pricing.

Investigation into alternative phone systems continues.

I'll be happy to answer any questions you may have.

Respectfully submitted,

Craig Nelson

Craig Nelson
Director, Information Services.

AMENDING CHAPTER 21 OF THE MCLEAN COUNTY CODE
ANIMALS

WHEREAS, the McLean County Board has certain ordinances which promulgate certain rules and regulations pertaining to the regulation of animals for the promotion and protection of health and the control of disease; and

WHEREAS, the McLean County Board wishes to maintain those ordinances in accordance to state requirements for the promotion and protection of health and the control of disease; and

WHEREAS, the McLean County Board of Health has recommended on May 7, 2008, that the county code be amended as proposed to meet state requirements; and

WHEREAS, the Finance Committee at their June 4, 2008 meeting has concurred with such recommendations, now, therefore

BE IT ORDAINED by the County Board of McLean County, now in regular session, that the aforesaid Chapter 21 is and hereby is amended to read as follows:

CHAPTER 21. ANIMALS

21.11 SUPERVISION OF ANIMAL CONTROL

21.11-3 Should the McLean County Board of Health deem it necessary to propose, change, amend or alter this Ordinance as it pertains to the Registration of Dogs and Cats, to the Control of Dogs Running at Large; or to the Disposal and Euthanization of Dogs and Cats, it shall advise the McLean County Board in writing and seek approval prior to implementation. (Amended 2008)

Adopted: 15 November 1983. 55 ILCS 5/5-2500 et.seq.. Formerly Ill. Rev. St., Ch. 111-1/2, Sec. 20 c 13

21.15 DEFINITIONS. For the purposes of this Chapter, the terms defined in this Section shall have the meanings given them.

Altered – means a dog or cat that has been surgically spayed or neutered making them incapable of reproduction.
(Added 2008)

Animal - means any cat or dog, every living creature, other than man, which may be affected by rabies. (Amended 2008)

Animal Shelter Control Center - means the McLean County Animal Control Animal Shelter. Center licensed as an Animal Control Facility. (Amended 2008)

Cat - means all members of the family felidae “Felis Catus” domesticated cat which have attained the age of six (6) four (4) months or more. (Amended 12-16-86, Amended 2008)

Dangerous Dog Tag – means a unique tag that is used to identify a dangerous dog for any jurisdiction in the county of Mclean. The dangerous dog tag shall be purchased annually by the dog owner and affixed to the dangerous dog’s collar or harness at all times and clearly visible. (Added 2008)

Dog - means all members of the family canidae, “Canis Familiaris” “Canidae” domesticated dog, which have attained the age of more than four (4) months. (Amended 2008)

Feral Cat – means a cat that (i) is born in the wild or is the offspring of an owned or feral cat and is not socialized (ii) is a formerly owned cat that has been abandoned and is no longer socialized, or (iii) lives on a farm. Once a cat becomes socialized and lives within a dwelling that is shared with humans, it can no longer be classified as a feral cat and shall be considered a “Felis Catus” domesticated cat.” (Added 2008)

Kennel – means an establishment, other than a pound or animal shelter, operated by a person licensed by the State of Illinois as a kennel operator. (Added 6-19-84) (Amended 2008)

Kitten - All members of the family “Felis Catus” domesticated cat felidae-cats which have not yet attained the age of four (4) six months. (Amended 12-16-86, Amended 2008)

Officially Vaccinated – means (i) the inoculation for rabies of a dog or cat with a vaccine administered by a licensed veterinarian by the route and in the amount recommended by the producer of the vaccine (ii) a county rabies registration tag has been issued through the inoculating veterinarian (iii) pertinent information has been properly recorded on a certificate as prescribed by the McLean County Health Department (iv) valid registration payment received. (Added 2008)

Owner - means any person that has obtained the age of 18 years of age and having a right of property in any animal, or who keeps or harbors any animal, or who has it in his or her care, or acts as its custodian, or who knowingly permits any animal to remain on or about any premise occupied by him or her. Owner does not include a feral cat caretaker participating in an approved trap, spay / neuter, return or release program. (Amended 2008)

Puppy - All members of the family canidae “Canis Familiaris” “ Canidae” domesticated dog which have not yet attained the age of four months. (Amended 6-19-84, Amended 2008)

Service Agreement - means the written agreement between the McLean County Board of Health and an agent for the following:

- (1) altering of animals spaying and, neutering
- (2) microchipping and,
- (3) distribution of tags and and,
- (4) rabies vaccination of animals and,
- (5) completion and submission of rabies certificates.

adopted from the McLean County Animal Shelter. (Added 6-19-84, Amended 01-21-86, Amended 2008)

Summarily Seize – means any duly authorized personnel of the Health Department or any Illinois Law Enforcement Officer has authorization by this ordinance to take into custody any dog or cat and hold said dog or cat for seven business days from the date of seizure not including the day of seizure. The dog or cat owner shall be responsible for all applicable fees. If the dog or cat owner does not reclaim said dog or cat within (7) business days then it becomes the property of McLean County. (Added 2008)

Vicious Dog Tag – means a unique tag that is used to identify a vicious dog for any jurisdiction in the county of Mclean. The vicious dog tag shall be purchased annually by the dog owner and affixed to the vicious dog’s collar or harness at all times and clearly visible. (Added 2008)

21.17 VACCINATION OF DOGS AND CATS

21.17-1 Every owner of a dog or cat 4 months of age shall have each dog or cat inoculated against rabies by a licensed veterinarian. Every dog or cat shall have a second rabies vaccination within one year of the first. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccine used. Dogs and Cats shall maintain a current rabies vaccination at all times. Evidence of such rabies inoculation shall be entered on a certificate that shall be approved by the McLean County Health Department. (Added 2008)

21.22 REGISTRATION OF DOGS AND CATS (Amended 2008)

21.22-1 Every person residing in McLean County who is the owner of a dog or cat shall register said dog or cat with the County of McLean. (Amended 6-19-84, Amended 2008)

21.22-2 The registration fee shall be based on the following schedule:

~~(A) The annual registration fee for a dog with a one year vaccination shall be nine dollars (\$9.00). The three year registration fee for a dog with a three year vaccination shall be \$25.00. (Amended 06-19-84, 09-17-85, 12-20-88, 10-19-93, 01-01-03, 12-14-05)~~

(A) The annual registration fee for an altered dog or cat with a one year vaccination shall be nine dollars (\$9.00). Payments made 31 or more days after the date of vaccination shall be considered late and will total thirty-five dollars (\$35.00). (Amended 6-17-2008)

(B) The annual registration fee for an unaltered dog or cat with a one year vaccination shall be twenty dollars (\$20.00). Payments made 31 or more days after the date of vaccination will be considered late and will total forty-five dollars (\$45.00). (Amended 6-17-2008)

(C) The registration fee for an altered dog or cat with a three year vaccination shall be twenty-five dollars (\$25.00). Payments made 31 or more days after the date of vaccination shall be considered late and will total seventy dollars (\$70.00). (Amended 6-17-2008)

(D) The registration fee for an unaltered dog or cat with a three year vaccination shall be sixty dollars (\$60.00). Payments made 31 or more days after the date of vaccination shall be considered late and will total one hundred sixty dollars (\$160.00). (Amended 6-17-2008)

~~(B) The fee for dogs registered within 30 days after a failure to register notice has been sent shall be an additional six dollars (\$6.00) for a total of fifteen dollars (\$15.00) for the one year vaccination and thirty one dollars (\$31.00) for the three year vaccination/registration. (Amended 01-21-86, 12-20-88, 10-19-93, 12-14-05, Amended 2008)~~

~~(C) The fee for dogs registered within 30 days after a second failure to register notice has been sent shall be an additional twenty six dollars (\$26.00) for a total of thirty five dollars (\$35.00) for the one year vaccination and fifty one (\$51.00) for the three year vaccination/registration. (Amended 01-21-86, 12-20-88, 10-19-93, 12-14-05)~~

(E) Any person owning or having a dog or cat in his or her possession or custody shall have displayed upon the dog or cat a county rabies registration tag, or in the immediate possession of the person then in control of the dog or cat, proof that the dog or cat has been officially vaccinated by a licensed veterinarian and registered with McLean County, which must be displayed upon demand by any person or duly authorized agent of the Health Department to enforce this Ordinance or any Illinois Law Enforcement Officer. (Added 2008)

(F) The tag commonly called a "county rabies registration tag" approved by the Health Department shall create a presumption that the dog or cat is vaccinated and registered with the County of McLean; however, this presumption shall not apply if any duly authorized personnel of the Health Department or any Illinois Law Enforcement Officer has information that the dog or cat is in fact not registered. (Added 2008)

(G) Any duly authorized personnel by the Health Department or any Illinois Law Enforcement Officer is authorized and may summarily seize as a public nuisance any dog or cat for which proof of current vaccination for rabies and registration is not displayed on or is in the immediate possession of the person then in custody or possession of such dog or cat for which the duly authorized personnel or Law Enforcement Officer has information that the dog or cat is not officially vaccinated and registered with the County of McLean. A dog or cat which is not claimed after seven business days from the date of seizure (not counting the date the dog or cat is seized) shall become the property of the County of McLean. (Added 2008)

(H) The requirement that a dog or cat be vaccinated and registered with the County of McLean shall not apply to persons owning or possessing a dog or cat which is temporarily in the County as an entrant in a public exhibition, contest or show sponsored by a dog or cat club association or similar organization held in

the City of Bloomington, Town of Normal or McLean County however, for this exception to apply the sponsor of the exhibition, contest or show must have given prior written notice of the public exhibition, contest or show to the McLean County Animal Control Center or the McLean County Health Department. The following are exempt from this penalty feral cat caretaker that are participating in an approved trap, neuter release program, assistance dogs, guide dogs, hearing dogs, and any service dog for a municipality or governmental agency. (Added 2008)

The fee charged for the registration of dogs or cats shall be paid at the McLean County Health Department, McLean County Animal Center Shelter, or at veterinarian offices designated by the McLean County Health Department as Agents for registration and collection of fees. (Amended 01-21-86, 12-20-88, Amended 2008)

21.22-3 Every owner of a dog or cat which is inoculated against rabies in the County of McLean shall be issued a county rabies registration rabies-inoculation-tag by the inoculating veterinarian, at a fee based upon the cost of issuance: one dollar(\$1.00) per tag upon issue by the County Treasurer and no charge per tag issued by agent. Replacement tags will be issued at McLean County Health Department at a fee of two dollars (\$2.00) per tag
(Amended 1-21-86, 12-13-05, Amended 2008)

21.22-4 If the ownership of a dog or cat changes, the following apply: (Amended 2008)

(A) Dogs or cats shall be registered anew within thirty (30) days of a change in ownership. (Amended 2008)

(B) No additional fee shall be charged to a new owner for the registration of a dog or cat which has been previously registered during the course of the same calendar year (Amended 2008)

(D) New residents to McLean County shall notify the Mclean County Health Department within 30 days and pay applicable registration fees for each dog and cat. (2008)

21.23 EXEMPTIONS

21.23-1 Dogs confined in kennels:

(A) ~~Any dog confined in a kennel at all times shall be exempt from individual registration.~~(Amended 2008)

~~(B) The owner of said kennel shall pay an annual registration fee of one hundred twenty five dollars (\$125.00).~~ (Amended 1-21-86, 10-2-00, Amended 2008)

~~(C) Said registration fee shall be payable as hereinbefore provided in this Ordinance.~~(Amended 2008)

21.23-1 No registration fee shall be assessed to those owners who are physically impaired and using a their dog as an assistance dog, guide dog, hearing dog, and any service dog for a municipality or governmental agency or feral cat caretaker, guide dog.(Amended 6-19-84, Amended 2008)

21.24 PENALTY. Any person found in violation of any of the provisions of this Ordinance regarding the registration of dogs or cats shall be guilty of a petty offense for the first or second offense and shall be fined not less than one hundred twenty five dollars (\$25100.00) nor more than two hundred fifty dollars (\$250.00), and for a third and subsequent offense, is guilty of a Class C misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00) or imprisonment of not more than thirty (30) days or both. All fines shall be used for animal control and to otherwise effectuate the intent and purpose of this Ordinance. (Amended 6-19-84, Amended 2008)

Adopted: 18 March 1982. Amended 6-19-84, 9-17-85, 1-21-86, 12-20-88, 10-19-93, 2008

510 ILCS 5/1

21.36 THE CONTROL OF DOGS RUNNING AT LARGE

21.36-2 A dog found running at large a second or subsequent time shall be spayed or neutered within 30 days after being reclaimed unless already spayed or neutered; failure to comply shall result in impoundment of the dog. (Added 2008)

21.37 ENFORCEMENT

21.37-2 Any duly authorized personnel of the Health Department, any Illinois Law Enforcement Officer, the Sheriff or Sheriff's Deputy of McLean County is hereby authorized, empowered, and ordered to exercise all powers and duties necessary or related to the implementation, execution, and enforcement of the provisions of this Ordinance. (Amended 2008)

21.41 THE CONTROL OF DOGS DECLARED DANGEROUS

21.41-1 It is unlawful for any person to knowingly or recklessly permit any dangerous dog to leave the premises of its owner and must comply with the following:

Any dog found to be dangerous shall :

- (A) be spayed or neutered and microchipped within 14 days of the declaration at the owner's expense, if not already done,
- and
- (B) pay applicable public safety fines, and

THE CONTROL OF DOGS DECLARED VICIOUS

21.42-1 It is unlawful for any person to knowingly or recklessly permit any vicious dog to leave the premises of its owner and must comply with the following:

Any dog found to be vicious shall:

- (A) be spayed or neutered and microchipped within 14 days of the declaration at the owner's expense, if not already done,
- and
- (B) keep in an approved enclosure as per the declaring entity if applicable, and
- (C) if the dog is out of the approved enclosure be in compliance with declaring entities requirements, and
- (D) pay applicable public safety fines, and

21.43 PENALTY (Added 2008)

21.43-1 Any person found in violation of any of the provisions of this Ordinance regarding the vicious and dangerous dog sections shall be fined five hundred dollars (\$500.00) per offense per day and said dog in violation shall be impounded. (Added 2008)

21.43-2 said fines shall be used for animal control and to otherwise effectuate the intent and purpose of this Ordinance. (Added 2008)

21.45 ENFORCEMENT (Added 2008)

Any duly authorized personnel or any Law Enforcement Officer shall impound a vicious or dangerous dog that is found to be in violation of this Ordinance and shall fine the dog owner per violations committed as described in section 21.41 and 21.42. (Added 2008)

21.53 RECLAMATION FEES. The following fees for reclamation of an animal shall be paid before the animal is released: (Amended 12-16-86, 12-20-88, 10-19-93, 2/1/04, Amended 2008)

\$20.00 Additional bite boarding charge for each day or part of a day the animal is impounded; and

\$20.00 Additional vicious or dangerous boarding charge for each day or part of a day the animal is impounded during an investigation by any jurisdiction or Animal Control; and

\$ 8.00 Additionally, for a rabies vaccination deposit if an impounded dog or cat has not been currently vaccinated; and,

\$25.00 \$9.00 Additionally, a reclaim registration if a dog or cat is not currently registered in McLean County; and, (Amended 2008)

\$20.00 Additionally, per occurrence, for each prior incident of impoundment of any animal owned by a person owning, or having owned, any animals impounded two (2) or more times during a calendar year; and, (Added 2008)

\$25.00 Additionally, a public safety fine for a dog running at large; and, (Added 2008)

\$25.00 Additionally, a public safety fine Impoundment; redemption fine; and, (Added 2008)

\$50.00 Additionally, a dangerous dog public safety fine; and, (Added 2008)

\$100.00 Additionally, a vicious dog public safety fine; and, (Added 2008)

21.54 ADOPTION. After an animal has been impounded by the Animal Control Administrator and has not been reclaimed, the animal may be adopted by another person following the holding period described in Section 21.52. Prior to adoption, the animal must be rendered incapable of reproduction by spaying or neutering, officially vaccinated, registered and microchipped or the person adopting the animal shall enter into an agreement to have such service done within a specified period of time, not to exceed ~~six (6)~~ months, 30 days, unless otherwise recommended by a licensed veterinarian. If the person adopting the animal fails to have said animal spayed or neutered, officially vaccinated, registered or microchipped within the specified period of time, the Animal Control Administrator, Any duly authorize personnel of the Health Department or any Law Enforcement Officer has the right to seize the animal and the McLean County Health Department Animal Control Program retains all adoption fees paid. (Amended 12-20-88, Amended 2008)

21.55 ADOPTION FEES. The following fees for adoption of an animal shall be paid before the animal is released: (Amended 12-16-86, 12-20-88, 10-19-93, 01-01-03, 2/1/04, 2008)

| | <u>DOGS</u> | <u>CATS</u> |
|-------------------------|-----------------|--------------------|
| Boarding (Adoption Fee) | \$10.00 | \$10.00 |
| Registration | \$ 9.00 | \$ 9.00 |
| Vaccination Deposit | \$ 8.00 | \$ 8.00 |
| Neuter Deposit | \$35.00 | \$ 35.00 |
| Microchipping Deposit | <u>\$ 40.00</u> | <u>\$ 40.00</u> |
| Total Fee | \$102.00 | <u>\$102</u> 93.00 |

Adopted: 19 June 1984. Amended: December 16, 1986; December 20, 1988
510 ILCS 5/1 et. seq.

21.63 PROCEDURE FOR EUTHANIZATION AND DISPOSAL OF LIVE DOGS AND CATS

~~21.63-4~~ A bite impoundment fee for an animal held subsequent to a bite investigation at the Animal Control Center, shall be twenty dollars (\$20.00) a day.

~~21.63-4~~~~21.63-5~~ A specimen preparation fee for an non-vaccinated animal that is surrendered to Animal Control pursuant to a bite investigation shall be twenty-five dollars (\$25.00) (Amended 2008)

This Amendment shall become effective and in full force on January 1, 2009. Adopted by the County Board of McLean County, Illinois, this 17 day of July 2008.

APPROVED:

Matt Sorensen

Matt Sorensen, Chairman of the McLean County Board

ATTEST:

Peggy Ann Milton

Peggy Ann Milton, Clerk of the McLean County Board

U:AC\CH_21_Amending Ord Changes 5 15 08

SUMMARY OF CHANGES AND SOURCE CITATIONS ASSOCIATED WITH THE PROPOSED AMENDMENT TO CHAPTER 21-ANIMALS

CAT VACCINATION

21.17 VACCINATION OF DOGS AND CATS

21.17-1 Every owner of a dog or cat 4 months of age shall have each dog or cat inoculated against rabies by a licensed veterinarian. Every dog or cat shall have a second rabies vaccination within one year of the first. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccine used. Dogs and Cats shall maintain a current rabies vaccination at all times. Evidence of such rabies inoculation shall be entered on a certificate that shall be approved by the McLean County Health Department. (Added 2008)

1. *510 ILCS 5/8 Sec. 8 requires dog vaccination.*

510 ILCS 5/24 (Vaccination)

"Nothing in this Act shall be held to limit in any manner the power of any municipality or other political subdivision to prohibit animals from running at large, nor shall anything in this Act be construed to, in any manner, limit the power of any municipality or other political subdivision to further control and regulate dogs, cats or other animals in such municipality or other political subdivision provided that no regulation or ordinance is specific to breed."

CAT REGISTRATION

21.22-1 Every person residing in McLean County who is the owner of a dog or cat shall register said dog or cat with the County of McLean. (Amended 6-19-84, Amended 2008)

1. *510 ILCS 5/3 Sec. 3 (Registration)*

"The Board is authorized by Ordinance to require microchipping of dogs and cats. The Board shall impose an individual dog or cat registration fee with a minimum differential of \$10.00 for intact dogs or cats."

REGISTRATION DIFFERENTIAL BASED ON REPRODUCTIVE STATUS

21.22-2 The registration fee shall be based on the following schedule:

(A) The annual registration fee for an altered dog or cat with a one year vaccination shall be nine dollars (\$9.00). Payments made 31 or more days after the date of vaccination shall be considered late and will total thirty-five dollars (\$35.00). (Amended 6-17-2008)

(B) The annual registration fee for an unaltered dog or cat with a one year vaccination shall be twenty dollars (\$20.00). Payments made 31 or more days after the date of vaccination will be considered late and will total forty-five dollars (\$45.00). (Amended 6-17-2008)

(C) The registration fee for an altered dog or cat with a three year vaccination shall be twenty-five dollars (\$25.00). Payments made 31 or more days after the date of vaccination shall be considered late and will total seventy dollars (\$70.00). (Amended 6-17-2008)

(D) The registration fee for an unaltered dog or cat with a three year vaccination shall be sixty dollars (\$60.00). Payments made 31 or more days after the date of vaccination shall be considered late and will total one hundred sixty dollars (\$160.00). (Amended 6-17-2008)

2. *510 ILCS 5/3 Sec. 3*

"The Board shall impose an individual dog or cat registration fee with a minimum differential of \$10.00 for intact dogs or cats."

DANGEROUS DOGS

21.41 THE CONTROL OF DOGS DECLARED DANGEROUS

21.41-1 It is unlawful for any person to knowingly or recklessly permit any dangerous dog to leave the premises of its owner and must comply with the following:

Any dog found to be dangerous shall :

- (A) be spayed or neutered and microchipped within 14 days of the declaration at the owner's expense, if not already done, and
- (B) pay applicable public safety fines, and

3. *510 ICLS 5/15.1 (d)*

"If deemed dangerous, ... (i) the dog's owner to pay a \$50.00 Public Safety Fine to be deposited into the Pet Population Control Fund, (ii) the dog shall be spayed or neutered within 14 days at owner's expense and microchipped"

VISCIOUS DOGS

21.42 THE CONTROL OF DOGS DECLARED VICIOUS

21.42-1 It is unlawful for any person to knowingly or recklessly permit any vicious dog to leave the premises of its owner and must comply with the following:

Any dog found to be vicious shall:

- (A) be spayed or neutered and microchipped within 14 days of the declaration at the owner's expense, if not already done, and
- (B) keep in an approved enclosure as per the declaring entity if applicable, and
- (C) if the dog is out of the approved enclosure be in compliance with declaring entities requirements, and
- (D) pay applicable public safety fines, and

4. *510 ILCS 5/15 (a).*

If a dog is found to be a vicious dog, the owner shall pay a \$100.00 Public Safety Fine to be deposited into the Pet Population Control Fund, the dog shall be spayed or neutered within 10 days of the finding and microchipped, and the dog is subject to an enclosure. If the owner fails to comply with these requirements, the Animal Control Agency shall impound the dog and the owner shall pay a \$500.00 fine plus impoundment fees to the Animal Control Agency impounding the dog.

PUBLIC SAFETY FINES

21.53 RECLAMATION FEES. The following fees for reclamation of an animal shall be paid before the animal is released:
(Amended 12-16-86, 12-20-88, 10-19-93, 2/1/04, Amended 2008)

\$20.00 Additional bite boarding charge for each day or part of a day the animal is impounded; and

5a. 510 ILCS 5/13. Sec. 13.

"Any expense incurred in handling an animal under this Section and Section 12 shall be borne by the owner." The owner of the biting animal must also remit to IDPH, for deposit into the Pet Population Control Fund, a \$25.00 Public Safety Fund within 30 days."

\$20.00 Additional vicious or dangerous boarding charge for each day or part of a day the animal is impounded during an investigation by any jurisdiction or Animal Control; and

5b. 510 ILCS 5/15. Sec. 15.

"All reasonable expenses... including boarding of the animal shall be borne by the owner of the dog."

\$25.00 ~~\$9.00~~ Additionally, a reclaim registration if a dog or cat is not currently registered in McLean County; and, (Amended 2008)

5c. 510 ILCS 5/10. (f).

"Impoundment redemption; when dogs or cats are impounded....(f) Paying for microchipping and registration, including back registration, if not already paid."

\$25.00 Additionally, a public safety fine for a dog running at large; and, (Added 2008)

5d. 510 ILCS 5/9, Sec. 9.

"The dog's owner shall pay a \$25.00 Public Safety Fine, \$20.00 of which shall be deposited into the Pet Population Control Fund and \$5.00 shall be retained by the County or Municipality."

\$25.00 Additionally, a public safety fine Impoundment; redemption fine; and, (Added 2008)

5e. 510 ILCS 5/10, Sec. 10.

"When dogs or cats are apprehended and impounded.... (e) paying a \$25.00 Public Safety Fine, to be deposited into the Pet Population Control Fund. The fine shall be waived if it is the dog or cats first impoundment and the owner of the animal has the animal spayed or neutered within 14 days."

\$50.00 Additionally, a dangerous dog public safety fine; and, (Added 2008)

f5. 510 ICLS 5/15.1 (d)

"If deemed dangerous, ... (i) the dog's owner to pay a \$50.00 Public Safety Fine to be deposited into the Pet Population Control Fund, (ii) the dog shall be spayed or neutered within 14 days at owner's expense and microchipped"

\$100.00 Additionally, a vicious dog public safety fine; and, (Added 2008)

5g. 510 ILCS 5/15 (a).

If a dog is found to be a vicious dog, the owner shall pay a \$100.00 Public Safety Fine to be deposited into the Pet Population Control Fund, the dog shall be spayed or neutered within 10 days of the finding and microchipped, and the dog is subject to an enclosure. If the owner fails to comply with these requirements, the Animal Control Agency shall impound the dog and the owner shall pay a \$500.00 find plus impoundment fees to the Animal Control Agency impounding the dog.



McLean County
Health Department
Partners in Prevention

200 W. Front St., Rm. 304 • Bloomington, IL 61701

June 4, 2008

Honorable Members of the McLean County Finance Committee:

Please find attached a summary of the proposed changes to Chapter 21 of the McLean County Ordinances covering Animals. The changes are primarily related to six sections of the ordinance and cover the following topics:

1. Vaccination of Cats
2. Registration of Cats
3. Registration Differential based upon reproductive status of the animal.
4. Dangerous Dog requirements
5. Vicious Dog requirements
6. Public Safety Fines

The summary provided identifies the amended sections of the current ordinance and the newly proposed changed language. Directly below the proposed ordinance language for each topic area, in italics, is the statutory citation identifying the legal authority utilized to make the proposed changes.

Also attached is the amended sections of the proposed ordinance that identifies all the changes being proposed and required in amending the ordinance. The County Code Amendment includes changes required in terminology, definitions and phrasing necessary to update the format of the ordinance to incorporate the changes in the six major topic areas.

Please review the summary of the proposed changes. These were discussed in the educational section of the May 7, 2008 Board of Health meeting. I will be happy to answer any questions related to the proposed amendment or the animal control program in general at the next Finance Committee Meeting.

Sincerely,

Walter P. Howe
Assistant Administrator
ANC/FINANCE cover letter

MUTUAL RELEASE AGREEMENT

This Mutual Release Agreement is made and entered into by Kevin Crutcher, owner of The Coffee Depot, LLC on behalf of itself, its agents, officers, representatives, employees, and assigns (collectively referred to as "Depot") and the County of McLean, a body corporate and politic, on behalf of itself, its officers, officials, directors, employees, agents and assigns (collectively referred to as "County").

WHEREAS, on June 20, 2006, Depot and the County entered into a lease agreement ("lease agreement") the purpose of which was to allow Depot to lease approximately 200 s.f. of floor space in the McLean County Law & Justice Center, 104 West Front Street, Bloomington, Illinois for retail sales of beverages and food items; and

WHEREAS, said lease agreement is scheduled to terminate on the 31st day of July, 2008; and

WHEREAS, paragraph 32 of said lease agreement provides that either party shall have the right to terminate during the initial term or any subsequent term by giving at least thirty (30) days prior written notice of termination to the other party; and

WHEREAS, Depot and the County mutually desire to terminate said lease agreement one month earlier, to wit: the 30th of June, 2008; and

WHEREAS, each party herein acknowledges that the other party has the right to terminate said lease agreement and each party further acknowledges that it has received at least thirty (30) days prior written notice of termination from the other party.

NOW THEREFORE, in consideration of the mutual covenants and promises set forth herein, it is agreed by and between Depot and the County as follows:

1. Upon execution of this Mutual Release Agreement, Depot and the County agree that the lease agreement shall terminate at **12:00 a.m.** (prevailing time) **on June 30, 2008.**

2. In consideration of the mutual covenants contained herein, Depot and the County do hereby release and forever discharge each other from all claims, debts, actions, causes of action, demands, rights, damages, costs, loss of service, punitive damages, exemplary damages, expenses, attorney fees and compensation whatsoever, dues and obligations of every kind and nature that have accrued, whether known or unknown, from the beginning of time through and including the date of this mutual release agreement pertaining to and/or arising out of the lease agreement.

3. Notwithstanding the provisions set forth in paragraphs 1 and 2 above, Depot and the County agree that the provisions of paragraph 24 of the lease agreement shall survive the termination of the lease agreement and remain in full force and effect.

4. This Mutual Release Agreement constitutes the entire agreement between the parties and supersedes all prior oral and written communications, agreements or proposals between the parties concerning any of the subject matters which comprise this Mutual Release Agreement. This Mutual Release Agreement may not be modified, amended or waived without the express prior written consent of both Depot and the County.

COUNTY OF McLEAN,

THE COFFEE DEPOT, LLC,

BY: _____
Chairman, McLean County Board

BY: _____
Kevin Crutcher

ATTEST:

BY: _____
Frank Laesch

BY: _____
Clerk of the County Board of
McLean County, Illinois

DATED this ____ day of June, 2008.



Facilities Management

104 W. Front Street, P.O. Box 2400

Bloomington, Illinois 61702-2400

(309) 888-5192 voice

(309) 888-4120 FAX jack.moody@mcleancountyil.gov

To: The Honorable Chairman and Members of the Property Committee
Mr. John M. Zeunik, County Administrator

From: Jack E. Moody, CFM, Director, Facilities Management

Date: May 28, 2008

Subj: Coffee Depot, LLC

Mr. Kevin Crutcher, owner of Coffee Depot, LLC, a tenant who has been operating a small coffee shop kiosk in the lobby of the Law and Justice Center, has informed the County that he is selling his business to Mr. Vigil Hovar. Mr. Hovar owns and operates the Fusion Brew coffee shop located in Normal, Illinois.

I have met with Mr. Hovar and discussed his purchase of Coffee Depot. I have explained how the lease works, hours of operation, and restrictions and limitations on what can and cannot be sold. Mr. Hovar wants the purchase to become effective July 1, 2008. The current lease with Mr. Crutcher expires July 31, 2008. It is mutually beneficial to the current owner and the buyer of Coffee Depot to permit this sale and transfer of ownership to go forth with an effective date of July 1, 2008.

Mr. Eric T. Riud, First Assistant States Attorney, has drafted a Mutual Release Agreement between McLean County and Mr. Crutcher to permit the final month of the current lease to be vacated. We have written a new lease for Mr. Hovar, the new owner of Coffee Depot, to begin July 1, 2008, and continue for two years. Both of these documents are attached for your kind review and approval.

Mr. Virgil Hovar desires to appear before the Property Committee on Thursday, June 5, 2008, to introduce himself and explain how he plans to operate Coffee Depot.

Facilities Management supports the sale of Coffee Depot to Mr. Hovar as the new tenant. We will be pleased to answer any questions you might have at the June Property Committee meeting.

Thank you.

enclosures

AGREEMENT

Between

The County of McLean

as Landlord,

and

The Coffee Depot, LLC

as Tenant,

for

Retail Coffee-Kiosk Space Located in the Lobby of the
McLean County Law and Justice Center
104 West Front Street, Bloomington, Illinois

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Agreement

WHEREAS, the County of McLean, a body corporate and politic, (hereinafter referred to as "COUNTY") as Landlord, and *The Coffee Depot, LLC*, owned by Mr. Virgil Hovar, 1007 Elder Street, Bloomington, Illinois, 61701 (hereinafter referred to as "DEPOT") as the new owner and Tenant, agree to continue a lease agreement for approximately 200 s.f. of floor space located on the west side of the first floor (lobby) of the McLean County Law and Justice Center, 104 W. Front Street, Bloomington, Illinois, (hereinafter referred to as "BUILDING"), for the purpose of operating a coffee-shop retail sales operation for the sale of fresh brewed coffee, teas, juices, snack foods, and related products; and,

WHEREAS, this agreement expressly sets forth the rights and duties of each party, NOW THEREFORE, it is expressly agreed as follows:

1. **Term.** The term of this lease agreement shall be for two years to commence on the 1st day of July, 2008 and terminate on the 30th day of June, 2010.
2. **Rent.** Rent to be paid to COUNTY during the **first year** of this agreement (July 1, 2008 to June 30, 2009) shall be \$278.51 per month. Rent to be paid to COUNTY during the **second year** of this agreement (July 1, 2009 to June 30, 2010) shall be \$286.87 per month. All monthly rent payments are due and payable by the first day of each month and shall be mailed or delivered to:

McLean County Treasurer
Government Center – Mezzanine Level
115 E. Washington Street
P.O. Box 2400
Bloomington, Illinois 61702-2400
3. **Tenant's Use and Operation.** DEPOT shall use the aforementioned leased premises only for the purposes of retail sales of beverages and food items included in the original business plan proposal presented to COUNTY. **NO ALCOHOLIC BEVERAGES OR TOBACCO PRODUCTS SHALL BE SOLD AT ANY TIME.** DEPOT shall not use the premises for any unlawful, improper or immoral use, nor for any purposes or in any manner which is in violation of any present or future governmental law or regulation. DEPOT shall, during the term of the lease agreement and during any future terms, continuously use the leased premises for the purposes stated herein.
4. **Normal Hours of Operation:** COUNTY agrees to DEPOT normal hours of operation to be 7:00 a.m. until 1:30 p.m., Monday through Friday. DEPOT understands that on all recognized holidays observed by COUNTY when BUILDING is normally closed, DEPOT will also be closed on those days of the year. Should DEPOT desire to adjust these stated hours of operation, DEPOT shall inform COUNTY, but at no time remain open past the normal closing time of BUILDING.

An exception may be made for any special events DEPOT may agree to host, from time to time, as may be requested by COUNTY offices or outside groups permitted by COUNTY to use of BUILDING meeting rooms after hours.

5. **Utilities.** COUNTY shall pay all utilities provided to DEPOT from BUILDING installed utility services. DEPOT shall be responsible for the payment of any phone and data services for the leased premises and all other costs, included but not limited to, trash disposal and exterminator service.
6. **Building Common Areas:** DEPOT shall be entitled to use of the areas designated from time to time by COUNTY as "common areas", and which are adjacent to or benefit the leased premises and shall be limited to the area immediately surrounding the location of DEPOT. Such common areas shall include COUNTY designated areas for the purpose of egress and ingress of DEPOT employees, customers, and delivery of supplies and materials. Such use shall be subject to the rules and regulations as COUNTY shall from time to time issue. No bulk storage of supplies shall be permitted on the floor in the lobby outside of the coffee kiosk operation. DEPOT further agrees not to block any natural footpaths of egress or ingress used by employees and members of the public entering and exiting BUILDING.
7. **Maintenance and Repair.** COUNTY shall be responsible for compliance with all building codes unrelated to DEPOT, the American's with Disabilities Act (as to permanent improvements only), and any other environmental or building safety issues and the state, local, and federal regulations relating thereto, and perform all general building maintenance and repair. Notwithstanding the foregoing, COUNTY shall not be responsible for the cost of repairs and maintenance caused by the intentional acts or negligence of DEPOT or its employees or customers. DEPOT shall keep the interior and exterior of leased premises as well as the floor space immediately surrounding DEPOT clean and orderly and in good condition and repair at all times and at its own expense. This includes the immediate clean-up by DEPOT employees of all beverage spills, paper trash, or food droppings anywhere in the lobby as may be caused by DEPOT customers or products. DEPOT shall keep all customer service areas of the leased premises clean at all times and at their own effort and expense. DEPOT shall be responsible for their own custodial needs for clean-up after hours and shall completely remove from BUILDING all trash generated from their operation at the conclusion of each shift.
8. **Parking.** COUNTY shall provide DEPOT no parking stalls at BUILDING and further, DEPOT agrees not to park any employee vehicles or permit customer vehicles to park in the 200 W. Front Street lot adjacent to BUILDING at any time under penalty of removal of said vehicle(s) at owner's expense.

9. **Alterations.** No alterations, additions, or improvements shall be made in or to the leased premises, once DEPOT occupies the lobby space, without the prior express written approval of COUNTY. All alterations, additions, improvements, and fixtures which may be made or installed by either of the parties hereto upon the leased premises and which in any manner are attached to BUILDING, with the exception of DEPOT displays and trade fixtures, shall be the property of COUNTY and at the termination of this lease agreement shall remain upon and be surrendered with the leased premises as a part thereof, without disturbance, molestation or injury. Notwithstanding the foregoing, COUNTY may designate by written notice to DEPOT certain fixtures, trade fixtures, alterations, and additions to the leased premises which shall be removed by DEPOT at the expiration of this lease or any subsequent lease agreement extensions thereof. The parties hereto may also agree in writing, prior to the installation or construction or any alterations, improvements, or fixtures to the leased premises by DEPOT that DEPOT may either cause the removal of such items at the time of expiration of this lease, or that they may be left in the leased premises. DEPOT shall, at its own expense, repair any damages to the leased premises caused by the removal of its fixtures or alterations.
10. **Indemnity Agreement:** DEPOT agrees to indemnify and save and hold harmless COUNTY (including its officials, agents, and employees) and the McLean County Public Building Commission, hereinafter referred to as "PBC", (including its officials, agents, and employees), from any loss, liability, claim, action, damages, or costs that may be incurred arising out of or in any way connected with this undertaking, whether or not it arises out of the acts or omissions on the part of DEPOT.
11. **Insurance Requirements:**
- a. **Property Insurance:** For the entire term of this agreement, or any extensions thereof, DEPOT shall be responsible for obtaining and maintaining the applicable policies for protecting DEPOT against loss or damages to its own furnishings, equipment, personal property in or on the leased premises, and for business income loss. COUNTY and PBC will not reimburse DEPOT for loss of business income. DEPOT will look to its own policies of insurance for reimbursement. COUNTY and PBC will maintain property insurance for their own interests as dictated by their contractual relationship on ownership and tenancy of BUILDING.
 - b. **Liability Insurance:** DEPOT shall, during the entire term thereof and any subsequent lease agreement extensions, keep in full force a policy of General Liability Insurance with respect to the leased premises and the business operated By DEPOT in the leased premises, and in which the limits of liability shall be as follows:

1. Bodily Injury limits of not less than \$1,000,000.00 per occurrence/aggregate;
 2. Personal Injury limits of not less than \$1,000,000.00 per occurrence/aggregate;
 3. Property Damage limits of not less than \$1,000,000.00 per occurrence/aggregate; and
 4. Products and Completed Operations limits of not less than \$100,000.00 per occurrence/aggregate.
 5. COUNTY and PBC shall be named as Additional Insureds in all policies of liability insurance maintained pursuant to this provision.
 6. Insurance carriers shall be admitted to do business in the state of Illinois.
- c. **Added Risk.** DEPOT shall also pay for any resultant increases in insurance rates for COUNTY and/or PBC on BUILDING as a result of added risks attributable to this undertaking in the leased premises. The determination of the insurance carrier shall be binding upon the parties as to the added risk resulting from DEPOT's business. DEPOT's share of the annual insurance premiums for such insurance, as required by this paragraph, shall be paid within ten (10) days after DEPOT is given written request for same. COUNTY and PBC shall bill DEPOT without notice or negotiation for any rate increases.
12. **Loss of Revenue:** Neither COUNTY nor the PBC shall be responsible for loss of revenue of DEPOT in the event that BUILDING is closed for any reason or is rendered unoccupiable, whether or not said closing is the result of actions or inactions taken or not taken by the COUNTY or the PBC, including but not limited to acts of God, weather conditions, epidemic, landslide, lightning, tornado, earthquake, fire, explosion, flood or similar occurrence, an act of the public enemy, war, blockade, insurrection, riot, general unrest, civil disturbance, or other similar occurrence that may have a material adverse effect.
13. **Conduct.** DEPOT shall not cause or permit any conduct to take place within the leased premises which in any way may disturb or annoy other tenants or occupants of BUILDING, or adjacent buildings.
14. **Signs.** No sign, banner, decoration, picture, advertisement, awning, merchandise, or notice by DEPOT shall be permitted on the outside of BUILDING.
15. **Estoppel.** Each party, within ten (10) days after notice from the other party, shall execute to the other party, in recordable form, a certificate stating that this lease is unmodified and in full force and effect, or in full force and effect as modified, and stating the modifications. The certificate shall also state the amount of the base rental, the date to which the rent has been paid in advance, and the amount of any security deposit or prepaid rent. Failure to deliver the certificate within ten (10) days shall be conclusive upon the party failing to so deliver for the benefit of the party requesting the certificate and any successor to the party so requesting, that this lease

is in full force and effect and has not been modified except as may be represented by the party requesting the certificate.

16. **Access to the Premises.** COUNTY shall have the right to enter upon the leased premises at anytime for the purpose of inspecting the same, or of making repairs, additions, or alterations to the leased premises or any property owned or controlled by COUNTY. For a period commencing one hundred twenty (120) days prior to the termination of this lease or any subsequent lease agreement extensions thereof, COUNTY may have reasonable access to the leased premises for the purpose of exhibiting the same to prospective tenants.

17. **Hazardous Material.**

a. **Prohibition.** DEPOT expressly covenants and agrees that it will not cause or permit to be brought to, produced upon, disposed of or stored at the leased premises any hazardous material. For purposes of this provision, hazardous material shall mean any substance, in any form which is regulated or prohibited by statute, regulation, ordinance or rule including, but not limited to the Comprehensive Environmental Response, Compensation and Liability Act, 42 USC 6901, et. seq. and regulations promulgated thereunder; the Toxic Substances Control Act, 15 USC 2601, et. seq. and regulations promulgated thereunder; of state of Illinois statutes; or any substance which may be harmful to human health or welfare or the environment.

b. **Disclosure, Remediation, Liability, and Indemnification.** DEPOT expressly covenants and agrees that in the event any hazardous material is produced or stored at, brought to, or released on the leased premises by DEPOT, its agents, employees, invitees, clients, or licensees, or by the negligence of DEPOT, its agents, employees, invitees, clients, or licensees,

- (i) DEPOT shall immediately notify COUNTY of the event;
- (ii) DEPOT shall take immediate preventive measures to abate the presence of hazardous materials at the leased premises;
- (iii) DEPOT shall remediate and clean up the leased premises to COUNTY's satisfaction;
- (iv) DEPOT shall be solely liable for all costs for removal of any hazardous material and for cleanup of the leased premises; and
- (v) DEPOT shall be solely liable for damages arising from any such hazardous materials and does expressly indemnify and hold harmless COUNTY and the PBC from any claims, liability, expenses or damages, fines, penalties or costs (including actual or incurred attorney's fees) therefor.

18. **Survival.** DEPOT expressly covenants and agrees that the duties, obligations, and liabilities of DEPOT under the preceding paragraph 17(a) and 17(b) shall survive the termination of this lease, and are binding upon DEPOT and its successors and assigns.
19. **Condemnation.** In the event a part of the leased premises shall be taken under the power of eminent domain by any legally constituted authority, and there remains a sufficient amount of space to permit DEPOT to carry on its business in a manner comparable to which it has become accustomed, then this lease agreement shall continue, but the obligation to pay rent on the part of DEPOT shall be reduced in an amount proportionate to the area and relative value of the entire premises taken by such condemnation. In the event all of the leased premises shall be taken, or so much of the leased premises is taken that it is not feasible to continue a reasonably satisfactory operation of the business of DEPOT, then the lease shall be terminated. Such termination shall be without prejudice to the rights of either COUNTY or DEPOT to recover compensation from the condemning authority for any loss or damage caused by such condemnation. Neither COUNTY nor DEPOT shall have any right in or to any award made to the other by the condemning authority.
20. **Destruction.** Except as otherwise provided in this lease agreement, in the event the leased premises are damaged by fire or other casualty covered by the insurance required herein, such damage shall be repaired with reasonable dispatch by and at the expense of COUNTY. Until such repairs are completed, the rent payable hereunder shall be abated in proportion to the area of the leased premises which is rendered untenable by DEPOT in the conduct of its business. In the event that such repairs cannot, in the reasonable opinion of the parties, be substantially completed within one hundred eighty (180) days after the occurrence of such damage, or if more than fifty percent (50%) of the leased premises have been rendered unoccupiable as a result of such damage, or if there has been a declaration of any governmental authority that the leased premises are unsafe or unfit for occupancy, then COUNTY or DEPOT shall have the right to terminate this lease agreement, or any extensions thereof.
21. **Insolvency.** Neither this lease agreement nor any interest therein, nor any estate thereby created, shall pass to any trustee or receiver or assignee for the benefit of creditors or otherwise by operation of law. In the event the estate created hereby shall be taken in execution or by other process of law, or if DEPOT shall be adjudicated insolvent pursuant to the provision of any state or insolvency act, or if a receiver or trustee of the property of DEPOT shall be appointed by reason of DEPOT's insolvency or inability to pay its debts, or if any assignment shall be made of DEPOT's property for the benefit of creditors, then and in any such event, COUNTY, may at its option, terminate this lease, or any lease agreement extensions thereof, and all rights of DEPOT hereunder, by giving DEPOT notice in writing of the election of COUNTY to so terminate.

22. **Assignment and Subletting.** DEPOT shall not assign or in any manner transfer this lease or any estate or interest herein without the express written prior consent of COUNTY.

23. **Default.** If DEPOT shall fail to make any payment of rent hereunder within five (5) days of its due date, or if default shall continue in the performance of any of the other covenants or conditions which DEPOT is required to observe and perform under this lease for a period of thirty (30) days following written notice of such failure, or if DEPOT shall abandon or vacate the premises during the term of this lease agreement, or if DEPOT shall cease to entirely own all business operations being carried on upon the premises, then COUNTY may, but need not, treat the occurrence of any one or more of the foregoing events as a breach of this lease, and thereupon may, at its option, without notice or demand of any kind to DEPOT, have any one or more of the following described remedies in addition to all other rights and remedies provided by law or in equity.

- a. Terminate this lease agreement, or any extensions thereof, repossess the leased premises, and be entitled to recover immediately, as liquidated agreed final damages, the total amount due to be paid by DEPOT during the balance of the term of this lease agreement, or any extensions thereof, less the fair rental value of the premises for said period, together with any sum of money owed by DEPOT to COUNTY.
- b. Without waiving its right to terminate this lease agreement, or any extensions thereof, terminate DEPOT's right to possession and repossess the leased premises without demand or notice of any kind to DEPOT, in which case COUNTY may relet all or any part of the leased premises. DEPOT shall be responsible for all costs of reletting. DEPOT shall pay COUNTY on demand any deficiency from such deficiency from such reletting or COUNTY's inability to do so.
- c. Have specific performance of DEPOT obligations.
- d. Cure the default and recover the cost of curing the same being on demand.

24. **Termination; Surrender of Possession.**

- a. Upon the expiration or termination of this lease or any lease agreement extension thereof, DEPOT shall:
 - (i) Restore the leased premises to their condition at the beginning of the term (other than as contemplated by paragraph nine (9) of this lease agreement, ordinary wear and tear excepted), remove all of its personal property and trade fixtures from the leased premises and the property and repair any damage caused by such removal;
 - (ii) Surrender possession of the leased premises to COUNTY; and

- (iii) Upon the request of COUNTY, at DEPOT's cost and expense, remove from the property all signs, symbols, and trademarks pertaining to DEPOT's business and repair any damage caused by such removal.
- (iv) DEPOT agrees to attend a walk-through "punchlist" inspection tour to be conducted by COUNTY at the termination of the lease and after all property owned by DEPOT has been removed by DEPOT, for purposes of cataloging and assessing costs of any damage to BUILDING and leased premises caused by DEPOT.

b. If DEPOT shall fail or refuse to restore the leased premises as hereinabove provided, COUNTY may do so at its option and recover its costs for so doing. COUNTY may, without notice, dispose of any property of DEPOT which remains in the leased premises in any manner that COUNTY shall choose without incurring liability to DEPOT or to any other person. The failure of DEPOT to remove any property from the leased premises shall forever bar DEPOT from bringing any action or asserting any liability against COUNTY with respect to such property.

25. **Waiver.** One or more waivers of any covenant or condition by COUNTY shall not be construed as a waiver of a subsequent breach of the same covenant or condition, and the consent or approval by COUNTY to or of any act of DEPOT requiring COUNTY's consent or approval shall not be deemed to waive or render unnecessary COUNTY's consent or approval to or of any subsequent act by DEPOT.

26. **Notices.** All notices, requests, demands, and other communications required or permitted to be given hereunder shall be in writing and shall be deemed to have been given if delivered personally, or if sent by first-class mail, postage prepaid, return receipt requested to the following, or to such other address as shall be furnished in writing to one party by the other:

If to COUNTY:

Office of the County Administrator
McLean County
Government Center, Room 401
P.O. Box 2400
Bloomington, Illinois 61702-2400

With copies to:

Director Facilities Management
McLean County Law and Justice Center, Room 101
P.O. Box 2400
Bloomington, Illinois 61702-2400

If to DEPOT:

Mr. Virgil Hovar
1007 Elder Street
Bloomington, Illinois 61701

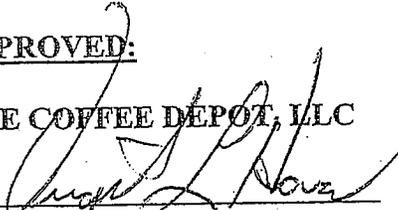
27. **Agency.** Nothing contained herein shall be deemed or construed by the parties hereto, nor by any third party, as creating the relationship of principal and agent or partnership or of joint venture between the parties hereto, it being understood and agreed that neither the method of computation of rent, nor any other provision contained herein, nor any acts of the parties herein, shall be deemed to create any relationship between the parties hereto other than the relationship of landlord and tenant. Whenever herein the singular number is used, the same shall include the plural, and the masculine gender shall include the feminine and neuter genders.
28. **Compliances:** DEPOT agrees to comply, during the term of this lease and any subsequent lease extensions thereof, with all applicable McLean County Health Department codes and regulations and to maintain in good-standing a Health Department food permit at all times. Failure to maintain in good standing the required Health Department food permit shall constitute breach of contract after ten days of any notice to comply issued from the McLean County Health Department. Further, DEPOT agrees to comply with all City of Bloomington Building Code and Enforcement Department applicable codes and regulations pursuant to this undertaking as may be required by the City of Bloomington, and requirements of the McLean County Facilities Management Department.
29. **Partial Invalidity.** If any term or condition of this lease agreement, or any extension thereof, or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this lease agreement, or any extension thereof, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant or condition of this lease agreement shall be valid and be enforced to the fullest extent permitted by law.
30. **Holding Over.** Any holding over after the expiration of the term thereof, with or without the consent of COUNTY, shall be construed to be a tenancy from month to month at the rents herein specified (prorated on a monthly basis) and shall otherwise be on the same terms and condition herein specified, so far as applicable.
31. **Successors.** All rights and liabilities herein given to, or imposed upon, the respective parties hereto shall extend to and bind the several respective heirs, executors, administrators, successors and assigns of the said parties; and if there shall be more than one tenant, they shall all be bound jointly and severally by the terms, covenants and agreements herein. No rights, however, shall inure to the benefit of any assignee of DEPOT unless the assignment to such assignee has been approved by COUNTY in writing as provided herein.

- 32. **Right to Terminate.** Notwithstanding any other provision of this lease agreement to the contrary, either party shall have the right to terminate this lease agreement during the initial term or any subsequent term by giving at least thirty (30) days prior written notice of termination to the other party, by abiding by paragraph 26, page eight (8) of this agreement pertaining to all notices.
- 33. **Non-Affiliation Clause.** No member of the McLean County Board or any other COUNTY official shall have an interest in any contract let by the McLean County Board either as a contractor or subcontractor pursuant to Illinois Compiled Statutes, 50 ILCS 105/3, et seq.
- 34. **Laws of Illinois:** This agreement shall be governed by and interpreted in accordance with the laws of the State of Illinois. All relevant provisions of the laws of the State of Illinois applicable hereto and required to be reflected or set forth herein are incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have executed this lease agreement by their respective officers, there unto duly authorized at Bloomington, Illinois, this 20th day of June, 2008.

APPROVED:

THE COFFEE DEPOT, LLC

By: 
Virgil Hovar-Owner

McLEAN COUNTY

By: _____
Matt Sorensen, Chairman
McLean County Board

ATTEST:

By: _____

By: _____
Peggy Ann Milton, Clerk of the
McLean County Board



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

Matt Sorensen
Chairman

June 12, 2008

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

Your PROPERTY COMMITTEE herewith respectfully recommends approval of the Recommendation received from the Director of Facilities Management and the Trial Court Administrator, Eleventh Circuit Court, to award the bid for the new audio system for the Courtrooms on the third floor of the Law and Justice Center to Pro Sound Center, 1540 East College Avenue, Normal, Illinois 61761. Pro Sound Center submitted the low bid meeting specifications.

Your PROPERTY COMMITTEE herewith further respectfully recommends that the amplifiers in Courtrooms 3A, 3B and 3D be replaced at the same time that the new audio system is being installed.

Funding for the purchase of a new audio system for the Courtrooms on the third floor of the Law and Justice Center has been appropriated in the Fiscal Year 2008 adopted budget of the Facilities Management Department, Law and Justice Center Program.

Respectfully submitted,

The PROPERTY COMMITTEE of the McLean County Board

| | | | | |
|--|--|--|---|---|
| District #1 Stan Hosellon Don J. Cavallini | District #3 Michael F. Sweeney Diane R. Bostic | District #5 Walter D. Clark William T. Caisley | District #7 John A. Buller Bette Rackauskas | District #9 Cathy Ahari Terry Baggett |
| District #2 Matt Sorensen Rick Dean | District #4 Ann Harding Duane Moss | District #6 George J. Gordon David F.W. Selzer | District #8 Paul R. Segobiano Tari Renner | District #10 Benjamin J. Owens Bob Nuckolls |

**2008 McLean County Circuit Court
Courtroom Sound Bid Comparison**

| | |
|---|--|
| <p>Thompson's Electronics 905 South Bosch Road Peoria, IL 61607 (309) 697-2277 Contact: Carl Howell</p> | <p>Pro Sound Center 1540 E. College Avenue Normal, IL 61761 (309) 888-4500 Contact: Tim Durham</p> |
| Ceiling Speakers – (4) Atlas LUH-15T | Ceiling Speakers – (5) Atlas LUH-15T |
| Tile Bridges (4) Atlas | Tile Bridges (5) Atlas |
| Baffles (4) Atlas | Baffles (5) Atlas |
| Wireless Desk Microphone (2) Shure SLX24 / Beta87 | Wireless Desk Microphone (2) Shure MX 412D/S |
| Desktop stands (2) Atlas | Desktop stands (2) Shure |
| Gooseneck Microphone (2) Shure 18" Cardioid | Gooseneck Microphone (2) Shure MX 418D/S |
| Audio Mixer / Amplifier (1) Crown 180 MA | Audio Mixer / Amplifier (1) Shure SCM268 (keep existing equipment in 3A, 3B and 3D, new mixers in 3C and 3E – Shure SCM268 and Peavey UA35T II |
| Cables – Included | Cables – included |
| Surge Protector – Included | Surge Protector – included |
| Labor – Included | Labor – included |
| Connectors – Included | Connectors – included |
| Freight - Included | Freight – included |
| Subtotal per Courtrooms 3A, 3B, 3C and 3D - \$9300.00 per courtroom (\$37,200.00) + 3E - \$9050.00 = \$46,250.00 | Subtotal per Courtroom 3A, 3B and 3D - \$3569.81 (\$10,685.43) + 3C - \$3884.45 + \$3585.00 = \$18,178.88 |
| Infrared Assistive Listening System | Infrared Assistive Listening System |
| Subtotal ALS per courtroom – Four unit system - \$2250.00 (serves all four courtrooms) | Subtotal ALS per courtroom \$2768.96 per courtroom (\$11,075.84) |
| TOTAL: \$48,250.00 | TOTAL: \$29,254.72 (\$33,142.72 with addendum) |

Addendum: Add three additional amplifiers to the Pro Sound bid for courtrooms 3A, 3B and 3D - \$1296.00 each (\$3,888.00).



Facilities Management

104 W. Front Street, P.O. Box 2400

Bloomington, Illinois 61702-2400

(309) 888-5192 voice

(309) 888-4120 FAX jack.moody@mcleancountyil.gov

To: The Honorable Chairman and Members of the Property Committee
Mr. John M. Zeunik, County Administrator

From: Jack E. Moody, CFM, Director, Facilities Management

Date: May 28, 2008

Subj: Sound Systems for Courts Floors, Law and Justice Center

Contained in the Capital Improvement section of the Adopted McLean County FY 2008 budget under Facilities Management is an item entitled "Replace Courtroom Audio Systems" for \$48,304.00. The current Courtroom sound systems on floors three and four were installed when the building opened on December 27, 1976. The fifth floor sound system was installed in August, 1990 when the new additional floors were added to the building. The current sound systems are analog systems that use audiotape cassettes. The new systems will be digital with the ability to interface with a central sound system control.

Mr. Will Scanlon, Court Administrator, and I have been working since the beginning of this year on this project. We jointly developed the bid specifications. Attached please find the bid results for this project. The low bid from Pro Sound Center, Normal, Illinois is \$29,254.72 for replacing the sound systems in all five Courtrooms located on the third floor of the Law and Justice Center.

Because the low bid provides the opportunity to replace the amplifiers in Courtrooms 3A, 3B, and 3D, which were not included in the base bid, we ask that these amps be replaced for a total of \$3,888.00. The total requested project cost, therefore, will be \$33,142.72. Our plans are to budget request new fourth floor sound systems in 2009 and the fifth floor in 2010. Mr. Will Scanlon and I are pleased to answer any questions you may have regarding this project.

Thank you for your kind consideration.

enclosures

OFFICE OF THE CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT

Elizabeth A. Robb
Chief Judge

William Scanlon
Trial Court Administrator
Kay Mitchell
Administrative Assistant



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

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

May 21, 2008

TO: McLean County Property Committee
Jack Moody, Facilities Manager

FROM: William J. Scanlon 

RE: FY 2008 Proposal to Replace 3rd Floor Courtroom Sound Systems

Attached is a comparison of two bids received by this office regarding the replacement of the courtroom sound systems on the third floor of the Law & Justice Center.

The five (5) courtroom sound systems on the third floor of the Law & Justice Center were originally installed when the building was constructed (circa 1976) and have been repaired or had portions of the system replaced since then. Currently, only two of the courtroom sound systems are fully operational, and there are scattered problems with the microphones, amplifiers, and public address systems in most of the courtrooms.

Equipment connectors in several courtrooms are broken or have been patched. With the exception of the microphones in three of the courtrooms, which were repaired in 1998, the mixer, speakers and amplifier are original equipment and the manufacturer of each component does not offer repair or replacement parts.

The Circuit Court voted unanimously to request funds for FY 2008 to replace all sound equipment on the third floor, and Chief Judge Elizabeth Robb asks that this project be approved to solve the problems associated with the equipment listed above.

I will appear with Mr. Moody at the June 5th Committee meeting to discuss the specifics of the bids and answer any questions the committee may have.

STATE OF ILLINOIS
COUNTY OF McLEAN

A RESOLUTION FOR REAPPOINTMENT OF CYNTHIA H. SULLIVAN KERBER, PH.D.
AS A MEMBER OF THE
BOARD FOR CARE AND TREATMENT OF PERSONS WITH
DEVELOPMENTAL DISABILITIES (377 BOARD)

WHEREAS, due to the expiration of term on June 30, 2008 of Cynthia H. Sullivan Kerber, Ph.D., as a member of the Board for Care and Treatment of Persons with Developmental Disabilities (377 Board), it is advisable to consider an appointment or reappointment to this position; and,

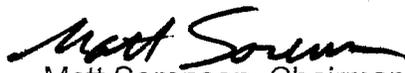
WHEREAS, the Chairman of the County Board, in accordance with the provisions of Illinois Compiled Statutes, Chapter 70, Sec. 920/3 has the responsibility to fill the expiration of a three-year term by appointment or reappointment, with the advice and consent of the County Board, now, therefore,

BE IT RESOLVED that the McLean County Board now in regular session deems it necessary to give its advice and consent to the reappointment of Cynthia H. Sullivan Kerber, Ph.D. as a member of the Board for Care and Treatment of Persons with Developmental Disabilities (377 Board) for a term of three years to expire on June 30, 2011 or until a successor shall have been qualified and appointed.

BE IT FURTHER RESOLVED that the County Clerk forward a certified copy of this Resolution of Reappointment to Cynthia H. Sullivan Kerber, Ph.D., the McLean County Health Department, the County Clerk, the County Auditor and the County Administrator.

Adopted by the County Board of McLean County, Illinois, this 17th day of June, 2008.

APPROVED:


Matt Sorensen, Chairman
McLean County Board

ATTEST:


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

STATE OF ILLINOIS)
)
COUNTY OF McLEAN) SS

A RESOLUTION OF REAPPOINTMENT OF MARIO GONZALEZ
AS A TRUSTEE OF THE CROPSEY STREET LIGHT DISTRICT

WHEREAS, due to the expiration of term on June 30, 2008 of Mario Gonzalez as Trustee of the Cropsey Street Light District, it is advisable to consider an appointment or reappointment to this position; and

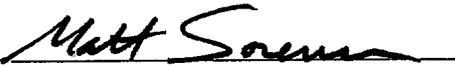
WHEREAS, the Chairman of the County Board, in accordance with the provisions of Illinois Compiled Statutes, Chapter 90, 2805/3, has the responsibility to fill the three-year term by appointment, or reappointment, with the advice and consent of the County Board; now, therefore,

BE IT RESOLVED, that the McLean County Board now in regular session deems it necessary to give its advice and consent to the reappointment of Mario Gonzalez as a Trustee of the Cropsey Street Light District for a three-year term scheduled to expire on June 30, 2011 or until a successor shall have been qualified and appointed.

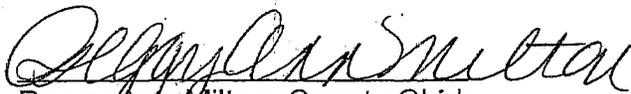
BE IT FURTHER RESOLVED, that the County Clerk forward a certified copy of this resolution of reappointment to Mr. Mario Gonzalez, the County Clerk, the County Auditor and the County Administrator.

ADOPTED by the County Board of McLean, County, Illinois this 17th day of June, 2008.

APPROVED:


Matt Sorensen, Chairman
McLean County Board

ATTEST:


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

STATE OF ILLINOIS
COUNTY OF McLEAN

A RESOLUTION FOR REAPPOINTMENT OF CYNTHIA H. SULLIVAN KERBER, PH.D.
AS A MEMBER OF THE
McLEAN COUNTY BOARD OF HEALTH

WHEREAS, due to the expiration of term on June 30, 2008 of Cynthia H. Sullivan Kerber, Ph.D., as a member of the McLean County Board of Health, it is advisable to consider an appointment or reappointment to this position; and,

WHEREAS, the Chairman of the County Board, in accordance with the provisions of Illinois Compiled Statutes, Chapter 70, Sec. 920/3 has the responsibility to fill the expiration of a three-year term by appointment or reappointment, with the advice and consent of the County Board, now, therefore,

BE IT RESOLVED that the McLean County Board now in regular session deems it necessary to give its advice and consent to the reappointment of Cynthia H. Sullivan Kerber, Ph.D. as a member of the McLean County Board of Health for a term of three years to expire on June 30, 2011 or until a successor shall have been qualified and appointed.

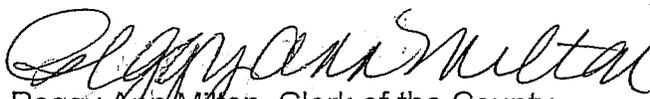
BE IT FURTHER RESOLVED that the County Clerk forward a certified copy of this Resolution of Reappointment to Cynthia H. Sullivan Kerber, Ph.D., the McLean County Health Department, the County Clerk, the County Auditor and the County Administrator.

Adopted by the County Board of McLean County, Illinois, this 17th day of June, 2008.

APPROVED:


Matt Sorensen, Chairman
McLean County Board

ATTEST:


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

STATE OF ILLINOIS
COUNTY OF McLEAN

A RESOLUTION FOR REAPPOINTMENT OF DUANE MOSS
AS A MEMBER OF THE
McLEAN COUNTY BOARD OF HEALTH

WHEREAS, due to the expiration of term on June 30, 2008 of Duane Moss, as a member of the McLean County Board of Health, it is advisable to consider an appointment or reappointment to this position; and,

WHEREAS, the Chairman of the County Board, in accordance with the provisions of Public Act 86-962 and Illinois Compiled Statutes, Chapter 55, Sec. 5/5 25012 has the responsibility to fill the expiration of a three-year term by appointment or reappointment, with the advice and consent of the County Board, now, therefore,

BE IT RESOLVED that the McLean County Board now in regular session deems it necessary to give its advice and consent to the reappointment of Duane Moss, as a member of the McLean County Board of Health to complete a term of three years to expire on June 30, 2011 or until a successor shall have been qualified and appointed.

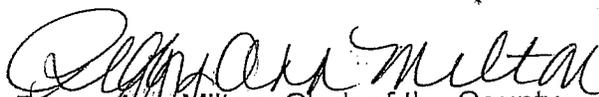
BE IT FURTHER RESOLVED that the County Clerk forward a certified copy of this resolution of appointment to Duane Moss, the County Clerk, the County Auditor, the County Administrator and the McLean County Health Department.

Adopted by the County Board of McLean County, Illinois, this 17th day of June, 2008.

APPROVED:


Matt Sorensen, Chairman
McLean County Board

ATTEST:


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

STATE OF ILLINOIS
COUNTY OF McLEAN

A RESOLUTION FOR REAPPOINTMENT OF DAN STEADMAN, D.D.S.
AS A MEMBER OF THE
MCLEAN COUNTY BOARD OF HEALTH

WHEREAS, due to the expiration of term on June 30, 2008 of Dan Steadman, D.D.S., as a member of the McLean County Board of Health, it is advisable to consider a reappointment to this position; and,

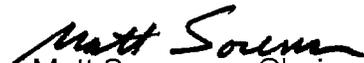
WHEREAS, the Chairman of the County Board, in accordance with the provisions of Public Act 86-962 and Illinois Compiled Statutes, Chapter 55, Sec. 5/5 25012 has the responsibility to fill the expiration of a three-year term by appointment or reappointment, with the advice and consent of the County Board, now, therefore,

BE IT RESOLVED that the McLean County Board now in regular session deems it necessary to give its advice and consent to the reappointment of Dan Steadman D.D.S. as a member of the McLean County Board of Health for a term of three years to expire on June 30, 2011 or until a successor shall have been qualified and appointed.

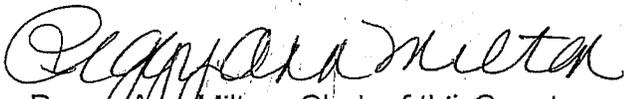
BE IT FURTHER RESOLVED that the County Clerk forward a copy of this resolution of reappointment to Dan Steadman, D.D.S. and the McLean County Health Department as well as the County Auditor, County Clerk and County Administrator's Office.

Adopted by the County Board of McLean County, Illinois, this 17th day of June, 2008.

APPROVED:


Matt Sorensen, Chairman
McLean County Board

ATTEST:


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

STATE OF ILLINOIS
COUNTY OF McLEAN

A RESOLUTION FOR REAPPOINTMENT OF CYNTHIA H. SULLIVAN KERBER, PH.D.
AS A MEMBER OF THE
T. B. CARE AND TREATMENT BOARD

WHEREAS, due to the expiration of term on June 30, 2008 of Cynthia H. Sullivan Kerber, Ph.D., as a member of the T. B. Care and Treatment Board, it is advisable to consider an appointment or reappointment to this position; and,

WHEREAS, the Chairman of the County Board, in accordance with the provisions of Illinois Compiled Statutes, Chapter 70, Sec. 920/3 has the responsibility to fill the expiration of a three-year term by appointment or reappointment, with the advice and consent of the County Board, now, therefore,

BE IT RESOLVED that the McLean County Board now in regular session deems it necessary to give its advice and consent to the reappointment of Cynthia H. Sullivan Kerber, Ph.D. as a member of the T. B. Care and Treatment Board for a term of three years to expire on June 30, 2011 or until a successor shall have been qualified and appointed.

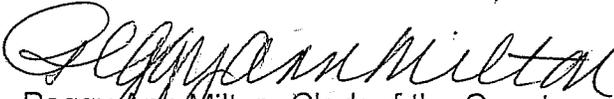
BE IT FURTHER RESOLVED that the County Clerk forward a certified copy of this Resolution of Reappointment to Cynthia H. Sullivan Kerber, Ph.D., the McLean County Health Department, the County Clerk, the County Auditor and the County Administrator.

Adopted by the County Board of McLean County, Illinois, this 17th day of June, 2008.

APPROVED:


Matt Sorensen, Chairman
McLean County Board

ATTEST:


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

STATE OF ILLINOIS
COUNTY OF McLEAN

A RESOLUTION FOR REAPPOINTMENT OF DR. DAN STEADMAN
AS A MEMBER OF THE
T. B. CARE AND TREATMENT BOARD

WHEREAS, due to the expiration of term on June 30, 2008 of Dr. Dan Steadman as a member of the T. B. Care and Treatment Board, it is advisable to consider an appointment or reappointment to this position; and,

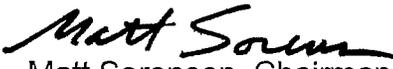
WHEREAS, the Chairman of the County Board, in accordance with the provisions of Illinois Compiled Statutes, Chapter 70, Sec. 920/3 has the responsibility to fill the expiration of a three-year term by appointment or reappointment, with the advice and consent of the County Board, now, therefore,

BE IT RESOLVED that the McLean County Board now in regular session deems it necessary to give its advice and consent to the reappointment of Dr. Dan Steadman, as a member of the T. B. Care and Treatment Board for a term of three years to expire on June 30, 2011 or until a successor shall have been qualified and appointed.

BE IT FURTHER RESOLVED that the County Clerk forward a copy of this resolution of reappointment to Dr. Dan Steadman, and the McLean County Health Department as well as the County Auditor, County Clerk and County Administrator's Office.

Adopted by the County Board of McLean County, Illinois, this 17th day of June, 2008.

APPROVED:


Matt Sorensen, Chairman
McLean County Board

ATTEST:


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

STATE OF ILLINOIS)
)
COUNTY OF McLEAN)

A RESOLUTION FOR APPOINTMENT OF MICHAEL D. STOLLER
AS A TRUSTEE OF THE
GRIDLEY FIRE PROTECTION DISTRICT

WHEREAS, due to the resignation of Stanley Ringger as a Trustee of the Gridley Fire Protection District, it is advisable to consider a reappointment or appointment to this position; and,

WHEREAS, the Chairman of the County Board, in accordance with the provisions of 70 Illinois Compiled Statutes 705/4, has the responsibility to fill the expiration of a three-year term by appointment or reappointment, with the advice and consent of the County Board; now, therefore,

BE IT RESOLVED that the McLean County Board now in regular session deems it necessary to give its advice and consent to the appointment of Michael D. Stoller as a Trustee of the Gridley Fire Protection District to complete a term of three years to expire on April 30, 2009 or until a successor shall have been qualified and appointed.

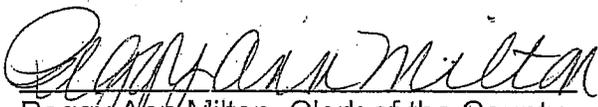
BE IT FURTHER RESOLVED that the County Clerk forward a certified copy of this Resolution of Appointment to Michael D. Stoller, Benjamin Roth, Attorney for the District, the County Auditor, County Clerk and County Administrator's Office.

ADOPTED by the County Board of McLean County, Illinois, this 17th day of June, 2008.

APPROVED:


Matt Sorensen, Chairman
McLean County Board

ATTEST:


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

RESOLUTION OF CONGRATULATIONS

WHEREAS, the McLean County Board wishes to recognize the outstanding performance by the student athletes and the coaches of the Tri-Valley High School Girls' Softball team during the 2008 softball season; and,

WHEREAS, the Tri-Valley High School Girls' Softball team finished the 2008 season with an overall season record of 31 wins and 4 losses; and,

WHEREAS, during the 2008 softball season, the Tri-Valley High School Girls' Softball team placed third in the IHSA Class 1A State Tournament, after winning the Regional, Sectional and Super Sectional titles and winning the Heart of Illinois Conference Tournament; and,

WHEREAS, it is appropriate and fitting for the McLean County Board to recognize and congratulate Head Coach James Adams, Assistant Coaches Brent McCready, Dave Fogel, Jim Suiter, and Randy Page and Team Members Katrina Colclasure, Chelsea Stark, Hannah Sanidas, Tanna Himlhorne, Morgan Lishka, Amanda Erickson, Erin Vogel, Elizabeth Krause, Ashley Reynolds, Kendall Gher, Jessica Johnson, Lauren Kitterman, Cami Wickenhauser, Taylor Dirks, Molly McCready, Anna Fogel, Marie DeWesff and Brook Petersen; now, therefore,

BE IT RESOLVED by the members of the McLean County Board that the student athletes and coaching staff of the Tri-Valley High School Girls' Softball team are to be congratulated on placing third in the IHSA State Tournament and on an outstanding season.

APPROVED by the McLean County Board this 17th day of June, 2008.

ATTEST:


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

APPROVED:


Matt Sorensen, Chairman
McLean County Board

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

EXECUTIVE COMMITTEE :
Member Selzer, Vice-Chairman, presented the following:

**RESOLUTION AMENDING THE TERM AND CONDITIONS
OF THE EMPLOYMENT AGREEMENT WITH THE COUNTY ADMINISTRATOR**

WHEREAS, the County of McLean desires to continue its employment relationship with Mr. John M. Zeunik, County Administrator; and,

WHEREAS, the Executive Committee of the County Board has conducted an annual performance review of the County Administrator and has recommended that the term and conditions of the Employment Agreement between McLean County and Mr. John M. Zeunik be amended; and,

WHEREAS, the Executive Committee of the County Board has further recommended that the County Board authorize and approve a 2% merit increase in the County Administrator's salary; and,

WHEREAS, the Executive Committee of the County Board has further recommended that the County Board authorize and approve a performance bonus payment of \$4,500.00 to the County Administrator; and;

WHEREAS, the Executive Committee of the County Board has further recommended that the County Board authorize and approve the County Administrator's deferred compensation retirement payment in the amount of \$788.45 per pay period; now, therefore,

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

- (1) That the County Board authorizes and approves a 2% merit increase in the County Administrator's salary.
- (2) That the County Board authorizes and approves a performance bonus payment of \$4,500.00 to the County Administrator.
- (3) That the County Board authorizes and approves the County Administrator's deferred compensation retirement payment in the amount of \$788.45 per pay period.
- (4) That the Employment Agreement between McLean County and Mr. John M. Zeunik be amended in accordance with the provisions of this Resolution.
- (5) That the Chairman of the McLean County Board is hereby authorized to sign and execute the Employment Agreement, as amended, between McLean County and Mr. John M. Zeunik.

(2)

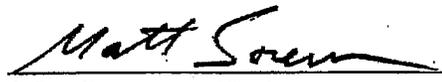
(6) That the County Clerk shall provide a certified copy of this Resolution to Mr. John M. Zeunik, County Administrator, and to the McLean County Board Chairman.

ADOPTED by the McLean County Board this 17th day of June, 2008.

ATTEST:

APPROVED:


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


Matt Sorensen, Chairman
McLean County Board

Members Selzer/Segobiano moved the County Board approve a Request for Approval of Resolution Amending the Term and Conditions of the Employment Agreement with the County Administrator. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Selzer stated the General Report is located on pages 133-142.

TRANSPORTATION COMMITTEE:

Member Hoselton, Chairman, presented the following:



Illinois Department of Transportation

Resolution Appointing County Engineer

WHEREAS, a vacancy will exist in the office of County Engineer in McLean County, Illinois, due to the retirement of the incumbent County Engineer, Mr. John E. Mitchell, which will occur on June 27, 2008, and

WHEREAS, the McLean County Board by resolution dated April 15, 2008, certified the name of one candidate to the Department of Transportation to take the examination for the office of County Engineer, and

WHEREAS, the Department of Transportation by Milton R. Sees, Secretary, certified to the County Clerk of McLean County under date of May 28, 2008, that Mr. Eric S. Schmitt made a satisfactory grade and is eligible for appointment to said office:

NOW THEREFORE, BE IT RESOLVED, by the McLean County Board that Mr. Eric S. Schmitt be, and is hereby appointed, County Engineer for McLean County for a term of six years effective June 28, 2008, and

BE IT FURTHER RESOLVED, by the McLean County Board that the salary of the County Engineer be fixed at a base annual salary rate of \$91,812.03 for the period June 28, 2008 through December 31, 2008, and that the annual salary rate for the subsequent five years will be subject to merit performance review on an annual basis; and that the County Engineer will be entitled to receive any cost-of-living salary adjustments when and if approved by the McLean County Board for all non-collective bargaining unit employees.

BE IT FURTHER RESOLVED, by the McLean County Board that the County Clerk be, and is hereby directed to forward two certified copies of this resolution to the Department of Transportation.

STATE OF ILLINOIS)
COUNTY OF MCLEAN)

APPROVED: [Signature]
Matt Sorensen, Chairman
McLean County Board

I, Peggy Ann Milton, County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the McLean County Board at its regular meeting held at Bloomington, Illinois on June 17, 2008.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Bloomington, Illinois, in said County this 17 day of June, 2008

[Signature]
County Clerk

Members Hoselton/Cavallini moved the County Board approve a Request for Approval of Resolution Appointing Mr. Eric Schmitt as the new County Engineer. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Hoselton, Chairman, presented the following:

RESOLUTION APPROPRIATING MOTOR FUEL TAX FUNDS

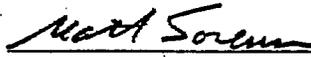
WHEREAS, the County Board of McLean County by resolution dated June 17, 2008, with the consent of the Department of Transportation, appointed Eric S. Schmitt, County Engineer for McLean County for a term of six years effective June 28, 2008, and

WHEREAS, the County Board of McLean County hereby fixes the salary of the County Engineer at \$47,671.63 for June 28, 2008 through December 31, 2008 and his traveling, instruction and schooling and conference expenses are estimated at \$2,600.00 for June 28, 2008 through December 31, 2008.

NOW THEREFORE BE IT RESOLVED by the County Board of McLean County that there be appropriated the sum of Fifty Thousand Two Hundred Seventy-One Dollars and 63/100 (\$50,271.63) from the County's allotment of Motor Fuel Tax Funds for the purpose of paying the salary and expenses of the County Engineer of McLean County from June 28, 2008 through December 31, 2008.

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to transmit two (2) certified copies of this resolution to the Department of Transportation, Springfield, Illinois, through its District Engineer's Office at Paris, Illinois.

Approved by the County Board on June 17, 2008.

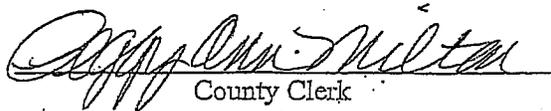

Matt Sorensen, Chairman
McLean County Board

STATE OF ILLINOIS]
] SS
COUNTY OF MCLEAN]

I, Peggy Ann Milton, County Clerk in and for said County, in the State aforesaid and keeper of records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the County Board of McLean County at its monthly meeting held at Bloomington, Illinois on June 17, 2008.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Bloomington, Illinois, in said County this 17th day of June, A.D. 2008.

[SEAL]


County Clerk

Members Hoselton/Dean moved the County Board approve a Request for Approval of a Resolution Appropriating Motor Fuel Tax Funds for the salary, travel and Conference expenses for the new County Engineer. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Hoselton, Chairman, presented the following:

MCLEAN County

FAU Route 6431 and
FAS Route 578 (CH 29)
COUNTY Section 05-00071-04-RS
County McLean
Job No. C-95-072-07
Agreement No. JN 508020
Contract No. 70692

AGREEMENT

This agreement entered into this _____ day of _____, A.D., 20____, by and between the STATE OF ILLINOIS, acting by and through its DEPARTMENT OF TRANSPORTATION hereinafter called the STATE, and the County of McLean, of the State of Illinois, hereinafter called the COUNTY.

WITNESSETH:

WHEREAS, the COUNTY in order to facilitate the free flow of traffic and insure safety to the motoring public, is desirous of improving approximately 4,115 feet of CH Route 29, COUNTY Section 05-00071-04-RS by Patching, resurfacing and by performing all other work necessary to complete the improvement in accordance with the approved plans and specifications; and

WHEREAS, the COUNTY is desirous of said improvement in that same will be of immediate benefit to the COUNTY residents and permanent in nature;

WHEREAS, the COUNTY will retain all jurisdiction and maintenance responsibilities for the above mentioned improvement;

WHEREAS, the COUNTY will submit all plans and special provisions for approval by the STATE for this improvement;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. The County agrees to make the surveys, obtain all necessary rights-of-way, prepare plans and specifications, receive bids and award the contract, furnish engineering inspection during construction and cause the improvement to be built in accordance with the plans, specifications and contract.
2. The COUNTY agrees to pay for all right-of-way, construction and engineering costs, subject to reimbursement by the (CITY, VILLAGE, COUNTY, TOWNSHIP) as hereinafter stipulated.
3. The State will reimburse the COUNTY a maximum of \$296,000 to there MFT account for the fore mentioned project.
4. The COUNTY will submit an invoice for the funds after a contract has been let and awarded.

5. The COUNTY has passed a resolution stating the County retains all jurisdiction and maintenance responsibilities for :
 - A. FAS 478 and FAU 6431 at Towanda- from the north edge of pavement of US Route 66 (FAU 6348) northerly for approximately 4,115 feet; this include 0.1 mile of FAS 478 and 0.68 mile of FAU 6431 in its entirety.
 - B. FAU 6434 and FAS 1479 at Shirley- from the east edge of pavement of US Route 66 (FAU 6383) east for approximately 4,282 feet; this includes 0.42 mile FAU 6434 and 0.39 mile of FAS 1479 in its entirety.
6. The COUNTY shall maintain, for a minimum of 5 years after the completion of the Project, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements of funds passing in conjunction with this Agreement. All books, records, and supporting documents related to the Project shall be available for review and audit by the Auditor General and other State auditors and the COUNTY agrees to cooperate fully with an audit conducted by the Auditor General and other State Auditors and to provide full access to all relevant materials. Failure to maintain the books, records, and supporting documents required by this paragraph shall establish a presumption in favor of the STATE for the recovery of any funds paid by the STATE under this Agreement for which adequate books, records, and supporting documentation are not available to support their purported disbursement.
7. The COUNTY agrees to comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and non-discrimination regulations required by the Illinois Department of Transportation.
8. The COUNTY agrees to perform snow removal on the structures over FAI 55 at Towanda (Structure #057-0162) and Shirley (Structure #057-0161).
9. The State Agrees to retain Jurisdiction of both the aforementioned Structures over FAI 55.
10. The COUNTY subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Agreement. The COUNTY shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the COUNTY to carry out these requirements is a material breach of this Agreement, which may result in termination of this Agreement or such other remedy as deemed appropriate.
20. The STATE agrees to provide written approval of that portion of the plans and specifications relative to the STATE financial and maintenance obligations described herein, prior to the COUNTY advertising for the aforescribed proposed improvement.
21. The COUNTY agrees that in the event any work is performed by other than COUNTY forces, the provisions of "an act regulating wages of laborers, mechanics and other workers employed in public works by the State, County, or any public body or any political subdivision or by any one under contract for public works" (Illinois Compiled Statutes, 820 ILCS 130/1) shall apply.

22. UNDER PENALTIES OF PERJURY, the COUNTY certifies that _____ is their correct Federal Taxpayer Identification Number and they are doing business as a governmental entity.
23. Obligations of the STATE and COUNTY will cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or Federal funding source fails to appropriate or otherwise make available funds for this Agreement.
24. This AGREEMENT and the covenants contained herein shall be null and void in the event the contract covering the construction work contemplated herein is not awarded within the three years subsequent to execution of the agreement.

This agreement shall be binding upon and to the benefit of the parties hereto, their successors and assigns.

_____ of _____

By: _____

TITLE: _____

Date: _____

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: _____

Milton R. Sees
Secretary of Transportation

Date: _____

By: _____

Ann L. Schneider
Director – Finance & Administration

Date: _____

By: _____

Christine M. Reed, P.E.
Director – Division of Highways
Chief Engineer

Date: _____

By: _____

Ellen J. Schanzle-Haskins
Chief Counsel

Date: _____



Location Map Towanda Interchange

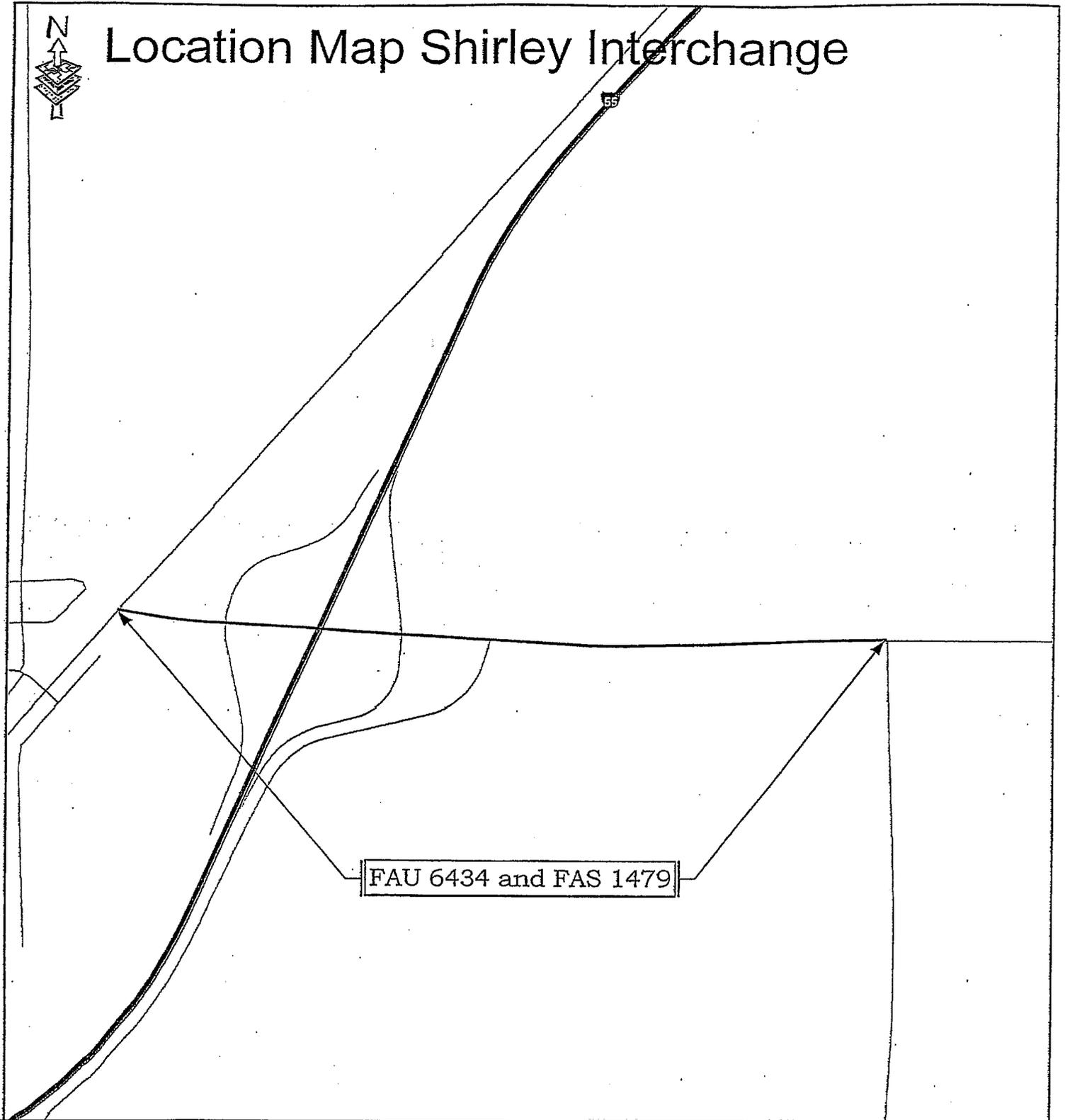
FAS 478 and FAU 6431

55

TOWANDA



Location Map Shirley Interchange



Members Hoselton/Bostic moved the County Board approve a Request for Approval of Joint Agreement between the Illinois Department of Transportation and the County of McLean - Sec 05-0071-04-RS - Towanda Overpass. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Hoselton stated the General Report is located on pages 150-155.

FINANCE COMMITTEE:

Member Selzer, Chairman, presented the following:

Illinois Department of Transportation

State Fiscal Year 2008

Section 5311 Non-Metro Public Transportation

**Operating Assistance Grant Application
and**

**Intercity Bus Grant Application
Revision to Add Downstate Operating Assistance**

Submitted By

McLean County

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| Exhibit A | Standard Form 424 (Electronic versions – see separate file) |
| Exhibit B | Proposed FY 2008 Budget (Electronic versions – see separate file) |
| Exhibit C | Standard Certifications and Assurances |
| Exhibit D | Sample Board Resolution |
| Exhibit E | Special Section 5333(B) Warranty For Application To The Small Urban And Rural Program |
| Exhibit F | IDOT Chart of Accounts for the Section 5311 Program Expense Account Definitions |
| Exhibit G | Applicant's Certification of Intent |
| Exhibit H | Sample Ordinance |
| Exhibit I | Non-Vehicle Capital Asset Inventory (Electronic versions – see separate file) |
| Exhibit J | Vehicle Asset Inventory (Electronic versions – see separate file) |
| Exhibit K | Year End NTD Operating Data Report for FY 07 |

I. Introduction

The United States Department of Transportation, Federal Transit Administration provides federal financial assistance funds for public transportation in nonurbanized areas (Section 5311 Non-Metro Public Transportation Program -- formerly Section 18). The Federal Transit Administration (FTA), on behalf of the Secretary of Transportation, apportions the funds appropriated annually to the Governor of each state for public transportation projects in nonurbanized areas. The statutory formula is based solely on the nonurbanized population of the states. Each state prepares an annual program of projects, which must provide for fair and equitable distribution of funds within the states, including Indian reservations, and must provide for maximum feasible coordination with transportation services assisted by other Federal sources. Article III of the Downstate Public Transportation Act (30 ILCS 740/2-1 et seq., formerly Ill. Rev. Stat. ch. 111 2/3, Section. 661 et seq.) authorizes the Illinois Department of Transportation to receive and expend Section 5311 funds allotted to Illinois.

The goals of the nonurbanized formula program are: to enhance the access of people in nonurbanized areas to health care, shopping, education, employment, public services and recreation; to assist in the maintenance, development, improvement, and use of public transportation systems in rural and small urban areas; to encourage and facilitate the most efficient use of all Federal funds used to provide passenger transportation in nonurbanized areas through the coordination of programs and services; to assist in the development and support of intercity bus transportation; and to provide for the participation of private transportation providers in nonurbanized transportation to the maximum extent feasible.

Prospective applicants are advised that the Department has published administrative regulations for the Illinois Section 5311 program under Part 601 of the Illinois Department of Transportation Rules and Regulations entitled "Regulations for Public Transportation Assistance to New Programs in Nonurbanized Areas." These regulations, which prescribe procedures and requirements to be followed by applicants for Section 5311 funding, should be carefully reviewed prior to an applicant's submission of a Section 5311 Application. In order to be considered for funding, prospective grantees must submit a fully completed application (Sections I – VIII and Section X for Rural General Public Operating Assistance and Sections IX for Intercity Bus Assistance).

To assist applicants ensure that applications packages are complete, an "Application Checklist" in this section has been provided. **Applicants must complete and submit this completed checklist in their application package.**

Section 5311 Non-Metro Operating Assistance Grant Application Checklist

(Must be completed and submitted with Application.)

1. Non-Metro Operating Assistance Grant Application Checklist
2. Completed Copy of Standard Form 424 (Exhibit A)
3. Operating Entity Certification (One for each operator)
4. Executed Agreement to Terms and Conditions of Special Warranty (Exhibit E)
5. Fully Completed Proposed FY 2008 Budget (Exhibit B)
6. Applicant's Certificate of Intent (Exhibit G)
7. Executed Resolution of the Governing Board (Exhibit D)
8. Executed County Ordinance to Operate a Public Transit Project (Exhibit H)
9. Executed Certifications and Assurances for Grantees (Exhibit C)
10. Executed Affirmation of Applicant's Attorney (Contained in Exhibit C)
11. Fully completed Non-Vehicle Capital Asset Inventory (Exhibit I)
12. Fully completed Vehicle Asset Inventory (Exhibit J)
13. Maps of the service area (Attachment I)
14. Copies of Material Documenting Private Sector Effort (Attachment II)
15. Grantee/Operator Organization Charts (Attachment III)
16. Indirect Costs Rate Proposal (Attachment IV)
17. Copy of Most Recent Audit (Attachment V)

Comments

All costs are direct costs. Therefore, a cost allocation plan is not being submitted.

III. Description of the Project

A. Mode of Service

In the sections below, specify the service mode for each operator in the project. If you are unsure about what mode of service a particular operator provides, refer to the definitions at the end of this section. Service definitions are based on those provided in the Americans with Disabilities Act regulations (49 CFR part 37) and will determine the statutory service obligations of the grantee/operator.

Operator 1 (Check all that apply)

SHOW BUS

- Fixed route
- Demand response
- Route deviation
- Commuter routes

Operator 2 (Check all that apply)

[Type Operator Name Here]

- Fixed route
- Demand response
- Route deviation
- Commuter routes

Operator 3 (Check all that apply)

[Type Operator Name Here]

- Fixed route
- Demand response
- Route deviation
- Commuter routes

Operator 4 (Check all that apply)

[Type Operator Name Here]

- Fixed route
- Demand response
- Route deviation
- Commuter routes

Definitions:

Fixed route system means a system of transporting individuals (other than by aircraft), including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including, but not limited to, specified public transportation service, on which a vehicle is operated along a prescribed route according to a fixed schedule.

Demand responsive system means any system of transporting individuals, including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including but not limited to specified public transportation service, which is not a fixed route system.

Route deviation system means a system of transporting individuals (other than by aircraft), including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including, but not limited to, specified public transportation service, on which a vehicle is operated along a prescribed route according to a fixed schedule where the system permits user-initiated deviations of vehicles from the prescribed routes.

Commuter bus service means fixed route bus service, characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other service, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.

B. System Service Area

1. Core Service Area

In the space below, please identify the geographic area that is to be served by this Section 5311 grant. The core service area is defined as the **geographic area in which Section 5311 service is provided by this grant, as supported by the grantees Board Resolution and any Intergovernmental Agreements with other governmental entities.** The service area does not include areas served through incidental services such as charter services or extended commuter routes.

| <u>County Served</u> | <u>Square Mileage</u> | <u>Population</u> |
|--------------------------|-----------------------|---------------------|
| Ford | 468 | 14,241 |
| Iroquois | 1,120 | 31,334 |
| Livingston | 1,043 | 39,678 |
| McLean (rural area only) | 1,184 | 40,249 (rural only) |
| DeWitt | 398 | 16,768 |

If existing maps are available, that show the dimensions of the geographic service area, please attach to the application. If no existing maps are available, please draw a reasonable representation of the service area that clearly shows geographic limits of the service area. Please indicate on the map the street or road names where service is provided. The map does not need to be an exact or official representation; rather, it is mainly intended to convey the project service area. Include this information as Attachment I to the application.

2. Services Provided Outside the Core Service Area

Since the goal of Section 5311 is to enhance access of people living in nonurbanized areas to activities, Section 5311 projects may include transportation to and from urbanized areas or provide services to other destinations that extend beyond the core service. In this section, list the extended services operated outside the core service area. Examples of such routes would be regularly or periodic shopping trips to an urban center, services provided to regional medical facilities under a contract to a human service agency, or similar service.

In the table below, list or describe the services provided by the project that meet the criterion above for periodic or regularly scheduled services provided outside the core service area. **Note: Do not include charter services in this section. Services provided to destinations located outside Illinois should be addressed in Section III.B.3.**

Example:

Extended Service Provided

Frequency

Shopping Trip to Springfield

Every 3rd Tuesday

| <u>Extended Service Provided</u> | <u>Frequency</u> |
|---|--|
| Iroquois to Kankakee County (primarily dialysis transport to units in Kankakee County) | Three times a week |
| Iroquois County to Champaign (service primarily medical) | Every Tuesday |
| Ford County to Champaign (service primarily medical) | 2 nd and 4 th Monday |
| DeWitt County to Champaign and Macon County | Varied |
| Special medical service in all counties will not be limited to destinations within the service area | |
| | |
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Note: Use additional pages if necessary.

3. Services Provided to Out-of-State Destinations

The services provided by a Section 5311 project may include destinations across a state line. Operators of interstate service are required to register with the Federal Motor Carrier Safety Administration (FMCSA). Projects that provide service to out-of-state destinations on a regular, periodic, or even an infrequent basis must notify IDOT for additional guidance.

Each project must complete this section of the application. You must check one of the following boxes:

- This project operates regular or special transit service to out-of-state destinations on a regular, periodic, or infrequent basis.
- This project never operates regular or special service to out-of-state destinations.

C. Proposed Service Levels

1. Passenger Trips

In this section, project the total number of passenger trips to be provided under the project by all operators of public transportation services: For purposes of completing this section, "Trip" is defined as a one-way trip by a transit vehicle in revenue service starting at one point of a route and ending at another point. A round trip is counted as two separate trips. Transfers (if applicable), are counted separately and should not be reported here.

Projected number of total system (all operators) passenger trips: 80,000

If there is more than one operator of public transit services under the project, provide the number of projected total passenger trips by operator. In completing this table, IDOT notes that operators may be engaged in other, non-public transit services that are not eligible for reimbursement under the project. Operators should identify total passenger trips and trips to be operated in public transit service in accordance with the project service plan:

| Operator | Total Number of Passenger Trips Provided by Operator |
|----------|--|
| SHOW BUS | 80,000 |
| | |
| | |
| | |
| | |

2. Vehicle Miles & Peak Vehicle Use

In this section, project the total number of vehicle miles to be provided under the project by all operators of public transportation services:

Projected number of total system (all operators) vehicle miles : 600,000

If there is more than one operator of public transit services under the project, provide the number of projected total vehicle miles by operator. In completing this table, IDOT notes that operators may be engaged in other, non-public transit services that are not eligible for reimbursement under the project. Operators should identify total mileage and mileage to be operated in public transit service in accordance with the project service plan:

| Operator | Total Number of Vehicle Miles Provided by Operator |
|----------|--|
| SHOW BUS | <u>600,000</u> |
| | |
| | |
| | |
| | |

In this section, project the total number of Peak Vehicles. Peak Vehicles is calculated by determining the maximum number of vehicles needed for any given service hour for all operators of public transportation services, in any given day:

Projected number of total system (all operators) Peak Vehicles: 22

3. Intercity Bus Service

Intercity bus service miles (estimated) 108,000

4. Charter Services

Charter Service means transportation using buses or vans, or facilities funded by the Federal Transit Administration of a group of persons who pursuant to a common purpose, under a single contract, at a fixed charge (in accordance with the carrier's tariff) for the vehicle or service, have acquired the exclusive use of

C. Operating Entity Certification

For each proposed operator(s) please provide a fully completed and executed copy of the following (*this document should be completed and signed by the operator, if different from the grantee/applicant*):

Robert O. Bertsche hereby certifies that
(Name of Authorized Official)

Meadows Mennonite Retirement Community, d/b/a SHOW BUS is organized as :
(Name of Operator Agency)

(Check one)

- | | |
|--|---|
| <input type="checkbox"/> An individual | <input type="checkbox"/> a partnership |
| <input checked="" type="checkbox"/> A private non-profit | <input type="checkbox"/> a private for-profit |
| <input type="checkbox"/> A municipal corporation | <input type="checkbox"/> other |

And that Meadows Mennonite Retirement Community, d/b/a SHOW BUS's
(Name of operator)

Federal Employer's Identification Number

is 37-0791831.

Robert O. Bertsche
Officer or Official Signature

CEO, Meadows Mennonite Retirement Community, d/b/a SHOW BUS
Title

6/5/08
Date

D. Grantee Contact Person

Please list the Grantee's contact person responsible for project and financial oversight:

Name: Michael Behary

Title: Grant Project Manager for McLean County

Phone: 309-888-5160

Fax Number: 309-888-5768

E-Mail: mike.behary@mcleancountyil.gov

E. Operator Contact Person(s)

Please list the Operator's contact person(s) responsible for project and financial management:

| Operator | Contact Name | Title | Phone | E-Mail |
|-----------------|---------------------|--------------|--------------|----------------------------|
| SHOW BUS | Laura Dick | Director | 309-747-2454 | <u>showbus@gridcom.net</u> |

F. Lower Tier Relationship Between Grantee and Operator

There are two circumstances when a grantee can enter into a lower tier relationship with a third party to deliver Section 5311 services. First, a grantee follows either state (under the common rule) or Federal procedures outlined in FTA Circular 4220.1D to competitively secure the services of a contractor (using micro purchase, small purchase, Invitation for Bid (IFB), or Request For Proposal procedures (RFP)) to deliver all or some component of Section 5311 services. Second, a state may elect to grant Section 5311 funds to a subrecipient through an intermediary subrecipient, a practice expressly permitted pursuant to FTA Circular 9040.1E, Chapter IV, paragraph 3. FTA uses the example of a state that might pass funds to a nonprofit organization through a local public body. FTA notes that this type of arrangement is not a third party contract.

V. Other Transportation Services

FTA encourages IDOT to work with their counterparts at state human service agencies, to participate with other states in regional initiatives, and to assist local recipients and subrecipients of Sections 5307, 5310, or 5311 funds to participate in coordinated systems at the local level, along with recipients of funds from the programs of DHHS and other Federal and state programs. Section 5311, RTAP, and Federal transportation planning funds provided to the state may be used in various ways to support eligible activities related to the development and administration of coordinated activities at the state and local level.

The FTA program circular for the Section 5311 program requires that a project application describe how FTA assisted services are or will be coordinated with social service agencies and private transportation providers in the service area. Additionally, TEA-21 includes a new requirement for local governmental agencies and nonprofit organizations that receive assistance from Federal sources other than the FTA for non-emergency transportation services. To the extent feasible these agencies are now required to participate and coordinate with recipients of assistance from FTA in the design and delivery of transportation services. They must be included in the planning for those services.

In developing an annual program of projects, IDOT is obligated to ensure that a fair and equitable distribution of funds of Section 5311 funds has been achieved within the states, including Indian reservations, and that projects must provide for maximum feasible coordination with transportation services assisted by other Federal sources.

In this section, applicants must identify other passenger transportation services (e.g., service provided by other than the operators who will provide service under the project) available in the service area, both public and private.

A. Coordination with Other Human Service Agencies and Programs

In this section, provide a general narrative of coordination activity by the project with other entities that receive Federal assistance that may also provide passenger transportation.

SHOW BUS participates in McLean County's Transportation Advisory Council which meets monthly and includes representatives from the following entities, some of which may receive Federal assistance for passenger transportation: Bloomington-Normal Public Transit System, Illinois Department of Human Services, Life Center for Independent Living (LIFE-CIL), Faith in Action, McLean County Regional Planning Commission, McLean County Chamber of Commerce, East Central Illinois Area Agency on Aging (ECIAAA) and YWCA. The council explores transportation needs, emphasizing coordination of services and review of any transportation gaps.

In Livingston County, **SHOW BUS** participates in a Transportation Committee hosted by LIFE-CIL. The committee has similar aims as the above described council and involves representatives from the local hospital (St. James), Livingston Public Health Department, LIFE-CIL, Futures and Mosaic (two entities serving individuals with

disabilities), Institute for Human Resources (a mental health center), local taxi services and local governmental representatives. Some of these entities may receive Federal assistance for passenger transportation.

In DeWitt County, SHOW BUS will participate in the ongoing planning strategies as directed by the "ICCT" process as overseen by the Illinois Rural Transportation Assistance Center (IRTAC). In addition, SHOW BUS will promote the establishment of a local transportation committee composed of entities similar to those participating on the local Livingston County and McLean County committees.

SHOW BUS also participates in the United Way of McLean County's Executive Council, which is made up of executives from thirty area social service agencies, some of which may receive Federal transportation assistance for passenger transportation.

SHOW BUS also participates in transportation related organizations that encompass areas wider than the five county area. They include ECIAAA, Illinois Public Transportation Association (IPTA), and Illinois Rural Transit Assistance Center (IRTAC).

B. Effort to Involve the Private Sector in Public Transit Service Delivery

Section 5323(a)(1) of the Federal Mass Transit Act of 1964, as amended, requires that FTA funded projects "to the maximum extent feasible" provide for "the participation of private mass transportation companies." While FTA no longer prescribes a particular private sector participation process, the basic requirement still stands.

Describe the project's efforts to involve the private sector below.

Please see the attached list and letters sent out.

Attach copies of requests for proposals, letters, meeting minutes, comments received and proceedings held relating to these requirements as Attachment II to the application.

B. Operator Organization and Level of Human Resource Effort

In this section, provide a description of the level of effort that will be provided by each operator providing service in the project. List the staff positions, by job title, in the following table. List both personnel whose time will be charged to the project, either as a direct or indirect expense by typing "Direct" or "Indirect" in the second column. Also list if the position will be charged to the Administrative category ("Admin") or the Operating category ("Op"). Finally, list the approximate or estimated number of staff, expressed in terms of Full-Time Equivalents (FTEs) in the last column.

Submit one table for each operator.

Operator's Proposed Transportation Employee Utilization: FY 2008

Operator: SHOW BUS

| Job Title | Direct or Indirect Staff Position | Administration or Operating? (Admin or Op) | Estimated Full-Time Equivalents (FTEs) |
|-------------------------------|-----------------------------------|--|--|
| <u>Director</u> | <u>Direct</u> | <u>Admin</u> | <u>1.0</u> |
| <u>Office Mgr./Bookkeeper</u> | <u>Direct</u> | <u>Admin</u> | <u>1.5</u> |
| <u>Clerical</u> | <u>Direct</u> | <u>Admin</u> | <u>3.5</u> |
| <u>Dispatch</u> | <u>Direct</u> | <u>Op</u> | <u>1</u> |
| <u>Drivers</u> | <u>Direct</u> | <u>Op</u> | <u>17.5</u> |

For each operator, submit with this application an organization chart showing all functional divisions of the entity with a detailed organizational breakdown of the transportation unit as Attachment III.

C. Project Revenue

Detail all non-IDOT contracts, grants and non-passenger donations (including in-kind) to be used in the provision of Section 5311 Transportation Service: (attach additional pages if necessary)

Note: All program contract income from for-profit agencies must be recorded as Section 5311 program revenue and not used as local match.

| Contract or Revenue Source | Total Contract Amount | Expected Revenue for the Section 5311 Program |
|-------------------------------------|--------------------------|---|
| <u>Agency Contracts</u> | <u>\$183,000</u> | <u>\$183,000</u> |
| <u>Local Government</u> | <u>\$50,750</u> | <u>\$50,750</u> |
| <u>United Way, Contributed Cash</u> | <u>\$79,786</u> | <u>\$79,786</u> |
| State Funds through DOAP | \$752,227 | \$752,227 |

| | | |
|---------------|-------------------------------|-------------------------------|
| TOTALS | <u>\$ 1,065,763.00</u> | <u>\$ 1,065,763.00</u> |
|---------------|-------------------------------|-------------------------------|

D. Fare Structure

Please describe your proposed fare structure by passenger category, (e.g., adult, senior, disabled, student, child or other) and include or attach a copy of fare structure. Please make note of any multi-ride pass books, tickets etc. and the associated costs to purchase by consumers.

ALL COUNTIES BUT IROQUOIS:

Senior and Adult \$5 Round Trip Base Fare, travel within one county (slightly lower if travel is within a municipality), \$7 Round Trip Base Fare, travel beyond one county, \$14.52+ Special Service Round Trip (SSRT). A portion of senior fares is reported to Area Agency on Aging vs. IDOT. The fare is not mandatory for seniors in McLean, Livingston, Ford and DeWitt.

IROQUOIS COUNTY

Adult \$3.50+ Round Trip Base Fare, \$14.52+ SSRT-Iroquois County
 Child Sliding Scale
 No multi ride discounts

Estimated Intercity Bus Project Financing

FY 2008 Mileage Share Calculation

| | | |
|----|--|--------------------|
| A. | Projected Total Section 5311 Program Mileage | <u>D600,000</u> |
| B. | Projected Total Intercity Bus Mileage | <u>E108,000</u> |
| C. | Percentage Intercity Bus (E divided by D) | <u>F18%</u> |
| G. | Total Section 5311 Operating Assistance (50% of deficit) | <u>\$135,015</u> |
| H. | Intercity Bus Operating Component (F x G) | <u>\$24,302</u> |
| I. | Total Section 5311 Adm. Assistance (80% of cost maximum) | <u>\$230,415</u> |
| J. | Intercity Bus Administrative Component (F x I) | <u>\$41,475</u> |
| K. | Total Local Share (total non FTA/IDOT funds) | <u>\$1,167,947</u> |
| L. | Total Intercity Bus Component (H + J) | <u>\$65,777</u> |
| M. | Total Non Intercity Bus (G+I-L) | <u>\$299,653</u> |
| | Total Program Cost (K+ L+ M) | <u>\$1,533,377</u> |

Attachment to Page 30

Detailed Description of Proposed Intercity Bus Service. For existing service, the applicant must submit a printed schedule or timetable for intercity bus service.

SHOW BUS will provide intercity bus service to passengers of all ages according to the following schedule. Passengers will be picked up at a central community location or at their homes. They may access the service by calling 800-525-2454.

FORD COUNTY

Monday (2nd and 4th of the month)

9:50 Paxton to Champaign/Urbana

2:30 Champaign/Urbana to Paxton

Wednesday (2nd and 4th of the month)

9:00 Paxton and Gibson City to Bloomington/Normal

2:30 Bloomington/Normal to Paxton and Gibson City

Thursday

9:30 Gibson City to Paxton

11:00 Paxton to Gibson City

1:45 Gibson City to Paxton

3:15 Paxton to Gibson City

LIVINGSTON COUNTY

Monday

9:15 Fairbury to Bloomington/Normal

3:15 Bloomington/Normal to Fairbury

Wednesday

8:30 Dwight to Bloomington/Normal

2:30 Bloomington/Normal to Dwight

Friday

9:00 Pontiac to Bloomington/Normal

3:15 Bloomington/Normal to Pontiac

MCLEAN COUNTY

Monday, Wednesday and Friday

9:30 Chenoa and Lexington to Bloomington/Normal

2:30 Bloomington/Normal to Chenoa and Lexington

Tuesday

9:30 LeRoy to Bloomington/Normal

2:30 Bloomington/Normal to LeRoy

Friday (2nd and 4th of the month)

9:30 Heyworth to Bloomington/Normal

2:30 Bloomington/Normal to Heyworth

IROQUOIS COUNTY

Monday, Wednesday and Friday

8:15 Watseka to Kankakee

3:15 Kankakee to Watseka

Tuesday

8:30 Watseka to Champaign/Urbana

2:30 Champaign/Urbana to Watseka

DEWITT COUNTY

Monday through Friday

7:00-9:00 Farmer City to Clinton

3:00 Clinton to Farmer City

Monday

9:45 Clinton and Farmer City to Champaign/Urbana

2:30 Champaign/Urbana to Farmer City and Clinton

Tuesday

8:30 Farmer City to Bloomington/Normal

Tuesday and Thursday

9:45 Clinton to Bloomington/Normal

2:15 Bloomington/Normal to Clinton

Wednesday and Friday

9:45 Clinton to Decatur

2:15 Decatur to Clinton

**APPLICATION FOR
FEDERAL ASSISTANCE**

| | | | |
|--|--|--|-------------------------------------|
| | | 2. DATE SUBMITTED | Applicant Identifier |
| 1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction | Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction | 3. DATE RECEIVED BY STATE | State Applicant Identifier |
| | | 4. DATE RECEIVED BY FEDERAL AGENCY | Federal Identifier |
| 5. APPLICANT INFORMATION | | | |
| Legal Name: McLean County | | Organizational Unit: | |
| Address (give city, county, State and zip code): McLean County Law & Justice Center 104 W Front Street; POBox 2400 Bloomington, IL 61702-2400 | | Name and telephone number of person to be contacted on matters involving this application (give area code) Mike Behary 309-888-5160 | |
| 6. EMPLOYER IDENTIFICATION NUMBER (EIN): 37-6001569 | | 7. TYPE OF APPLICANT: (enter appropriate letter) <u>B</u> | |
| 8. TYPE OF APPLICATION: _ New _ Continuation X Revision If Revision, enter appropriate letter(s) A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (Specify): To reflect addition of state funding A (the below amount includes original grant + increase | | A. State H. Independent School District B. County I. State Controlled Institution of Higher Learning C. Municipal J. Private University D. Township K. Indian Tribe E. Interstate L. Individual F. Intermunicipal M. Profit Organizer G. Special District N. Other (Specify) _____ | |
| 10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: Section 5311 <u>20 - 509</u> TITLE: Operating Assistance Program | | 9. NAME OF FEDERAL AGENCY: Federal Transit Administration | |
| 12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Non-urbanized counties and cities in the downstate Illinois area. | | 11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Public transportation operating assistance grant program for the non-urbanized areas of the State of Illinois and a grant for the Rural Public Transportation Assistance Program. | |
| 13. PROPOSED PROJECT | 14. CONGRESSIONAL DISTRICTS OF: | | |
| Start Date Ending Date 7/1/2007 to 6/30/2008 | a. Applicant Johnson, Weller | b. Project Johnson, Weller | |
| 15. ESTIMATED FUNDING: | | 16. IS APPLICANT SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? | |
| a. Federal | \$ 365,430.00 | a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE <u>6/17</u> 17-Jun-08 b. NO. <u> </u> PROGRAM IS NOT COVERED BY E. O. 12372 <u> </u> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW | |
| b. Applicant | \$ | | |
| c. State | \$ 752,227 | | |
| d. Local | \$ 313,536.00 | | |
| e. Other | \$ | | |
| f. Program Income | \$ 102,184.00 | | |
| g. TOTAL | \$ 1,533,377.00 | | |
| | | 17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <u> </u> Yes If "Yes," attach an explanation <u> X </u> No | |
| 18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED. | | | |
| a. Type Name of Authorized Representative Matt Sorensen | | b. Title Chairman, McLean County Board | c. Telephone Number 309-888-5110 |
| d. Signature of Authorized Representative  | | e. Date Signed 6.17.2008 | |

**APPLICATION FOR
FEDERAL ASSISTANCE**

| | | | |
|---|--|------------------------------------|----------------------------|
| 1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction | Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction | 2. DATE SUBMITTED | Applicant Identifier |
| | | 3. DATE RECEIVED BY STATE | State Applicant Identifier |
| | | 4. DATE RECEIVED BY FEDERAL AGENCY | Federal Identifier |

5. APPLICANT INFORMATION

| | |
|--|--|
| Legal Name: McLean County | Organizational Unit: |
| Address (give city, county, State and zip code): McLean County Law & Justice Center 115 E Washington Street, PO Box 2400 Bloomington, IL 61702-2400 | Name and telephone number of person to be contacted on matters involving this application (give area code) Mike Behary 309-888-5160 |

| | |
|---|--|
| 6. EMPLOYER IDENTIFICATION NUMBER (EIN): <u>37-6001569</u> | 7. TYPE OF APPLICANT: (enter appropriate letter) <u>B</u> |
|---|--|

| | | |
|--|---|--|
| 8. TYPE OF APPLICATION: _ New _ Continuation X Revision | A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District | H. Independent School District I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organizer N. Other (Specify) _____ |
| If Revision, enter appropriate letter(s) A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (Specify): To reflect addition of state funding | | |
| <u>A</u> (the below amount includes original grant + increase) | | |

| | |
|--|--|
| 10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: Section 5311 <u>20-509</u> | 9. NAME OF FEDERAL AGENCY: Federal Transit Administration |
|--|--|

| | |
|--|--|
| 12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Non-urbanized counties and cities in the downstate Illinois area. | 11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Public transportation operating assistance grant program for the non-urbanized areas of the State of Illinois and a grant for the Rural Public Transportation Assistance Program. |
|--|--|

| | |
|----------------------|---------------------------------|
| 13. PROPOSED PROJECT | 14. CONGRESSIONAL DISTRICTS OF: |
|----------------------|---------------------------------|

| | | |
|---|---------------------------------|-------------------------------|
| Start Date Ending Date 7/1/2007 to 6/30/2008 | a. Applicant Johnson, Weller | b. Project Johnson, Weller |
|---|---------------------------------|-------------------------------|

| | |
|---------------------------------|--|
| 15. ESTIMATED FUNDING: | 16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? |
| a. Federal \$ 365,430.00 | a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE <u>1</u> 17-Jun-08 b. NO. ___ PROGRAM IS NOT COVERED BY E. O. 12372 ___ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW |
| b. Applicant \$ | |
| c. State \$ 752,227 | |
| d. Local \$ 313,536.00 | |
| e. Other \$ | |
| f. Program Income \$ 102,184.00 | |
| g. TOTAL \$ 1,533,377.00 | 17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? ___ Yes If "Yes," attach an explanation <u>X</u> No |

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

| | | |
|--|---|-------------------------------------|
| a. Type Name of Authorized Representative Matt Sorensen | b. Title Chairman, McLean County Board | c. Telephone Number 309-888-5110 |
| d. Signature of Authorized Representative | | e. Date Signed |

NOTE: ONLY ENTER DATA IN HIGHLIGHTED CELLS

GRANTEE: **MCLEAN COUNTY**

Exhibit B

Note: Only enter data in highlighted cells

FINANCIAL DATA
PROPOSED

FY 2008 BUDGET

REVENUES:

| Item | Description | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | PROJECT INCOME (Proposed) | LOCAL MATCH (Proposed) |
|---------------------------------|-------------------------------------|---|--|--------------------------------------|-----------------------------------|
| 401.01 | Full Adult Fare | \$38,031 | \$38,031 | \$38,031 | |
| 401.02 | Senior Citizen Fares | 64,153 | 64,153 | 64,153 | |
| 401.03 | Student Fares | | 0 | | |
| 401.04 | Child Fares | | 0 | | |
| 401.05 | Disabled Rider Fares | | 0 | | |
| 401.06 | Parking Lot Fares | | 0 | | |
| 401.99 | Other Rider Fares | | 0 | | |
| 402.00 | Special Transit Fares | 183,000 | 183,000 | | 183,000 |
| 403.00 | School Bus Service | | 0 | | |
| 404.00 | Freight Tariffs | | 0 | | |
| 405.00 | Charter Service Revenues | | 0 | | |
| 406.00 | Auxiliary Revenues | | 0 | | |
| 407.01 | Sales of Maintenance Service | | 0 | | |
| 407.02 | Rental of Revenue Vehicles | | 0 | | |
| 407.03 | Rental of Buildings & Property | | 0 | | |
| 407.99 | Other Non-transportation Revenue | | 0 | | |
| 408.00 | Taxes Levied by Transit System | | 0 | | |
| 409.00 | Local Cash Grants | 50,750 | 50,750 | | 50,750 |
| 410.01 | Local Disabled Fare Assistance | | 0 | | |
| 410.02 | Local Senior Fare Assistance | | 0 | | |
| 410.03 | Local Student Fare Assistance | | 0 | | |
| 410.99 | Other Local Special Fare Assistance | | 0 | | |
| 411.00 | State Cash Grants | 752,227 | 752,227 | | 752,227 |
| 412.00 | State Special Fare Assistance | | 0 | | |
| 413.00 | Federal Cash Grants (Section 18) | 365,430 | 0 | | |
| 413.99 | Other Federal Financial Assistance | | 0 | | |
| 414.00 | Interest Income | | 0 | | |
| 430.01 | Contributed Services - Allowable | | 0 | | |
| 430.03 | Contributed Services - Unallowable | | | | |
| 430.04 | Contra Account for 430.03 | | | | |
| 431.00 | Contributed Cash | 79,786 | 79,786 | | 79,786 |
| 440.00 | Subsidy From Other Sources | | 0 | | |
| | | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | PROJECT INCOME (Proposed) | LOCAL MATCH (Proposed) |
| (Exclude grey areas from total) | | \$1,167,947 | \$1,167,947 | \$102,184 | \$1,065,763 |
| TOTAL REVENUE 401 - 440 | | | | | |

NOTE: ONLY ENTER DATA IN HIGHLIGHTED CELLS

PROPOSED

(continued) FY 2008

MCLEAN COUNTY

Exhibit B

EXPENSES:

| Item | Description | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | SECTION 5311 ADMINISTRATION (Proposed) | SECTION 5311 OPERATING (Proposed) |
|-------------------------|-----------------------------------|----------------------------------|-----------------------------------|--|---|
| LABOR: | | | | | |
| 501.01 | Operator's Salaries & Wages | \$437,998 | \$437,998 | | \$437,998 |
| 501.02 | Training Salaries & Wages | | 0 | | |
| 501.03 | Dispatcher's Salaries & Wages | 30,000 | 30,000 | | 30,000 |
| 501.04 | Administrative Salaries & Wages | 186,000 | 186,000 | 186,000 | |
| 501.99 | Other Salaries & Wages | 10,000 | 10,000 | 10,000 | |
| | TOTAL | \$663,998 | \$663,998 | \$196,000 | \$467,998 |
| FRINGE BENEFITS: | | | | | |
| 502.01 | FICA | \$53,500 | \$53,500 | \$18,500 | \$35,000 |
| 502.02 | Pensions & Long Term Disability | 6,500 | 6,500 | 2,500 | 4,000 |
| 502.03 | Health Insurance | 50,000 | 50,000 | 25,000 | 25,000 |
| 502.04 | Dental Plans | | 0 | | |
| 502.05 | Life Insurance | 2,500 | 2,500 | 1,000 | 1,500 |
| 502.06 | Short Term Disability | | 0 | | |
| 502.07 | Unemployment Insurance | | 0 | | |
| 502.08 | Worker's Compensation | 28,000 | 28,000 | 1,000 | 27,000 |
| 502.09 | Sick Leave | | 0 | | |
| 502.10 | Holiday | | 0 | | |
| 502.11 | Vacation | 53,500 | 53,500 | 20,000 | 33,500 |
| 502.12 | Other Paid Absence | | 0 | | |
| 502.13 | Uniform Allowance | 12,000 | 12,000 | 1,000 | 11,000 |
| 502.99 | Other Fringe Benefits | | 0 | | |
| | TOTAL | \$206,000 | \$206,000 | \$69,000 | \$137,000 |
| SERVICES: | | | | | |
| 503.01 | Management Services | | \$0 | | |
| 503.02 | Advertising Services | 2,000 | 2,000 | 2,000 | |
| 503.03 | Professional & Technical Services | 22,000 | 22,000 | 22,000 | |
| 503.04 | Temporary Services | 7,200 | 7,200 | 2,000 | 5,200 |
| 503.05 | Contract Maintenance | 78,000 | 78,000 | 3,000 | 75,000 |
| 503.06 | Custodial Services | | 0 | | |
| 503.07 | Security Services | | 0 | | |
| 503.99 | Other Services | 18,000 | 18,000 | 1,000 | 17,000 |
| | TOTAL | \$127,200 | \$127,200 | \$30,000 | \$97,200 |

NOTE: ONLY ENTER DATA IN HIGHLIGHTED CELLS

PROPOSED

(continued) FY 2008

MCLEAN COUNTY

Exhibit B

EXPENSES:

| Item | Description | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | SECTION 5311 ADMINISTRATION (Proposed) | SECTION 5311 OPERATING (Proposed) |
|----------------------------------|---|----------------------------------|-----------------------------------|--|---|
| MATERIALS & SUPPLIES: | | | | | |
| 504.01 | Fuel & Lubricants Consumed | \$273,579 | \$273,579 | | \$273,579 |
| 504.02 | Tires & Tubes Consumed | 10,500 | 10,500 | | 10,500 |
| 504.03 | Inventory Purchases | 25,000 | 25,000 | \$20,000.00 | 5,000 |
| 504.99 | Other Materials & Supplies | | 0 | | |
| | TOTAL | \$309,079 | \$309,079 | \$20,000 | \$289,079 |
| UTILITIES: | | | | | |
| 505.02 | Telephone | \$17,000 | \$17,000 | \$17,000 | |
| 505.99 | Other, i.e. Natural Gas, Electric, etc. | 10,000 | 10,000 | 4,000 | 6,000 |
| | TOTAL | \$27,000 | \$27,000 | \$21,000 | \$6,000 |
| CASUALTY & LIABILITY: | | | | | |
| 506.01 | Physical Damage Insurance | \$55,500 | \$55,500 | \$55,500 | |
| 506.03 | Liability & Property Insurance | 74,500 | 74,500 | 74,500 | |
| 506.04 | Uninsured Settlements | | 0 | | |
| 506.05 | Provisions for Uninsured Settlements | | 0 | | |
| 506.06 | Recoveries of Settlements | | 0 | | |
| 506.08 | Other Corporate Insurance | | 0 | | |
| 506.99 | Other Insurance | | 0 | | |
| | TOTAL | \$130,000 | \$130,000 | \$130,000 | \$0 |
| TAXES: | | | | | |
| 507.00 | TOTAL | | \$0 | | |
| PURCHASED TRANSPORTATION: | | | | | |
| 508.00 | TOTAL | \$0 | \$0 | | |
| MISCELLANEOUS: | | | | | |
| 509.01 | Dues & Subscriptions | \$3,000 | \$3,000 | \$3,000 | |
| 509.02 | Travel & Meetings | 8,000 | 8,000 | 8,000 | |
| 509.03 | Bridge, Tunnel, & Highway Tolls | | 0 | | |
| 509.04 | Entertainment Expense | | | | |
| 509.05 | Charitable Donations | | | | |
| 509.06 | Fines & Penalties | | | | |
| 509.07 | Bad Debt Expense | | | | |
| 509.08 | Advertising/Promotion Media | 5,000 | 5,000 | 5,000 | |
| 509.99 | Other Miscellaneous Expense | | 0 | | |
| | TOTAL (Excluding Grey Areas) | \$16,000 | \$16,000 | \$16,000 | \$0 |

JOINT CERTIFICATION AND ASSURANCES FOR IDOT & FTA PROGRAMS

Name of Grantee: McLean County

Name of Authorized Representative: Matt Sorensen

Relationship of Authorized Representative: McLean County Board Chair

BY ENDORSING THIS SIGNATURE PAGE, I, Matt Sorensen

declare that I am duly authorized by the Grantee to make the certifications and assurances on behalf of the Grantee and bind the Grantee to comply with them. Thus, when its authorized representative signs this document, the Grantee agrees to comply with all state and federal statutes, regulations, executive orders, and administrative guidance required for any application it makes to the Federal Transit Administration (FTA) and Illinois Department of Transportation (IDOT).

IDOT and FTA intend that the certifications and assurances apply, as required, to each project for which the Grantee seeks now, or may later seek FTA or IDOT assistance.

The Grantee affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA or IDOT, and acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. Section 3801 *et seq.*, as implemented by U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR Part 31 apply to any certification, assurance or submission made to IDOT or FTA. The criminal fraud provisions of 18 U.S.C. Section 1001 apply to any certification, assurance, or submission made in connection with the FTA and IDOT formula assistance program for urbanized areas, and may apply to any other certification, assurance, or submission made in connection with any program administered by FTA or IDOT.

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Grantee are true and correct.

6-17-08
Date

Matt Sorensen
Authorized Representative of Grantee

McLean County Board Resolution

(Revised 1/05)

Number _____

Resolution authorizing a revised application for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311).

WHEREAS, the provision of public transit service is essential to the transportation of persons in the non-urbanized area; and

WHEREAS, Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311), makes funds available to help offset certain operating deficits and administrative expenses of a system providing public transit service in non-urbanized areas; and

WHEREAS, grants for said funds will impose certain obligations upon the recipient, including the provision by it of the local share of funds necessary to cover costs not covered by funds provided under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF MCLEAN COUNTY:

Section 1. That a revised application be made to the Division of Public Transportation, Department of Transportation, State of Illinois, for a financial assistance grant under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311), for the purpose of off-setting a portion of the Public Transportation Program operating deficits of McLean County.

Section 2. That while participating in said operating assistance program McLean County will provide all required local matching funds.

Section 3. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) of McLean County is hereby authorized and directed to execute and file on behalf of McLean County such application.

Section 4. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) of McLean County is authorized to furnish such additional information as may be required by the Division of Public Transportation and the Federal Transit Administration in connection with the aforesaid application for said grant.

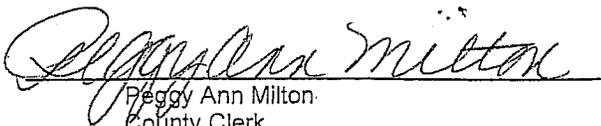
Section 5. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) of McLean County is hereby authorized and directed to execute and file on behalf of McLean County all required Grant Agreements with the Illinois Department of Transportation, in order to obtain grant assistance under the provisions of the Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311).

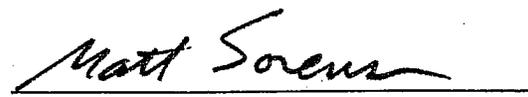
Section 6. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) of McLean County is hereby authorized to provide such information and to file such documents as may be required to perform the Grant Agreement and to receive the grant.

PRESENTED and ADOPTED this 17th day of June, 2008

Attest:

Approved:


Peggy Ann Milton
County Clerk
McLean County, IL


Matt Sorensen
Chair
McLean County Board

McLean County Board Resolution

Number _____

Resolution authorizing application for and acceptance of 2008 Downstate Operating Assistance Grant No. OP-08-33-IL, Contract No. 3783 with the State of Illinois

WHEREAS, the provision of public transit service is essential to the transportation of persons in the non-urbanized area; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF MCLEAN COUNTY:

Section 1. That McLean County enter into 2008 Downstate Operating Assistance Grant No. OP-08-33-IL, Contract No. 3783 with the State of Illinois in order to obtain grant assistance under the provisions of the Illinois Downstate Public Transportation Act (30 ILCS 740/2-1, et. seq.). Under the Appropriation, shared with Kankakee County, McLean County will be eligible for maximum assistance of 67% of the total Appropriation.

Section 2. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) is hereby authorized and directed to execute the Agreement on behalf of McLean County.

Section 3. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) is hereby authorized to provide such information and to file such documents as may be required to perform the Agreement and to receive the Grant.

Section 4. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) of McLean County is hereby authorized and directed to execute any revisions or amendments that may arise during the course of the Agreement and Grant.

PRESENTED and ADOPTED this 17th day of June 2008

Attest:

Approved:

Peggy Ann Milton
County Clerk
McLean County, IL

Matt Sorensen
Chair
McLean County Board

Acceptance of the Special Warranty

WHEREAS, Section 5311 of the Federal Transit Act of 1964, as amended, makes funds available to help offset certain operating deficits of a system providing public transit service in non-urbanized areas; and

WHEREAS, 49 U.S.C. § 5333(b) requires that fair and equitable arrangements must be made to protect the interests of employees affected by such assistance as a condition of receipt of funds under Section 5311; and

WHEREAS a simplified process for assuring employee protections that accommodates the needs of participants in the Section 5311 program has been agreed upon by the U.S. Department of Labor and the U.S. Department of Transportation by allowing execution of a Special Section 5333(b) Warranty for Section 5311 projects (Special Warranty), which the Secretary of Labor certified on May 31, 1979;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF MCLEAN COUNTY:

Section 1. That an application be made to the Division of Public Transportation, Department of Transportation, State of Illinois, for a financial assistance grant under Section 5311 of the Federal Transit Act of 1964, as amended.

Section 2. As a condition of the receipt of Section 5311 funds, McLean County Board hereby agrees in writing to the terms and conditions of the Special Warranty (attached) regarding fair and equitable arrangements to protect the interests of employees affected by such assistance.

PASSED by the McLean County Board on the 17th day of June, 2008.
Officer or Official of Applicant

Signature of Authorized Official

Chair, McLean County Board
Title

Date

Applicant's Certification Of Intent

Applicant: McLean County

Address: 104 W Front Street, POBox 2400

Bloomington, IL 61702-2400

| | | |
|-----------------------|--------------------------------|---------------------|
| <u>Michael Behary</u> | <u>Grantee Project Manager</u> | <u>309-888-5160</u> |
| Contact Person | Title | Telephone |

309-888-5768
Fax Number

mike.behary@mcleancountyil.gov
E-Mail Address

The applicant hereby applies to the State of Illinois through the Illinois Department of Transportation, Division of Public Transportation for grants under Article III of the Downstate Public Transportation Act for operating and administrative assistance for public transportation service.

I hereby certify that I have reviewed this application including all attachments and information, and have found it to be true and correct.

Officer or Official of Applicant

Signature

McLean County Board Chair
Title

Date

Ordinance

ORDINANCE NUMBER _____
AN ORDINANCE TO PROVIDE FOR PUBLIC TRANSPORTATION
IN MCLEAN COUNTY, ILLINOIS

Whereby, public transportation is an essential public purpose for which public funds may be expended under Article 13, Section 7 of the Illinois Constitution; and

WHEREAS, McLean County wishes to provide public transportation for its citizens and become eligible for grants from the State of Illinois or any department or agency thereof, from any unit of local government, from the Federal government or any department or agency thereof; and

WHEREAS, Illinois Compiled Statutes 740/2-1 et seq. authorizes a county to provide for public transportation within the (county or counties) limits:

NOW, THEREFORE, BE IT ORDAINED by the President and the County Board of McLean County that:

Section 1. McLean County shall hereby provide public transportation within the (county or counties) limits.

Section 2. The County Clerk of the County of McLean shall file a certified copy of this Ordinance, within sixty days after passage of this ordinance.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval, as required by law.

Section 4. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) of McLean County is hereby authorized and directed to execute and file on behalf of McLean County a Grant Application to the Illinois Department of Transportation.

Section 5. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) of McLean County is hereby authorized and directed to execute and file on behalf of McLean County all required Grant Agreements with the Illinois Department of Transportation.

ADOPTED by the County Board of McLean County on the 17th day of June, 2008, and deposited and filed in the office of the County Clerk of said County on that date.

Attest:



Peggy Ann Milton
County Clerk
McLean County, IL

Approved:



Matt Sorensen
Chair
McLean County Board

EXHIBIT J (5311) / OP-6E & OP-6G (DSU)
MC LEAN COUNTY
SECTION 5311 VEHICLE INVENTORY SUMMARY

VEHICLE CONDITION CODE
EXCELLENT
GOOD
FAIR
POOR
INOPERABLE

VEHICLE STATUS CODE
ACTIVE
RESERVE
OUT OF SERVICE
REPLACED
DISPOSED

| VIN | TITLE HOLDER OWNER | OPERATOR | BUS FLEET # | CHASSIS YEAR | CHASSIS MANUF. | VEHICLE TYPE | VEHICLE LENGTH | STATE GRANT NUMBER | FED GRANT NUMBER | ACQUISITION COST | DRIVER'S PARTICIPATION | DATE IN SERVICE/ PURCHASE | FTA ELIGIBLE REPLACEMENT DATE | CURRENT MILEAGE | CURRENT VEHICLE CONDITION | DATE OF LAST INSPECTION | VEHICLE STATUS |
|--------------------|------------------------|----------|-------------|--------------|----------------|-------------------|----------------|--------------------|------------------|------------------|------------------------|---------------------------|-------------------------------|-----------------|---------------------------|-------------------------|----------------|
| 28BK831Z741K184688 | Meadows/SHOW BUS | SHOW BUS | 4 | 96 | Dodge | Raised roof van | 20' | CAP-95-555 | IL-16-0015 | 33,433.00 | 26,586.50 | 10/17/96 | 1996 | 106,645 | POOR | 05/20/08 | O |
| 1FDXE40F3VHR913179 | McLean County | SHOW BUS | 15 | 98 | Ford | Medium Duty | 23.3' | CAP-98-616 | | 53,197.00 | \$- | 12/14/98 | 1998 | 150,027 | FAIR | 05/20/08 | RPL |
| 287L831Z9WK156253 | McLean County | SHOW BUS | 16 | 98 | Dodge | Raised roof van | 20' | CAP-98-616 | | 36,417.00 | \$- | 12/14/98 | 1998 | 176,473 | POOR | 05/20/08 | RPL |
| 286L831Z3YK124040 | Meadows/SHOW BUS | SHOW BUS | 17 | 2000 | Dodge | Raised roof van | 20' | EQIA-44/LOGAL | | 45,000.00 | \$- | 07/10/00 | 2000 | 141,672 | POOR | 05/20/08 | A |
| 287L831Z7YK168453 | McLean County | SHOW BUS | 18 | 2000 | Dodge | Raised roof van | 20' | CAP-00-690-ILL | | 37,694.00 | \$- | 07/20/00 | 2000 | 107,135 | FAIR | 05/20/08 | A |
| 1FDXE46FYHC01202 | McLean County | SHOW BUS | 19 | 2000 | Ford | Medium Duty | 23.3' | CAP-00-690-ILL | | 54,694.00 | \$- | 11/03/00 | 2000 | 160,938 | FAIR | 05/20/08 | A |
| 1FDXE45FYHC01227 | McLean County | SHOW BUS | 20 | 2000 | Ford | Medium Duty | 23.3' | CAP-00-690-ILL | | 54,698.00 | \$- | 11/27/00 | 2000 | 119,914 | FAIR | 05/20/08 | A |
| 1FDXE45F22H640538 | McLean County | SHOW BUS | 22 | 2002 | Ford | Medium Duty | 23.3' | CAP-02-791-CVP | IL-03-0225 | 52,561.00 | 42,049.00 | 01/24/03 | 2003 | 126,108 | GOOD | 05/20/08 | A |
| 1FDXE45F42H640539 | McLean County | SHOW BUS | 23 | 2002 | Ford | Medium Duty | 23.3' | CAP-01-745-CVP | IL-03-0213 | 52,561.00 | 42,049.00 | 01/24/03 | 2003 | 138,816 | GOOD | 05/20/08 | A |
| 1FDXE45F03H868038 | McLean County | SHOW BUS | 24 | 2003 | Ford | Medium Duty | 23.3' | CAP-03-856-CVP | IL-18-X018 | 54,404.53 | 43,523.63 | 02/20/04 | 2004 | 104,725 | EXCELLENT | 05/20/08 | A |
| 1FDWE35L3H868076 | McLean County | SHOW BUS | 25 | 2003 | Ford | Light Duty | 20' | CAP-03-856-CVP | IL-18-X018 | 45,419.83 | 36,495.66 | 04/08/04 | 2004 | 107,623 | EXCELLENT | 05/20/08 | A |
| 1FDXE45F52H640551 | Meadows/SHOW BUS | SHOW BUS | 26 | 2003 | Ford | Medium Duty | 23.3' | 194 CVP | IL-16-0030 | 58,435.00 | 58,435.00 | 06/30/04 | 2004 | 106,305 | EXCELLENT | 05/20/08 | A |
| 1FDXE45F52H640551 | McLean County | SHOW BUS | 27 | 2005 | Ford | Medium Duty | 23.3' | CAP-04-876-CVP | IL-16-0030 | 58,435.00 | 58,435.00 | 11/04/05 | 2005 | 59,619 | EXCELLENT | 05/20/08 | A |
| 1FDXE45F15H826630 | McLean County | SHOW BUS | 28 | 2005 | Ford | Medium Duty | 23.3' | CAP-04-876-CVP | IL-18-X021 | 58,435.00 | 58,435.00 | 11/04/05 | 2005 | 64,723 | EXCELLENT | 05/20/08 | A |
| 1GBDV13175D285377 | Bloomington Normal Tr. | SHOW BUS | 29 | 2005 | Chevrolet | Mini Van | 16.6' | | | | | 11/07/05 | 2005 | 22,397 | EXCELLENT | 05/20/08 | A |
| 1DWE30SXXH850204 | Meadows/SHOW BUS | SHOW BUS | 30 | 1999 | Ford | Medium Duty | 23.3' | | | | | 11/20/05 | 2006 | 39,505 | FAIR | 05/20/08 | A |
| VBTAFM23H86213 | DeWitt County HRC | SHOW BUS | 31 | 2003 | International | Super Medium Duty | 29' | | | | | 04/19/08 | 2008 | 54,553 | FAIR | 05/20/08 | A |
| VBTAFM33H86219 | DeWitt County HRC | SHOW BUS | 32 | 2002 | International | Super Medium Duty | 29' | | | | | 04/19/08 | 2008 | 61,030 | FAIR | 05/20/08 | A |
| 1AGGS24W078436 | DeWitt County HRC | SHOW BUS | 33 | 1988 | Blue Bird | Light Duty | 20' | CAP-07-899-CVP | IL-18-0023 | 46,866.00 | 46,866.00 | 05/20/08 | 2008 | 99,207 | FAIR | 05/20/08 | A |
| 1FD3E35L9D8A13350 | McLean County | SHOW BUS | 34 | 2008 | Ford | Light Duty | 20' | CAP-07-899-CVP | IL-18-0023 | 46,866.00 | 46,866.00 | 05/20/08 | 2008 | 35 | EXCELLENT | 05/20/08 | A |
| 1FD3E35L08DA13351 | McLean County | SHOW BUS | 35 | 2008 | Ford | Light Duty | 20' | CAP-07-899-CVP | IL-18-0023 | 46,866.00 | 46,866.00 | 05/20/08 | 2008 | 35 | EXCELLENT | 05/20/08 | A |
| DISPOSED VEHICLES | OWNER | OPERATOR | # | YEAR | MANUFACTURE | TYPE | LENGTH | NUMBER | NUMBER | COST | Fed Participation | PURCHASE | DATE | MILEAGE | CONDITION | DISPOSITION | STATUS |
| 1FTJ334G9RH878592 | McLean County | SHOW BUS | 3 | 94 | Ford | Raised roof van | 20' | CAP-84-480-ILL | | \$35,597.00 | \$- | 12/01/94 | 06/16/05 | SOLD | SOLD | 07/21/04 | SOLD |
| 4CDK54E2P2105426 | Meadows/SHOW BUS | SHOW BUS | 11 | 93 | MIST | Heavy Duty | 23.3' | CAP-92-401 FED | IL-16-0016 | 65,162.00 | 52,122.00 | 05/93 | 1993 | SOLD | SOLD | 02/22/05 | SOLD |
| 1FDLE40F2VH832790 | Meadows/SHOW BUS | SHOW BUS | 14 | 97 | Ford | Medium Duty | 23.3' | IL-97-559 FED | IL-16-0021 | 52,657.00 | 42,125.00 | 07/87 | 1987 | SOLD | SOLD | 02/22/05 | SOLD |
| 1FDWE35L52H852792 | McLean County | SHOW BUS | 21 | 2003 | Ford | Light Duty | 20' | CAP-02-791-CVP | IL-03-0225 | 44,353.00 | 35,482.00 | 12/02 | 2002 | WRECKED | SOLD | 01/23/07 | SOLD |

DOWNSTATE
STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

APPLICATION FORM OP-1
COVER LETTER

FOR IDOT OFFICE USE ONLY

Grant Applic. Number _____ Expenses _____
Date Received _____ Revenues _____
Appropriation _____ Deficit _____
65% of Expenses _____

Application for operating assistance grants under Article II of the Downstate Public Transportation Act (30 ILCS 740/1-1 et seq.) for costs incurred during the period July 1, 2007 through June 30, 2008.

APPLICANT'S NAME: McLean County

STREET ADDRESS: 115 E Washington Street, POBox 2400

Bloomington, IL 61702-2400 309-888-5160
CITY STATE ZIP CODE TELEPHONE NUMBER

The applicant hereby applies to the State of Illinois through the Division of Public & Intermodal Transportation for grants under Article II of the Downstate Public Transportation Act (30 ILCS 740/1-1 et seq.).

I hereby certify that I have reviewed this Application including all attached exhibits and information, and have found it to be true and correct.

Signature (same as #1 on Form OP-2)

Title (same as #1 on Form OP-2)

Date

FORM OP-2 DESCRIPTION OF APPLICANT'S ORGANIZATION

1. The name and title of the person authorized by the Participant to submit this application:

Matt Sorensen _____ Chair, McLean County _____
 Name Title

2. The name and title of the person who will be directly responsible for the implementation of the Program of Proposed Expenditures:

Laura Dick _____ Director, SHOW BUS _____
 Name Title

3. The name and title of the person who will be directly authorized to sign and certify the Quarterly Financial Reports (OP-10 FORMS):

Matt Sorensen _____ Chair, McLean County _____
 Name Title

4. Year Created Late 1830 (McLean County)

5. Means Created McLean County was approved as a county by the State of Illinois

6. Does your Agency have special tax authority for transit? [] yes [X] no. If yes, what is:

- a. the current level your Agency will tax at in FISCAL YEAR 2008 _____ %
- b. the total Fiscal Year 2007 estimated revenue: \$ _____
- c. the total Fiscal Year 2006 actual revenue realized: \$ _____

7. Please attach a full description or map of your Agency's territorial boundaries as defined on Page 3(a) of this application. In addition, please provide the following information regarding your Territorial Boundaries:

| City/County | 2000 Population | Square Miles | Pop/sq. miles |
|----------------------------|-----------------|--------------|---------------|
| Ford County | 14,241 | 468 | 30 |
| Iroquois County | 31,334 | 1,120 | 28 |
| Livingston County | 39,678 | 1,043 | 38 |
| McLean County (rural only) | 40,249 | 1,184 | 34 |
| DeWitt County | 16,768 | 398 | 42 |

8. Please attach a full description or map of your Agency's **service area** as defined on Page 3(a) of this application. **Map attached**

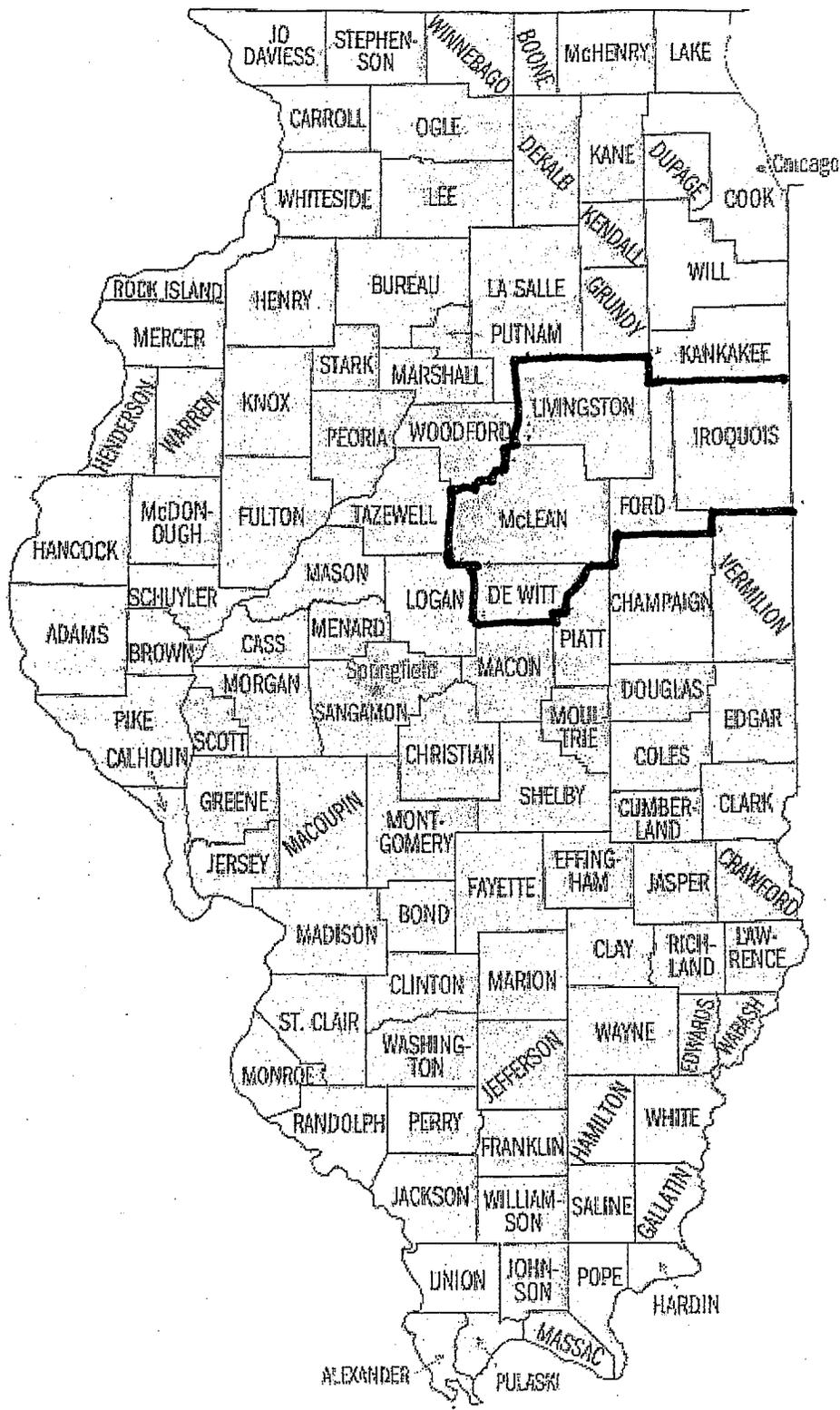
9. Please attach a full description or map of your Agency's **contiguous-area service** as defined on Page 3(a) of this application. **Not applicable**

10. Please attach a full description or map of any services provided by your Agency **identified as ineligible service** on Page 3(a) of this application. (Note: Any revenue or expense associated with these services should be excluded from 5311 Exhibit B and FORM OP-5.)

Not applicable

11. Transit System Management

- (X)- Self (pass through)
- [] Contract _____

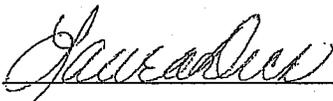


FORM OP-3

SUMMARY OF TOTALS FOR REVENUES AND EXPENSES

| | |
|--|-------------------------|
| Total Eligible Expense reported on 5311 Exhibit B (Column A, pg. 9 of OP-5 Tab) | \$ <u>1,533,377</u> (a) |
| Total Eligible Revenue reported on 5311 Exhibit B (Column A, pg. 7 of OP-5 Tab) | \$ <u>415,720</u> (b) |
| Section 5311 Funding requested in 5311 Application | \$ <u>365,430</u> (c) |
| Downstate Operating Assistance Deficit (a) - (b+ c) | \$ <u>752,227</u> (d) |
| 65% of Eligible Operating Expenses | \$ <u>996,695</u> (e) |
| Downstate Operating Assistance requested (lesser of (d) or (e)) | \$ <u>752,227</u> |

I hereby certify that the total operating revenues and expenses reported in this Form are estimated to be incurred in the provision of public transportation services within the State of Illinois during FISCAL YEAR 2008. Expenses determined to be ineligible under such regulations for State Operating Assistance have been deducted as ineligible expenses.

Prepared by: 

Certified by: _____
(same as #3 on Form OP-2)

Date: _____

Illinois Department of Transportation

State Fiscal Year 2009

COMBINED APPLICATION

**Section 5311 Non-Metro Public Transportation
Capital/Operating Assistance and Intercity Bus Grant**

&

**Downstate Urban Area
Operating Assistance Grant**

Submitted By

McLean County

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|--|-----------|
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| Exhibit B | Proposed FY 2009 Budget (Electronic versions – see separate file) |
| Exhibit C | Standard Certifications and Assurances (Electronic versions – see separate file) |
| Exhibit D | Sample Board Resolution |
| Exhibit E | Special Section 5333(B) Warranty For Application To The Small Urban And Rural Program |
| Exhibit F | IDOT Chart of Accounts for the Section 5311 Program Expense Account Definitions |
| Exhibit G | Applicant's Certification of Intent |
| Exhibit H | Sample Ordinance |
| Exhibit I | Non-Vehicle Capital Asset Inventory (Electronic versions – see separate file) |
| Exhibit J | Vehicle Asset Inventory (Electronic versions – see separate file) |
| Exhibit K | Year End NTD Operating Data Report for FY 08 |

I. Introduction

The United States Department of Transportation, Federal Transit Administration provides federal financial assistance funds for public transportation in nonurbanized areas (Section 5311 Non-Metro Public Transportation Program -- formerly Section 18). The Federal Transit Administration (FTA), on behalf of the Secretary of Transportation, apportions the funds appropriated annually to the Governor of each state for public transportation projects in nonurbanized areas. The statutory formula is based solely on the nonurbanized population of the states. Each state prepares an annual program of projects, which must provide for fair and equitable distribution of funds within the states, including Indian reservations, and must provide for maximum feasible coordination with transportation services assisted by other Federal sources. Article III of the Downstate Public Transportation Act (30 ILCS 740/2-1 et seq., formerly Ill. Rev. Stat. ch. 111 2/3, Section. 661 et seq.) authorizes the Illinois Department of Transportation to receive and expend Section 5311 funds allotted to Illinois.

The goals of the nonurbanized formula program are: to enhance the access of people in nonurbanized areas to health care, shopping, education, employment, public services and recreation; to assist in the maintenance, development, improvement, and use of public transportation systems in rural and small urban areas; to encourage and facilitate the most efficient use of all Federal funds used to provide passenger transportation in nonurbanized areas through the coordination of programs and services; to assist in the development and support of intercity bus transportation; and to provide for the participation of private transportation providers in nonurbanized transportation to the maximum extent feasible.

Prospective applicants are advised that the Department has published administrative regulations for the Illinois Section 5311 program under Part 601 of the Illinois Department of Transportation Rules and Regulations entitled "Regulations for Public Transportation Assistance to New Programs in Nonurbanized Areas." These regulations, which prescribe procedures and requirements to be followed by applicants for Section 5311 funding, should be carefully reviewed prior to an applicant's submission of a Section 5311 Application. In order to be considered for funding, prospective grantees must submit a fully completed application (Sections I – VIII and Section X for Rural General Public Operating Assistance and Sections IX for Intercity Bus Assistance).

To assist applicants ensure that applications packages are complete, an "Application Checklist" in this section has been provided. **Applicants must complete and submit this completed checklist in their application package.**

Section 5311 Non-Metro Operating Assistance Grant Application Checklist

(Must be completed and submitted with Application.)

1. Non-Metro Operating Assistance Grant Application Checklist
2. Completed Copy of Standard Form 424 (Exhibit A)
3. Operating Entity Certification (One for each operator)
4. Executed Agreement to Terms and Conditions of Special Warranty (Exhibit E)
5. Fully Completed Proposed FY 2009 Budget (Exhibit B)
6. Applicant's Certificate of Intent (Exhibit G)
7. Executed Resolution of the Governing Board (Exhibit D)
8. Executed County Ordinance to Operate a Public Transit Project (Exhibit H)
9. Executed Certifications and Assurances for Grantees (Exhibit C)
10. Executed Affirmation of Applicant's Attorney (Contained in Exhibit C)
11. Fully completed Non-Vehicle Capital Asset Inventory (Exhibit I)
12. Fully completed Vehicle Asset Inventory (Exhibit J)
13. Fully completed NTD Operating Data Report (Exhibit K)
14. Maps of the service area (Attachment I)
15. Copies of Material Documenting Private Sector Effort (Attachment II)
16. Grantee/Operator Organization Charts (Attachment III)
17. Indirect Costs Rate Proposal (Attachment IV)
18. Copy of Most Recent Audit & 5311 Annual Financial Report (Attachment V)
19. FY2009 Downstate Operating Assistance Application (Attachment VI)

Comments

All costs are direct costs. Therefore, a cost allocation plan is not being submitted.

III. Description of the Project

A. Mode of Service

In the sections below, specify the service mode for each operator in the project. If you are unsure about what mode of service a particular operator provides, refer to the definitions at the end of this section. Service definitions are based on those provided in the Americans with Disabilities Act regulations (49 CFR part 37) and will determine the statutory service obligations of the grantee/operator.

Operator 1 (Check all that apply)

SHOW BUS

- Fixed route
- Demand response
- Route deviation
- Commuter routes

Operator 2 (Check all that apply)

[Type Operator Name Here]

- Fixed route
- Demand response
- Route deviation
- Commuter routes

Operator 3 (Check all that apply)

[Type Operator Name Here]

- Fixed route
- Demand response
- Route deviation
- Commuter routes

Operator 4 (Check all that apply)

[Type Operator Name Here]

- Fixed route
- Demand response
- Route deviation
- Commuter routes

Definitions:

Fixed route system means a system of transporting individuals (other than by aircraft), including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including, but not limited to, specified public transportation service, on which a vehicle is operated along a prescribed route according to a fixed schedule.

Demand responsive system means any system of transporting individuals, including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including but not limited to specified public transportation service, which is not a fixed route system.

Route deviation system means a system of transporting individuals (other than by aircraft), including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including, but not limited to, specified public transportation service, on which a vehicle is operated along a prescribed route according to a fixed schedule where the system permits user-initiated deviations of vehicles from the prescribed routes.

Commuter bus service means fixed route bus service, characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other service, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.

B. System Service Area

1. Core Service Area

In the space below, please identify the geographic area that is to be served by this Section 5311 grant. The core service area is defined **as the geographic area in which Section 5311 service is provided by this grant, as supported by the grantees Board Resolution and any Intergovernmental Agreements with other governmental entities.** The service area does not include areas served through incidental services such as charter services or extended commuter routes.

| <u>County Served</u> | <u>Square Mileage</u> | <u>Population</u> |
|----------------------|-----------------------|---------------------|
| Ford | 468 | 14,241 |
| Iroquois | 1,120 | 31,334 |
| Livingston | 1,043 | 39,678 |
| McLean (rural only) | 1,184 | 40,249 (rural only) |
| DeWitt | 398 | 16,768 |

If existing maps are available, that show the dimensions of the geographic service area, please attach to the application. If no existing maps are available, please draw a reasonable representation of the service area that clearly shows geographic limits of the service area. Please indicate on the map the street or road names where service is provided. The map does not need to be an exact or official representation; rather, it is mainly intended to convey the project service area. Include this information as Attachment I to the application.

2. Services Provided Outside the Core Service Area

Since the goal of Section 5311 is to enhance access of people living in nonurbanized areas to activities, Section 5311 projects may include transportation to and from urbanized areas or provide services to other destinations that extend beyond the core service. In this section, list the extended services operated outside the core service area. Examples of such routes would be regularly or periodic shopping trips to an urban center, services provided to regional medical facilities under a contract to a human service agency, or similar service.

In the table below, list or describe the services provided by the project that meet the criterion above for periodic or regularly scheduled services provided outside the core service area. **Note: Do not include charter services in this section. Services provided to destinations located outside Illinois should be addressed in Section III.B.3.**

Example:

Extended Service Provided

Frequency

Shopping Trip to Springfield

Every 3rd Tuesday

| Extended Service Provided | Frequency |
|---|--------------------------|
| Iroquois County to Kankakee County | Three times a week |
| Iroquois County to Champaign | Every Tuesday |
| Ford County to Champaign | 2nd and 4th Monday |
| DeWitt County to Champaign | Every Monday |
| DeWitt County to Macon County | Every Wed. and Fri |
| Special medical service in all counties will not be limited in destinations within the service area. This service may lead to set routes if demand indicates the need. New dialysis routes are anticipated. | Varied according to need |
| | |
| | |
| | |
| | |
| | |
| | |

Note: Use additional pages if necessary.

3. Services Provided to Out-of-State Destinations

The services provided by a Section 5311 project may include destinations across a state line. Operators of interstate service are required to register with the Federal Motor Carrier Safety Administration (FMCSA). Projects that provide service to out-of-state destinations on a regular, periodic, or even an infrequent basis must notify IDOT for additional guidance.

Each project must complete this section of the application. You must check one of the following boxes:

- This project operates regular or special transit service to out-of-state destinations on a regular, periodic, or infrequent basis.
- This project never operates regular or special service to out-of-state destinations.

C. Proposed Service Levels

1. Passenger Trips

In this section, project the total number of passenger trips to be provided under the project by all operators of public transportation services: For purposes of completing this section, "Trip" is defined as a one-way trip by a transit vehicle in revenue service starting at one point of a route and ending at another point. A round trip is counted as two separate trips. Transfers (if applicable), are counted separately and should not be reported here.

Projected number of total system (all operators) passenger trips: **80,000**

If there is more than one operator of public transit services under the project, provide the number of projected total passenger trips by operator. In completing this table, IDOT notes that operators may be engaged in other, non-public transit services that are not eligible for reimbursement under the project. Operators should identify total passenger trips and trips to be operated in public transit service in accordance with the project service plan:

| Operator | Total Number of Passenger Trips Provided by Operator |
|----------|--|
| SHOW BUS | 80,000 |
| | |
| | |
| | |
| | |

2. Vehicle Miles & Peak Vehicle Use

In this section, project the total number of vehicle miles to be provided under the project by all operators of public transportation services:

Projected number of total system (all operators) vehicle miles : **600,000**

If there is more than one operator of public transit services under the project, provide the number of projected total vehicle miles by operator. In completing this table, IDOT notes that operators may be engaged in other, non-public transit services that are not eligible for reimbursement under the project. Operators should identify total mileage and mileage to be operated in public transit service in accordance with the project service plan:

| Operator | Total Number of Vehicle Miles Provided by Operator |
|----------|--|
| SHOW BUS | 600,000 |
| | |
| | |
| | |
| | |

In this section, project the total number of Peak Vehicles. Peak Vehicles is calculated by determining the maximum number of vehicles needed for any given service hour for all operators of public transportation services, in any given day:

Projected number of total system (all operators) Peak Vehicles: **22**

3. Intercity Bus Service

Intercity bus service miles (estimated) **108,000**

4. Charter Services

Charter Service means transportation using buses or vans, or facilities funded by the Federal Transit Administration of a group of persons who pursuant to a common purpose, under a single contract, at a fixed charge (in accordance with the carrier's tariff) for the vehicle or service, have acquired the exclusive use of the vehicle or service to travel together under an itinerary either specified in advance or modified after having left the place of origin.

C. Operating Entity Certification

For each proposed operator(s) please provide a fully completed and executed copy of the following (*this document should be completed and signed by the operator, if different from the grantee/applicant*):

Robert O. Bertsche hereby certifies that
(Name of Authorized Official)

Meadows Mennonite Retirement Community, d/b/a SHOW BUS is organized as :
(Name of Operator Agency)

(Check one)

- | | |
|--|---|
| <input type="checkbox"/> An individual | <input type="checkbox"/> a partnership |
| <input checked="" type="checkbox"/> A private non-profit | <input type="checkbox"/> a private for-profit |
| <input type="checkbox"/> A municipal corporation | <input type="checkbox"/> other |

And that Meadows Mennonite Retirement Community, d/b/a SHOW BUS's
(Name of operator)

Federal Employer's Identification Number

is 37-0791831.

Officer or Official Signature

CEO, Meadows Mennonite Retirement Community, d/b/a SHOW BUS
Title

Date

D. Grantee Contact Person

Please list the Grantee's contact person responsible for project and financial oversight:

Name: Michael Behary

Title: Grant Project Manager for McLean County

Phone: 309-888-5160

Fax Number: 309-888-5768 ;

E-Mail: mike.behary@mcleancountyil.gov

E. Operator Contact Person(s)

Please list the Operator's contact person(s) responsible for project and financial management:

| Operator | Contact Name | Title | Phone | E-Mail |
|-----------------|---------------------|--------------|--------------|----------------------------|
| SHOW BUS | Laura Dick | Director | 309-747-2454 | <u>showbus@gridcom.net</u> |

F. Lower Tier Relationship Between Grantee and Operator

There are two circumstances when a grantee can enter into a lower tier relationship with a third party to deliver Section 5311 services. First, a grantee follows either state (under the common rule) or Federal procedures outlined in FTA Circular 4220.1D to competitively secure the services of a contractor (using micro purchase, small purchase, Invitation for Bid (IFB), or Request For Proposal procedures (RFP)) to deliver all or some component of Section 5311 services. Second, a state may elect to grant Section 5311 funds to a subrecipient through an intermediary subrecipient, a practice expressly permitted pursuant to FTA Circular 9040.1E, Chapter IV, paragraph 3. FTA uses the example of a state that might pass funds to a nonprofit organization through a local public body. FTA notes that this type of arrangement is not a third party contract.

VIII. Project Cost and Revenue Proposal

A. Program Cost Comparison

For each proposed operator involved in the project, please provide the information requested below.

Note: Programmed Services are all of the operator's services provided on a regular basis including transportation. Annual Program Budget is the total amount budgeted for the listed program. Percentage of Total Budget is the percentage of the operator's Total Programmed Services budget represented by the listed program. Attach additional pages if necessary. Include all programmed service: transportation, nutrition, training, etc.

Operator's Proposed Program Budget Activity Report: FY 2009

| Programmed Services | Annual Program Budget | Percent (%) of Total Program Budget |
|------------------------------------|------------------------------|--|
| Transportation SHOW BUS | 1,726,379 | 100% |
| Total Operator Expenditures | <u>\$ 1,726,379</u> | 100% |

B. Operator Organization and Level of Human Resource Effort

In this section, provide a description of the level of effort that will be provided by each operator providing service in the project. List the staff positions, by job title, in the following table. List both personnel whose time will be charged to the project, either as a direct or indirect expense by typing "Direct" or "Indirect" in the second column. Also list if the position will be charged to the Administrative category ("Admin") or the Operating category ("Op"). Finally, list the approximate or estimated number of staff, expressed in terms of Full-Time Equivalents (FTEs) in the last column.

Submit one table for each operator.

Operator's Proposed Transportation Employee Utilization: FY 2009

Operator: SHOW BUS

| Job Title | Direct or Indirect Staff Position | Administration or Operating? (Admin or Op) | Estimated Full-Time Equivalents (FTEs) |
|------------------------|-----------------------------------|--|--|
| Director | Direct | Admin | 1.25 |
| Office Mgr./Bookkeeper | Direct | Admin | 1.5 |
| Clerical | Direct | Admin | 4.5 |
| Dispatch | Direct | Op | 1 |
| Drivers | Direct | Op | 17.5 |

For each operator, submit with this application an organization chart showing all functional divisions of the entity with a detailed organizational breakdown of the transportation unit as Attachment III.

C. Project Revenue

Detail all non-IDOT contracts, grants and non-passenger donations (including in-kind) to be used in the provision of Section 5311 Transportation Service: (attach additional pages if necessary) **PLEASE NOTE:** All non-DOT federal grants with a transportation funding component could be used to match federal DOT funds. Federal DOT funds cannot be used as match for another federal DOT grant.

Note: All program contract income from for-profit agencies must be recorded as Section 5311 program revenue and not used as local match.

| Contract or Revenue Source | Total Contract Amount | Expected Revenue for the Section 5311 Program |
|------------------------------|-----------------------|---|
| Agency Contracts | 250,000 | 250,000 |
| Local Government | 50,750 | 50,750 |
| State Grants | 827,450 | 827,450 |
| United Way, Contributed Cash | 79,786 | 79,786 |

| | | |
|---------------|---------------------|---------------------|
| TOTALS | \$ 1,207,986 | \$ 1,207,986 |
|---------------|---------------------|---------------------|

D. Fare Structure

Please describe your proposed fare structure by passenger category, (e.g., adult, senior, disabled, student, child or other) and include or attach a copy of fare structure. Please make note of any multi-ride pass books, tickets etc. and the associated costs to purchase by consumers.

ALL COUNTIES BUT IROQUOIS:

Senior and Adult \$5 Round Trip Base Fare, travel within one county (slightly lower if travel is within a municipality), \$7 Round Trip Base Fare, travel beyond one county, \$14.52+ Special Service Round Trip (SSRT). A portion of senior fares is reported to Area Agency on Aging vs. IDOT. The fare is not mandatory for seniors in McLean, Livingston, Ford and DeWitt.

IROQUOIS COUNTY

Adult \$3.50+ Round Trip Base Fare, \$14.52+ SSRT-Iroquois County
Child Sliding Scale
No multi ride discounts

Detailed Description of Proposed Intercity Bus Service. For existing service, the applicant must submit a printed schedule or timetable for intercity bus service.

SHOW BUS will provide intercity bus service to passengers of all ages according to the following schedule. Passengers will be picked up at a central community location or at their homes. They may access the service by calling 800-525-2454.

FORD COUNTY

Monday (2nd and 4th of the month)

9:50 Paxton to Champaign/Urbana

2:30 Champaign/Urbana to Paxton

Wednesday (2nd and 4th of the month)

9:00 Paxton and Gibson City to Bloomington/Normal

2:30 Bloomington/Normal to Paxton and Gibson City

Thursday

9:30 Gibson City to Paxton

11:00 Paxton to Gibson City

1:45 Gibson City to Paxton

3:15 Paxton to Gibson City

LIVINGSTON COUNTY

Monday

9:15 Fairbury to Bloomington/Normal

3:15 Bloomington/Normal to Fairbury

Wednesday

8:30 Dwight to Bloomington/Normal

2:30 Bloomington/Normal to Dwight

Friday

9:00 Pontiac to Bloomington/Normal

3:15 Bloomington/Normal to Pontiac

MCLEAN COUNTY

Monday, Wednesday and Friday

9:30 Chenoa and Lexington to Bloomington/Normal

2:30 Bloomington/Normal to Chenoa and Lexington

Tuesday

9:30 LeRoy to Bloomington/Normal

2:30 Bloomington/Normal to LeRoy

Friday (2nd and 4th of the month)

9:30 Heyworth to Bloomington/Normal

2:30 Bloomington/Normal to Heyworth

IROQUOIS COUNTY

Monday, Wednesday and Friday

8:15 Watseka to Kankakee

3:15 Kankakee to Watseka

Tuesday

8:30 Watseka to Champaign/Urbana

2:30 Champaign/Urbana to Watseka

DEWITT COUNTY

Monday through Friday

7:00-9:00 Farmer City to Clinton

3:00 Clinton to Farmer City

Monday

9:45 Clinton and Farmer City to Champaign/Urbana

2:30 Champaign/Urbana to Farmer City and Clinton

Tuesday

8:30 Farmer City to Bloomington/Normal

Tuesday and Thursday

9:45 Clinton to Bloomington/Normal

2:15 Bloomington/Normal to Clinton

Wednesday and Friday

9:45 Clinton to Decatur

2:15 Decatur to Clinton

Estimated Intercity Bus Project Financing

FY 2009 Mileage Share Calculation

| | | |
|----|--|---------------------|
| A. | Projected Total Section 5311 Program Mileage | D <u>600,000</u> |
| B. | Projected Total Intercity Bus Mileage | E <u>108,000</u> |
| C. | Percentage Intercity Bus (E divided by D) | F <u>18%</u> |
| G. | Total Section 5311 Operating Assistance (50% of deficit) | \$ <u>169,377</u> |
| H. | Intercity Bus Operating Component (F x G) | \$ <u>29,037</u> |
| I. | Total Section 5311 Adm. Assistance(80% of cost maximum) | \$ <u>207,016</u> |
| J. | Intercity Bus Administrative Component (F x I) | \$ <u>37,263</u> |
| K. | Total Local Share (total non FTA/IDOT funds) | \$ <u>1,349,986</u> |
| L. | Total Intercity Bus Component (H + J) | \$ <u>66,300</u> |
| M. | Total Non Intercity Bus (G+I-L) | \$ <u>310,093</u> |
| | Total Program Cost (K+ L+ M) | \$ <u>1,726,379</u> |

Estimated Intercity Bus Special Deviated Route Project

| | | |
|----|---|---------------|
| A. | Projected Total Special Deviated Route Project (SDRP) Mileage | [Type info] |
| B. | SDRP Mileage percentage of total Intercity Bus Mileage | [Type info] |
| C. | Total Projected SDRP Operating & Administrative Costs | \$(Type info) |
| | SDRP Operating Costs | \$(Type info) |
| | SDRP Administrative Costs | \$(Type info) |

APPLICATION FOR FEDERAL ASSISTANCE

| | | | |
|---|--|------------------------------------|------------------------------|
| 1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction | | 2. DATE SUBMITTED | Applicant Identifier |
| Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction | | 3. DATE RECEIVED BY STATE | State Application Identifier |
| | | 4. DATE RECEIVED BY FEDERAL AGENCY | Federal Identifier |

5. APPLICANT INFORMATION

Legal Name: McLean County Organizational Unit:

Address (give city, county, State and zip code):
McLean County Law & Justice Center
104 W Front Street; POBox 2400
Bloomington, IL 61702-2400

Name and telephone number of person to be contacted on matters involving this application (give area code)
Mike Behary 309-888-5160

6. EMPLOYER IDENTIFICATION NUMBER (EIN):
37-6001569

7. TYPE OF APPLICANT: (enter appropriate letter) B

8. TYPE OF APPLICATION:
X New _ Continuation _ Revision

If Revision, enter appropriate letter(s)
A. Increase Award B. Decrease Award C. Increase Duration
D. Decrease Duration Other (Specify):

A (the below amount includes original grant + increase)

A. State H. Independent School District
B. County I. State Controlled Institution of Higher Learning
C. Municipal J. Private University
D. Township K. Indian Tribe
E. Interstate L. Individual
F. Intermunicipal M. Profit Organizer
G. Special District N. Other (Specify):

9. NAME OF FEDERAL AGENCY:
Federal Transit Administration

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:
Section 5311 20 - 509
TITLE: Operating Assistance Program

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:
Public transportation operating assistance grant program for the non-urbanized areas of the State of Illinois and a grant for the Rural Public Transportation Assistance Program.

12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):
Non-urbanized counties and cities in the downstate Illinois area.

13. PROPOSED PROJECT 14. CONGRESSIONAL DISTRICTS OF:

Start Date Ending Date a. Applicant b. Project
7/1/2008 to 6/30/2009 Johnson, Weller Johnson, Weller

15. ESTIMATED FUNDING:

| | | |
|-------------------|----|--------------|
| a. Federal | \$ | 376,393.00 |
| b. Applicant | \$ | |
| c. State | \$ | 827,450 |
| d. Local | \$ | 380,536.00 |
| e. Other | \$ | |
| f. Program Income | \$ | 142,000.00 |
| g. TOTAL | \$ | 1,726,379.00 |

16. IS APPLICANT SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?
a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:
DATE 17-Jun-08
b. NO. PROGRAM IS NOT COVERED BY E. O. 12372 OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
Yes If "Yes," attach an explanation X No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

| | | |
|---|--|--|
| a. Type Name of Authorized Representative <u>Matt Sorensen</u> | b. Title <u>Chairman, McLean County Board</u> | c. Telephone Number <u>309-888-5110</u> |
| d. Signature of Authorized Representative | | e. Date Signed |

NOTE: ONLY ENTER DATA IN HIGHLIGHTED CELLS

GRANTEE: **MCLEAN COUNTY**

Exhibit B

Note: Only enter data in highlighted cells

FINANCIAL DATA
PROPOSED

FY 2009 BUDGET

REVENUES:

| Item | Description | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | PROJECT INCOME (Proposed) | LOCAL MATCH (Proposed) |
|---------------------------------|-------------------------------------|----------------------------------|-----------------------------------|------------------------------|---------------------------|
| 401.01 | Full Adult Fare | \$57,000 | \$57,000 | \$57,000 | |
| 401.02 | Senior Citizen Fares | 85,000 | 85,000 | 85,000 | |
| 401.03 | Student Fares | | 0 | | |
| 401.04 | Child Fares | | 0 | | |
| 401.05 | Disabled Rider Fares | | 0 | | |
| 401.06 | Parking Lot Fares | | 0 | | |
| 401.99 | Other Rider Fares | | 0 | | |
| 402.00 | Spécial Transit Fares | 250,000 | 250,000 | | 250,000 |
| 403.00 | School Bus Service | | 0 | | |
| 404.00 | Freight Tariffs | | 0 | | |
| 405.00 | Charter Service Revenues | | 0 | | |
| 406.00 | Auxiliary Revenues | | 0 | | |
| 407.01 | Sales of Maintenance Service | | 0 | | |
| 407.02 | Rental of Revenue Vehicles | | 0 | | |
| 407.03 | Rental of Buildings & Property | | 0 | | |
| 407.99 | Other Non-transportation Revenue | | 0 | | |
| 408.00 | Taxes Levied by Transit System | | 0 | | |
| 409.00 | Local Cash Grants | 50,750 | 50,750 | | 50,750 |
| 410.01 | Local Disabled Fare Assistance | | 0 | | |
| 410.02 | Local Senior Fare Assistance | | 0 | | |
| 410.03 | Local Student Fare Assistance | | 0 | | |
| 410.99 | Other Local Special Fare Assistance | | 0 | | |
| 411.00 | State Cash Grants | 827,450 | 827,450 | | 827,450 |
| 412.00 | State Special Fare Assistance | | 0 | | |
| 413.00 | Federal Cash Grants (Section 18) | 376,393 | 0 | | |
| 413.99 | Other Federal Financial Assistance | | 0 | | |
| 414.00 | Interest Income | | 0 | | |
| 430.01 | Contributed Services - Allowable | | 0 | | |
| 430.03 | Contributed Services - Unallowable | | | | |
| 430.04 | Contra Account for 430.03 | | | | |
| 431.00 | Contributed Cash | 79,786 | 79,786 | | 79,786 |
| 440.00 | Subsidy From Other Sources | | 0 | | |
| | | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | PROJECT INCOME (Proposed) | LOCAL MATCH (Proposed) |
| (Exclude grey areas from total) | | \$1,349,986 | \$1,349,986 | \$142,000 | \$1,207,986 |
| TOTAL REVENUE 401 - 440 | | | | | |

NOTE: ONLY ENTER DATA IN HIGHLIGHTED CELLS

PROPOSED

(continued) FY 2009

MCLEAN COUNTY

Exhibit B

EXPENSES:

| Item | Description | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | SECTION 5311 ADMINISTRATION (Proposed) | SECTION 5311 OPERATING (Proposed) |
|-------------------------|-----------------------------------|----------------------------------|-----------------------------------|--|---|
| LABOR: | | | | | |
| 501.01 | Operator's Salaries & Wages | \$450,000 | \$450,000 | | \$450,000 |
| 501.02 | Training Salaries & Wages | | 0 | | |
| 501.03 | Dispatcher's Salaries & Wages | 30,000 | 30,000 | | 30,000 |
| 501.04 | Administrative Salaries & Wages | 216,000 | 216,000 | 216,000 | |
| 501.99 | Other Salaries & Wages | 10,000 | 10,000 | 10,000 | |
| | TOTAL | \$706,000 | \$706,000 | \$226,000 | \$480,000 |
| FRINGE BENEFITS: | | | | | |
| 502.01 | FICA | \$53,500 | \$53,500 | \$18,500 | \$35,000 |
| 502.02 | Pensions & Long Term Disability | 6,500 | 6,500 | 2,500 | 4,000 |
| 502.03 | Health Insurance | 50,000 | 50,000 | 25,000 | 25,000 |
| 502.04 | Dental Plans | | 0 | | |
| 502.05 | Life Insurance | 2,500 | 2,500 | 1,000 | 1,500 |
| 502.06 | Short Term Disability | | 0 | | |
| 502.07 | Unemployment Insurance | | 0 | | |
| 502.08 | Worker's Compensation | 28,000 | 28,000 | 1,000 | 27,000 |
| 502.09 | Sick Leave | | 0 | | |
| 502.10 | Holiday | | 0 | | |
| 502.11 | Vacation | 53,500 | 53,500 | 20,000 | 33,500 |
| 502.12 | Other Paid Absence | | 0 | | |
| 502.13 | Uniform Allowance | 12,000 | 12,000 | 1,000 | 11,000 |
| 502.99 | Other Fringe Benefits | | 0 | | |
| | TOTAL | \$206,000 | \$206,000 | \$69,000 | \$137,000 |
| SERVICES: | | | | | |
| 503.01 | Management Services | | \$0 | | |
| 503.02 | Advertising Services | 2,000 | 2,000 | 2,000 | |
| 503.03 | Professional & Technical Services | 33,000 | 33,000 | 33,000 | |
| 503.04 | Temporary Services | 7,200 | 7,200 | 2,000 | 5,200 |
| 503.05 | Contract Maintenance | 88,000 | 88,000 | 3,000 | 85,000 |
| 503.06 | Custodial Services | | 0 | | |
| 503.07 | Security Services | | 0 | | |
| 503.99 | Other Services | 18,000 | 18,000 | 1,000 | 17,000 |
| | TOTAL | \$148,200 | \$148,200 | \$41,000 | \$107,200 |

NOTE: ONLY ENTER DATA IN HIGHLIGHTED CELLS

PROPOSED

(continued) FY 2009

MCLEAN COUNTY

Exhibit B

EXPENSES:

| Item | Description | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | SECTION 5311 ADMINISTRATION (Proposed) | SECTION 5311 OPERATING (Proposed) |
|----------------------------------|---|----------------------------------|-----------------------------------|--|---|
| MATERIALS & SUPPLIES: | | | | | |
| 504.01 | Fuel & Lubricants Consumed | \$373,579 | \$373,579 | | \$373,579 |
| 504.02 | Tires & Tubes Consumed | 10,500 | 10,500 | | 10,500 |
| 504.03 | Inventory Purchases | 25,000 | 25,000 | \$20,000.00 | 5,000 |
| 504.99 | Other Materials & Supplies | | 0 | | |
| | TOTAL | \$409,079 | \$409,079 | \$20,000 | \$389,079 |
| UTILITIES: | | | | | |
| 505.02 | Telephone | \$17,000 | \$17,000 | \$17,000 | |
| 505.99 | Other, i.e. Natural Gas, Electric, etc. | 10,000 | 10,000 | 4,000 | 6,000 |
| | TOTAL | \$27,000 | \$27,000 | \$21,000 | \$6,000 |
| CASUALTY & LIABILITY: | | | | | |
| 506.01 | Physical Damage Insurance | \$65,500 | \$65,500 | \$65,500 | |
| 506.03 | Liability & Property Insurance | 84,500 | 84,500 | 84,500 | |
| 506.04 | Uninsured Settlements | | 0 | | |
| 506.05 | Provisions for Uninsured Settlements | | 0 | | |
| 506.06 | Recoveries of Settlements | | 0 | | |
| 506.08 | Other Corporate Insurance | | 0 | | |
| 506.99 | Other Insurance | | 0 | | |
| | TOTAL | \$150,000 | \$150,000 | \$150,000 | \$0 |
| TAXES: | | | | | |
| 507.00 | TOTAL | | \$0 | | |
| PURCHASED TRANSPORTATION: | | | | | |
| 508.00 | TOTAL | \$0 | \$0 | | |
| MISCELLANEOUS: | | | | | |
| 509.01 | Dues & Subscriptions | \$3,000 | \$3,000 | \$3,000 | |
| 509.02 | Travel & Meetings | 8,000 | 8,000 | 8,000 | |
| 509.03 | Bridge, Tunnel, & Highway Tolls | | 0 | | |
| 509.04 | Entertainment Expense | | | | |
| 509.05 | Charitable Donations | | | | |
| 509.06 | Fines & Penalties | | | | |
| 509.07 | Bad Debt Expense | | | | |
| 509.08 | Advertising/Promotion Media | 5,000 | 5,000 | 5,000 | |
| 509.99 | Other Miscellaneous Expense | | 0 | | |
| | TOTAL (Excluding Grey Areas) | \$16,000 | \$16,000 | \$16,000 | \$0 |

**FEDERAL FISCAL YEAR 2008 CERTIFICATIONS AND ASSURANCES FOR
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

(Signature page alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: McLean County

The Applicant agrees to comply with applicable provisions of Categories 01 – 24. X

OR

The Applicant agrees to comply with applicable provisions of the Categories it has selected:

| <u>Category</u> | <u>Description</u> | |
|-----------------|--|-------|
| 01. | Assurances Required For Each Applicant. | _____ |
| 02. | Lobbying. | _____ |
| 03. | Procurement Compliance. | _____ |
| 04. | Protections for Private Providers of Public Transportation. | _____ |
| 05. | Public Hearing. | _____ |
| 06. | Acquisition of Rolling Stock for Use in Revenue Service. | _____ |
| 07. | Acquisition of Capital Assets by Lease. | _____ |
| 08. | Bus Testing. | _____ |
| 09. | Charter Service Agreement. | _____ |
| 10. | School Transportation Agreement. | _____ |
| 11. | Demand Responsive Service. | _____ |
| 12. | Alcohol Misuse and Prohibited Drug Use. | _____ |
| 13. | Interest and Other Financing Costs. | _____ |
| 14. | Intelligent Transportation Systems. | _____ |
| 15. | Urbanized Area Formula Program. | _____ |
| 16. | Clean Fuels Grant Program. | _____ |
| 17. | Elderly Individuals and Individuals with Disabilities Formula Program and Pilot Program. | _____ |
| 18. | Nonurbanized Area Formula Program for States. | _____ |
| 19. | Job Access and Reverse Commute Program. | _____ |
| 20. | New Freedom Program. | _____ |
| 21. | Alternative Transportation in Parks and Public Lands Program. | _____ |
| 22. | Tribal Transit Program. | _____ |
| 23. | Infrastructure Finance Projects. | _____ |
| 24. | Deposits of Federal Financial Assistance to a State Infrastructure Banks. | _____ |

FEDERAL FISCAL YEAR 2008 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA assistance and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: McLean County

Name and Relationship of Authorized Representative: McLean County Board Chair, Matt Sorensen

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes, regulations, executive orders, and directives, and with the certifications and assurances as indicated on the foregoing page applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2008.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in this document, should apply, as provided, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2008.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal fraud provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature _____ Date: _____

Name Matt Sorensen
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): McLean County

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature _____ Date: _____

Name _____
Attorney for Applicant

Each Applicant for FTA financial assistance and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

Board Resolution

(Revised 1/05)

Number _____

Resolution authorizing application for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311).

WHEREAS, the provision of public transit service is essential to the transportation of persons in the non-urbanized area; and

WHEREAS, Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311), makes funds available to help offset certain operating deficits and administrative expenses of a system providing public transit service in non-urbanized areas; and

WHEREAS, grants for said funds will impose certain obligations upon the recipient, including the provision by it of the local share of funds, necessary to cover costs not covered by funds provided under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF MCLEAN COUNTY:

Section 1. That an application be made to the Division of Public Transportation, Department of Transportation, State of Illinois, for a financial assistance grant under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311), for the purpose of off-setting a portion of the Public Transportation Program operating deficits of McLean County.

Section 2. That while participating in said operating assistance program McLean County will provide all required local matching funds.

Section 3. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) is hereby authorized and directed to execute and file on behalf of McLean County such application.

Section 4. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) is authorized to furnish such additional information as may be required by the Division of Public Transportation and the Federal Transit Administration in connection with the aforesaid application for said grant.

Section 5. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) is hereby authorized and directed to execute and file on behalf of McLean County all required Grant Agreements with the Illinois Department of Transportation, in order to obtain grant assistance under the provisions of the Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311).

Section 6. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) is hereby authorized to provide such information and to file such documents as may be required to perform the Grant Agreement and to receive the grant. In addition, the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) is hereby authorized and directed to execute and file on behalf of McLean County any revisions, amendments or any other documentation that may arise during the course of the grant assistance

PRESENTED and ADOPTED this _____ day of _____, 20_____

Attest:

Approved:

Peggy Ann Milton
County Clerk
McLean County, IL

Matt Sorensen
Chair
McLean County Board

Acceptance of the Special Warranty

WHEREAS, Section 5311 of the Federal Transit Act of 1964, as amended, makes funds available to help offset certain operating deficits of a system providing public transit service in non-urbanized areas; and

WHEREAS, 49 U.S.C. § 5333(b) requires that fair and equitable arrangements must be made to protect the interests of employees affected by such assistance as a condition of receipt of funds under Section 5311; and

WHEREAS a simplified process for assuring employee protections that accommodates the needs of participants in the Section 5311 program has been agreed upon by the U.S. Department of Labor and the U.S. Department of Transportation by allowing execution of a Special Section 5333(b) Warranty for Section 5311 projects (Special Warranty), which the Secretary of Labor certified on May 31, 1979;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF MCLEAN COUNTY:

Section 1. That an application be made to the Division of Public Transportation, Department of Transportation, State of Illinois, for a financial assistance grant under Section 5311 of the Federal Transit Act of 1964, as amended.

Section 2. As a condition of the receipt of Section 5311 funds, McLean County Board hereby agrees in writing to the terms and conditions of the Special Warranty (attached) regarding fair and equitable arrangements to protect the interests of employees affected by such assistance.

PASSED by the McLean County Board on the 17th day of June, 2008.
Officer or Official of Applicant

Signature of Authorized Official

Chair, McLean County Board
Title

Date

Applicant's Certification Of Intent

Applicant: McLean County

Address: 115 E Washington Street, POBox 2400

Bloomington, IL 61702-2400

| | | |
|-----------------------|--------------------------------|---------------------|
| <u>Michael Behary</u> | <u>Grantee Project Manager</u> | <u>309-888-5160</u> |
| Contact Person | Title | Telephone |

309-888-5768
Fax Number

mike.behary@mcleancountyil.gov
E-Mail Address

The applicant hereby applies to the State of Illinois through the Illinois Department of Transportation, Division of Public Transportation for grants under Article III of the Downstate Public Transportation Act for operating and administrative assistance for public transportation service.

I hereby certify that I have reviewed this application including all attachments and information, and have found it to be true and correct.

Officer or Official of Applicant

Signature

McLean County Board Chair
Title

Date

Ordinance

Ordinance

ORDINANCE NUMBER _____
AN ORDINANCE TO PROVIDE FOR PUBLIC TRANSPORTATION
IN MCLEAN COUNTY, ILLINOIS

Whereby, public transportation is an essential public purpose for which public funds may be expended under Article 13, Section 7 of the Illinois Constitution; and

WHEREAS, McLean County wishes to provide public transportation for its citizens and become eligible for grants from the State of Illinois or any department or agency thereof, from any unit of local government, from the Federal government or any department or agency thereof; and

WHEREAS, Illinois Compiled Statutes 740/2-1 et seq. authorizes a county to provide for public transportation within the (county or counties) limits:

NOW, THEREFORE, BE IT ORDAINED by the President and the County Board of McLean County that:

Section 1. McLean County shall hereby provide public transportation within the (county or counties) limits.

Section 2. The County Clerk of the County of McLean shall file a certified copy of this Ordinance, within sixty days after passage of this ordinance.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval, as required by law.

Section 4. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) is hereby authorized and directed to execute and file on behalf of McLean County a Grant Application to the Illinois Department of Transportation.

Section 5. That the Board Chair of McLean County (or, in the Chair's absence or by the Chair's request, the Vice Chair) is hereby authorized and directed to execute and file on behalf of McLean County all required Grant Agreements (including any revisions or amendments that may arise) with the Illinois Department of Transportation.

ADOPTED by the County Board of McLean County on the 17th Day of June, 2008, and deposited and filed in the office of the County Clerk of said County on that date.

Attest:

Approved:

Peggy Ann Milton
County Clerk
McLean County, IL

Matt Sorensen
Chair
McLean County Board

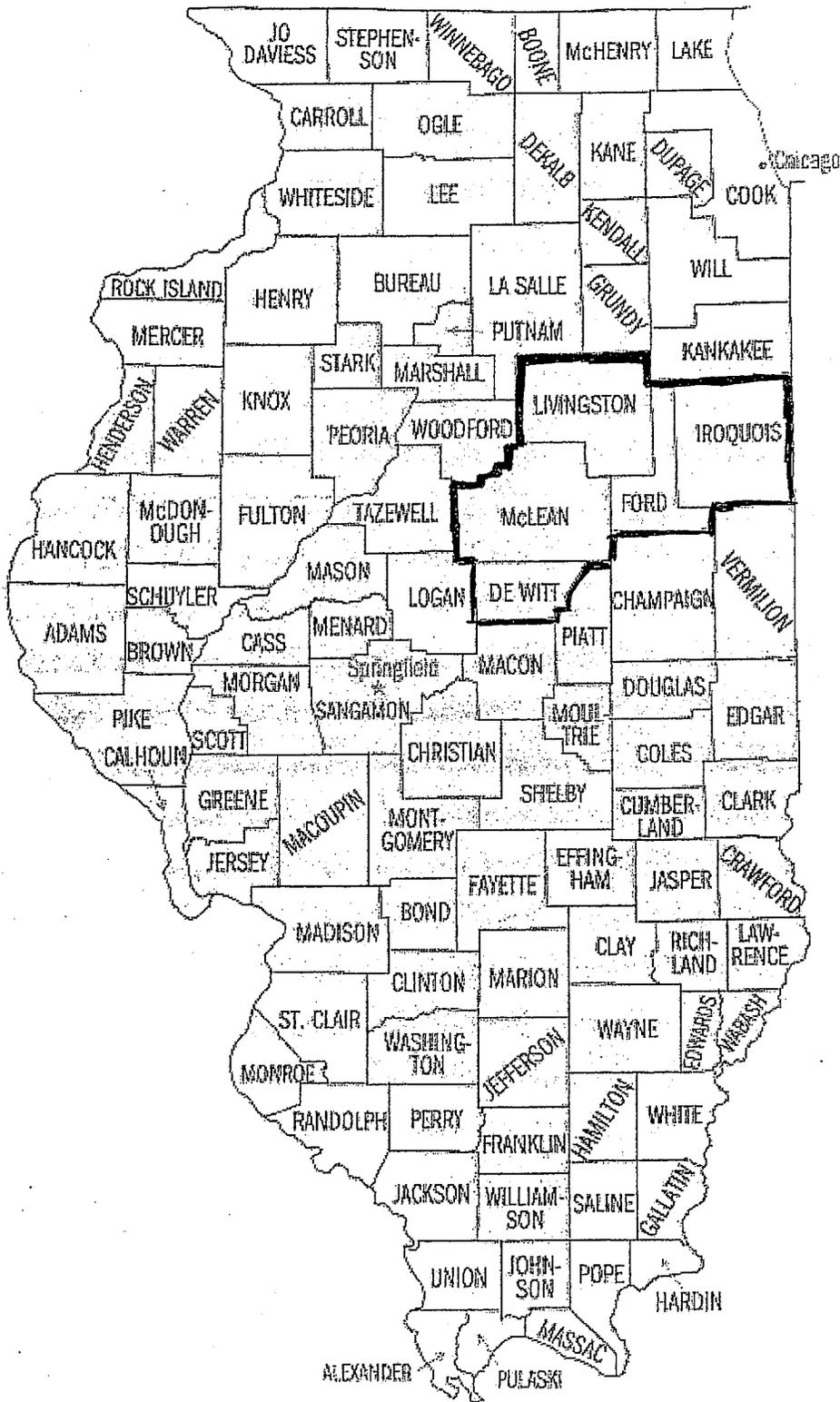
APPLICATION
FY2009

EXHIBIT J (5311) / OP-6E & OP-6G (DSU)
MC LEAN COUNTY

SECTION 5311 VEHICLE INVENTORY SUMMARY

VEHICLE CONDITION CODE VEHICLE STATUS CODE
EXCELLENT ACTIVE A
GOOD RESERVE RV
FAIR OUT OF SERVICE O
POOR REPLACED RPL
INOPERABLE DISPOSED D

| VEHICLE VIN | TITLE HOLDER OWNER | OPERATOR | FLEET # | CHASSIS YEAR | CHASSIS MANUF. | VEHICLE TYPE | VEHICLE LENGTH | STATE GRANT NUMBER | FED GRANT NUMBER | ACQUISITION COST | DOLLARS OF FEDERAL PARTICIPATION | DATE IN SERVICE/ PURCHASE | FTA ELIGIBLE REPLACEMENT DATE | CURRENT MILEAGE | CURRENT VEHICLE CONDITION | DATE OF LAST FOOT INSPECTION | VEHICLE STATUS |
|--------------------|------------------------|----------|---------|--------------|----------------|-------------------|----------------|--------------------|------------------|------------------|----------------------------------|---------------------------|-------------------------------|-----------------|---------------------------|------------------------------|----------------|
| 266KB3124TK184688 | Meadows/SHOW BUS | SHOW BUS | 4 | 95 | Dodge | Raised roof van | 20' | CAP-95-535 | IL-16-0015 | 33,233.00 | 26,666.50 | 10/17/96 | 1996 | 106,645 | POOR | 05/20/08 | O |
| 1FDXE40F3WH1B91379 | McLean County | SHOW BUS | 15 | 98 | Ford | Medium Duty | 23.3' | CAP-98-916 | | 53,197.00 | \$- | 12/14/98 | 1998 | 150,027 | FAIR | 05/20/08 | RPL |
| 2B7L31230WV158293 | McLean County | SHOW BUS | 16 | 98 | Dodge | Raised roof van | 20' | CAP-98-916 | | 36,417.00 | \$- | 12/14/98 | 1998 | 176,473 | POOR | 05/20/08 | RPL |
| 296LB3125TK124040 | Meadows/SHOW BUS | SHOW BUS | 17 | 2000 | Dodge | Raised roof van | 20' | ECIA/AA/LOCAL | | 45,000.00 | \$- | 07/10/00 | 2000 | 141,672 | POOR | 05/20/08 | A |
| 2B7L3127YK168458 | McLean County | SHOW BUS | 18 | 2000 | Dodge | Raised roof van | 20' | CAP-00-590-ILL | | 37,694.00 | \$- | 07/20/00 | 2000 | 107,135 | FAIR | 05/20/08 | A |
| 1FDXE45F0YHC01202 | McLean County | SHOW BUS | 19 | 2000 | Ford | Medium Duty | 23.3' | CAP-00-590-ILL | | 54,698.00 | \$- | 11/03/00 | 2000 | 160,938 | FAIR | 05/20/08 | A |
| 1FDXE45F5YHC01227 | McLean County | SHOW BUS | 20 | 2000 | Ford | Medium Duty | 23.3' | CAP-00-590-ILL | | 54,698.00 | \$- | 11/27/00 | 2000 | 119,914 | FAIR | 05/20/08 | A |
| 1FDXE45F22HB40538 | McLean County | SHOW BUS | 22 | 2002 | Ford | Medium Duty | 23.3' | CAP-02-791-CVP | IL-03-0225 | 52,561.00 | 42,049.00 | 01/24/03 | 2003 | 128,108 | GOOD | 05/20/08 | A |
| 1FDXE45F42HB40539 | McLean County | SHOW BUS | 23 | 2002 | Ford | Medium Duty | 23.3' | CAP-01-743-CVP | IL-03-0213 | 52,561.00 | 42,049.00 | 01/24/03 | 2003 | 138,816 | GOOD | 05/20/08 | A |
| 1FDXE45F03HB88038 | McLean County | SHOW BUS | 24 | 2003 | Ford | Medium Duty | 23.3' | CAP-03-898-CVP | IL-16-X018 | 94,404.53 | 43,523.83 | 02/20/04 | 2004 | 104,725 | EXCELLENT | 05/20/08 | A |
| 1FDWE35L33HB88076 | McLean County | SHOW BUS | 25 | 2003 | Ford | Light Duty | 20' | CAP-03-856-CVP | IL-16-X018 | 45,619.83 | 36,496.86 | 04/08/04 | 2004 | 105,305 | EXCELLENT | 05/20/08 | A |
| 1FDXE45F52HB40551 | McLean County | SHOW BUS | 26 | 2003 | Ford | Medium Duty | 23.3' | 184 CVP | | n/a-rec'd from | closed agency | 06/30/04 | 2004 | 105,305 | EXCELLENT | 05/20/08 | A |
| 1FDXE45P15HB26630 | McLean County | SHOW BUS | 27 | 2005 | Ford | Medium Duty | 23.3' | CAP-04-876-CVP | IL-16-0030 | 58,435.00 | 58,435.00 | 11/04/05 | 2005 | 58,619 | EXCELLENT | 05/20/08 | A |
| 1FDXE45P15HB26630 | McLean County | SHOW BUS | 28 | 2005 | Ford | Medium Duty | 23.3' | CAP-04-876-CVP | IL-16-X021 | 58,435.00 | 58,435.00 | 11/04/05 | 2005 | 84,723 | EXCELLENT | 05/20/08 | A |
| 13L15D285377 | Bloomington Normal Tr. | SHOW BUS | 29 | 2005 | Chevrolet | Mint Van | 16.6' | | | | | 11/07/05 | 2005 | 22,397 | EXCELLENT | 05/20/08 | A |
| 305XXHB50204 | Meadows/SHOW BUS | SHOW BUS | 30 | 1999 | Ford | Super Medium Duty | 23.3' | | | | | 11/30/05 | 2006 | 39,305 | FAIR | 05/20/08 | A |
| AFM231585213 | DeWitt County HRC | SHOW BUS | 31 | 2003 | International | Super Medium Duty | 29' | | | | | 04/18/08 | 2008 | 54,553 | FAIR | 05/20/08 | A |
| 1HVbr:AFM331585219 | DeWitt County HRC | SHOW BUS | 32 | 2002 | International | Super Medium Duty | 29' | | | | | 04/18/08 | 2008 | 61,030 | FAIR | 05/20/08 | A |
| 1BAGG8SA2WF078436 | DeWitt County HRC | SHOW BUS | 33 | 1998 | Blue Bird | Light Duty | 20' | CAP-07-899-CVP | IL-16-0023 | 46,866.00 | 46,866.00 | 05/20/08 | 2008 | 99,207 | FAIR | 05/20/08 | A |
| 1FDX35L98DA13350 | McLean County | SHOW BUS | 34 | 2008 | Ford | Light Duty | 20' | CAP-07-899-CVP | IL-16-0023 | 46,866.00 | 46,866.00 | 05/20/08 | 2008 | 35 | EXCELLENT | 05/20/08 | A |
| 1FD3E35L08DA13351 | McLean County | SHOW BUS | 35 | 2008 | Ford | Light Duty | 20' | CAP-07-899-CVP | IL-16-0023 | 46,866.00 | 46,866.00 | 05/20/08 | 2008 | 35 | EXCELLENT | 05/20/08 | A |
| DISPOSED VEHICLES | OWNER | OPERATOR | # | YEAR | MANUFACTURE | TYPE | LENGTH | NUMBER | NUMBER | COST | Fed Participation | PURCHASE | DATE | MILEAGE | CONDITION | DISPOSITION | STATUS |
| 1FTLJ34G9RH78592 | McLean County | SHOW BUS | 3 | 94 | Ford | Raised roof van | 20' | CAP-94-480-ILL | | \$35,597.00 | \$- | 12/01/94 | 06/16/05 | SOLD | SOLD | 07/21/04 | SOLD |
| 4GDJK54E22P2106426 | Meadows/SHOW BUS | SHOW BUS | 11 | 83 | MST | Heavy Duty | 23.3' | CAP-92-401 FED | IL-16-0016 | 65,152.00 | 52,122.00 | 05/95 | 1993 | SOLD | SOLD | 02/22/05 | SOLD |
| 1FDLE40F2VH852790 | Meadows/SHOW BUS | SHOW BUS | 14 | 97 | Ford | Medium Duty | 23.3' | IL-97-959 FED | IL-16-0021 | 92,657.00 | 42,126.00 | 07/97 | 1997 | SOLD | SOLD | 02/22/05 | SOLD |
| 1FDWE35L62HB52792 | McLean County | SHOW BUS | 21 | 2003 | Ford | Light Duty | 20' | CAP-02-791-CVP | IL-03-0225 | 44,353.00 | 35,482.00 | 12/02 | 2002 | WRECKED | SOLD | 01/25/07 | SOLD |





McLean County

DEPARTMENT OF BUILDING & ZONING

(309) 888-5160 Fax (309) 888-5768 www.mcleancountyil.gov
115 E. Washington, Room M102 P.O. Box 2400 Bloomington, Illinois 61702-2400

COPY

May 28, 2008

Beyer Twin City Cab & Circle City Cab
1001 West Washington Street
Bloomington, IL 61701

RE: Opportunity to Provide Rural Public Transportation in McLean, Livingston, Ford, DeWitt & Iroquois Counties

Dear Transportation Provider:

McLean County applies annually to the Illinois Department of Transportation (IDOT) on behalf of the four above named counties for Section 5311 federal transit funding to help fund rural public transportation. These funds have been received since 1988 to operate rural public transportation in McLean and Livingston Counties. Ford County was added in 1989. Iroquois County was added in 1992. DeWitt County was added in 2007

SHOW BUS, which is sponsored by Meadows Mennonite Retirement Community, is currently the provider of this service. SHOW BUS offers public transportation in the four county area Monday through Friday. Service is open to wheelchair passengers as well as to those who are ambulatory.

According to Section 5311 requirements, private transportation providers in the four county area need to be informed about this service and asked if they are interested in participating in a contract for service arising from a funding agreement under the Section 5311 Rural Public Transportation Funding Assistance Program. Any provider would need to deliver all of the transportation obligations under the terms of the contract with IDOT for the five county area.

Please contact me by June 10, 2008 if you are interested in providing this public transportation or if I can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Michael Behary".

Mike Behary, County Planner
Grantee Project Manager

Providers List for 2009 Application

Beyer Twin City Cab & Circle City Cab
1001 West Washington Street
Bloomington, IL 61701

The ARC
700 E. Elm Street
Watseka, IL 60970

Checker Cab Inc.
1508 South Main Street
Bloomington, IL 61701

Bee Express Taxi Cab
100 N. Main Street
Pontiac, IL 61764

Dehm Bus Service
8 N. 3rd
Chatsworth, IL 60921

Ryder Student Transportation
1103½ E. Croxton Avenue
Bloomington, IL 61701

Volunteer Services of Iroquois County
1001 E. Grant Street
Watseka, IL 60970

TLC Express
334 ½ E. Baker Street
Bloomington, IL 61701

St. Mary's Hospital
111 East Spring Street
Streator, IL 61364

Wilken Bus Service
1565 N 600 E Road
Onarga, IL 60955

Willow Estates Cooperative, Inc.
RR 1 Box W-27
Beaverville, IL 60912

Red Top Cab
208 North Morris Avenue
Bloomington, IL 61701

Elegant Limousines / Bloomington Charter
112 E. Jefferson
Bloomington, IL 61701

Good Times Taxi
901 W Water Street
Pontiac, IL 61764

Dave Wenger Transportation
510 W Oak Street
Fairbury, IL 61739

Dwight Cab Service
414 S Lincoln Street
Dwight, IL 60420

Lifeline Mobile Medic Van
112 Southgate Drive
Bloomington, IL 61701

First Student
704 S McLean Street
Bloomington, IL 61701

Aaron Party Bus
1628 Commerce Parkway
Bloomington, IL 61704

Anderson Top Hat Limo
110 Main Street
Emington, IL 60934

May 28, 2008

Page - 2 -

Baker Chauffeuring
209 W Division Street
Bloomington, IL 61701

Blue Nite Limo
402 N Roosevelt Street
Bloomington, IL 61701

Cassano Limo
P.O. Box 534
Peoria, IL 61651

L&M Limo
509 Smith Lane
Dwight, IL 60420

Miss Ann's Charter
115 S Regency Drive
Bloomington, IL 61704

Gerdes Transportation
511 E Locust Street
Chatsworth, IL 60921

RE Moore & Company
1607 Visa Drive
Normal, IL 61761

YWCA Transportation
905 N Main Street
Normal, IL 61761

Sheldon Transportation Inc.
1121 N Jefferson Street
Watseka, IL 60970

Crawford Bus Systems
809 ½ S 2nd Street
Watseka, IL 60970

Red Arrow Bus
326 E Cherry Street
Watseka, IL 60970

Dwight Cab Service
414 S Lincoln Street
Dwight, IL 60420

Futures Unlimited
210 E. Torrance Avenue
Pontiac, IL 61764

Bloomington Normal Public Transportation
104 E. Oakland Avenue
Bloomington, IL 61701

Turner Bus Service
209 ½ S Old Route 66
Dwight, IL 60420

Big Larry Cab & Limo
490 S Schuyler Avenue
Kankakee, IL 60901

DOWNSTATE
STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

APPLICATION FORM OP-1
COVER LETTER

FOR IDOT OFFICE USE ONLY

Grant Applic. Number _____ Expenses _____
Date Received _____ Revenues _____
Appropriation _____ Deficit _____
65% of Expenses _____

Application for operating assistance grants under Article II of the Downstate Public Transportation Act (30 ILCS 740/1-1 et seq.) for costs incurred during the period July 1, 2008 through June 30, 2009.

APPLICANT'S NAME: McLean County

STREET ADDRESS: 115 E Washington Street, POBox 2400

Bloomington, IL 61702-2400 309-888-5160
CITY STATE ZIP CODE TELEPHONE NUMBER

The applicant hereby applies to the State of Illinois through the Division of Public & Intermodal Transportation for grants under Article II of the Downstate Public Transportation Act (30 ILCS 740/1-1 et seq.).

I hereby certify that I have reviewed this Application including all attached exhibits and information, and have found it to be true and correct.

Signature (same as #1 on Form OP-2)

Title (same as #1 on Form OP-2)

Date

FORM OP-3

SUMMARY OF TOTALS FOR REVENUES AND EXPENSES

| | |
|---|-------------------------|
| Total Eligible Expense reported on 5311 Exhibit B (Column A, pg. 9 of OP-5 Tab) | \$ <u>1,726,379</u> (a) |
| Total Eligible Revenue reported on 5311 Exhibit B (Column A, pg. 7 of OP-5 Tab) | \$ <u>522,536</u> (b) |
| Section 5311 Funding requested in 5311 Application | \$ <u>376,393</u> (c) |
| Downstate Operating Assistance Deficit (a) - (b+ c) | \$ <u>827,450</u> (d) |
| 65% of Eligible Operating Expenses | \$ <u>1,122,146</u> (e) |
| Downstate Operating Assistance requested (lesser of (d) or (e)) | \$ <u>827,450</u> |

I hereby certify that the total operating revenues and expenses reported in this Form are estimated to be incurred in the provision of public transportation services within the State of Illinois during FISCAL YEAR 2009. Expenses determined to be ineligible under such regulations for State Operating Assistance have been deducted as ineligible expenses.

Prepared by: *J. J. J. J.*

Certified by: _____
(same as #3 on Form OP-2)

Date: _____

NOTE: ONLY ENTER DATA IN HIGHLIGHTED CELLS

GRANTEE: MCLEAN COUNTY

Exhibit B

Note: Only enter data in highlighted cells

FINANCIAL DATA

PROPOSED

FY 2009 BUDGET

REVENUES:

| Item | Description | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | PROJECT INCOME (Proposed) | LOCAL MATCH (Proposed) |
|---------------------------------|-------------------------------------|----------------------------------|-----------------------------------|------------------------------|---------------------------|
| 401.01 | Full Adult Fare | \$57,000 | \$57,000 | \$57,000 | |
| 401.02 | Senior Citizen Fares | 85,000 | 85,000 | 85,000 | |
| 401.03 | Student Fares | | 0 | | |
| 401.04 | Child Fares | | 0 | | |
| 401.05 | Disabled Rider Fares | | 0 | | |
| 401.06 | Parking Lot Fares | | 0 | | |
| 401.99 | Other Rider Fares | | 0 | | |
| 402.00 | Special Transit Fares | 250,000 | 250,000 | | 250,000 |
| 403.00 | School Bus Service | | 0 | | |
| 404.00 | Freight Tariffs | | 0 | | |
| 405.00 | Charter Service Revenues | | 0 | | |
| 406.00 | Auxiliary Revenues | | 0 | | |
| 407.01 | Sales of Maintenance Service | | 0 | | |
| 407.02 | Rental of Revenue Vehicles | | 0 | | |
| 407.03 | Rental of Buildings & Property | | 0 | | |
| 407.99 | Other Non-transportation Revenue | | 0 | | |
| 408.00 | Taxes Levied by Transit System | | 0 | | |
| 409.00 | Local Cash Grants | 50,750 | 50,750 | | 50,750 |
| 410.01 | Local Disabled Fare Assistance | | 0 | | |
| 410.02 | Local Senior Fare Assistance | | 0 | | |
| 410.03 | Local Student Fare Assistance | | 0 | | |
| 410.99 | Other Local Special Fare Assistance | | 0 | | |
| 411.00 | State Cash Grants | 827,450 | 827,450 | | 827,450 |
| 412.00 | State Special Fare Assistance | | 0 | | |
| 413.00 | Federal Cash Grants (Section 18) | 376,393 | 0 | | |
| 413.99 | Other Federal Financial Assistance | | 0 | | |
| 414.00 | Interest Income | | 0 | | |
| 430.01 | Contributed Services - Allowable | | 0 | | |
| 430.03 | Contributed Services - Unallowable | | | | |
| 430.04 | Contra Account for 430.03 | | | | |
| 431.00 | Contributed Cash | 79,786 | 79,786 | | 79,786 |
| 440.00 | Subsidy From Other Sources | | 0 | | |
| | | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | PROJECT INCOME (Proposed) | LOCAL MATCH (Proposed) |
| (Exclude grey areas from total) | | \$1,349,986 | \$1,349,986 | \$142,000 | \$1,207,986 |
| TOTAL REVENUE 401 - 440 | | | | | |

NOTE: ONLY ENTER DATA IN HIGHLIGHTED CELLS

PROPOSED

(continued) FY 2009

MCLEAN COUNTY

Exhibit B

EXPENSES:

| Item | Description | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | SECTION 5311 ADMINISTRATION (Proposed) | SECTION 5311 OPERATING (Proposed) |
|-------------------------|-----------------------------------|----------------------------------|-----------------------------------|--|---|
| LABOR: | | | | | |
| 501.01 | Operator's Salaries & Wages | \$450,000 | \$450,000 | | \$450,000 |
| 501.02 | Training Salaries & Wages | | 0 | | |
| 501.03 | Dispatcher's Salaries & Wages | 30,000 | 30,000 | | 30,000 |
| 501.04 | Administrative Salaries & Wages | 216,000 | 216,000 | 216,000 | |
| 501.99 | Other Salaries & Wages | 10,000 | 10,000 | 10,000 | |
| | TOTAL | \$706,000 | \$706,000 | \$226,000 | \$480,000 |
| FRINGE BENEFITS: | | | | | |
| 502.01 | FICA | \$53,500 | \$53,500 | \$18,500 | \$35,000 |
| 502.02 | Pensions & Long Term Disability | 6,500 | 6,500 | 2,500 | 4,000 |
| 502.03 | Health Insurance | 50,000 | 50,000 | 25,000 | 25,000 |
| 502.04 | Dental Plans | | 0 | | |
| 502.05 | Life Insurance | 2,500 | 2,500 | 1,000 | 1,500 |
| 502.06 | Short Term Disability | | 0 | | |
| 502.07 | Unemployment Insurance | | 0 | | |
| 502.08 | Worker's Compensation | 28,000 | 28,000 | 1,000 | 27,000 |
| 502.09 | Sick Leave | | 0 | | |
| 502.10 | Holiday | | 0 | | |
| 502.11 | Vacation | 53,500 | 53,500 | 20,000 | 33,500 |
| 502.12 | Other Paid Absence | | 0 | | |
| 502.13 | Uniform Allowance | 12,000 | 12,000 | 1,000 | 11,000 |
| 502.99 | Other Fringe Benefits | | 0 | | |
| | TOTAL | \$206,000 | \$206,000 | \$69,000 | \$137,000 |
| SERVICES: | | | | | |
| 503.01 | Management Services | | \$0 | | |
| 503.02 | Advertising Services | 2,000 | 2,000 | 2,000 | |
| 503.03 | Professional & Technical Services | 33,000 | 33,000 | 33,000 | |
| 503.04 | Temporary Services | 7,200 | 7,200 | 2,000 | 5,200 |
| 503.05 | Contract Maintenance | 88,000 | 88,000 | 3,000 | 85,000 |
| 503.06 | Custodial Services | | 0 | | |
| 503.07 | Security Services | | 0 | | |
| 503.99 | Other Services | 18,000 | 18,000 | 1,000 | 17,000 |
| | TOTAL | \$148,200 | \$148,200 | \$41,000 | \$107,200 |

NOTE: ONLY ENTER DATA IN HIGHLIGHTED CELLS

PROPOSED

(continued) FY 2009

MCLEAN COUNTY

Exhibit B

EXPENSES:

| Item | Description | AGENCY TOTAL (ALL TRANSIT) | SECTION 5311 TOTAL BUDGETED | SECTION 5311 ADMINISTRATION (Proposed) | SECTION 5311 OPERATING (Proposed) |
|----------------------------------|---|----------------------------------|-----------------------------------|--|---|
| MATERIALS & SUPPLIES: | | | | | |
| 504.01 | Fuel & Lubricants Consumed | \$373,579 | \$373,579 | | \$373,579 |
| 504.02 | Tires & Tubes Consumed | 10,500 | 10,500 | | 10,500 |
| 504.03 | Inventory Purchases | 25,000 | 25,000 | \$20,000.00 | 5,000 |
| 504.99 | Other Materials & Supplies | | 0 | | |
| | TOTAL | \$409,079 | \$409,079 | \$20,000 | \$389,079 |
| UTILITIES: | | | | | |
| 505.02 | Telephone | \$17,000 | \$17,000 | \$17,000 | |
| 505.99 | Other, i.e. Natural Gas, Electric, etc. | 10,000 | 10,000 | 4,000 | 6,000 |
| | TOTAL | \$27,000 | \$27,000 | \$21,000 | \$6,000 |
| CASUALTY & LIABILITY: | | | | | |
| 506.01 | Physical Damage Insurance | \$65,500 | \$65,500 | \$65,500 | |
| 506.03 | Liability & Property Insurance | 84,500 | 84,500 | 84,500 | |
| 506.04 | Uninsured Settlements | | 0 | | |
| 506.05 | Provisions for Uninsured Settlements | | 0 | | |
| 506.06 | Recoveries of Settlements | | 0 | | |
| 506.08 | Other Corporate Insurance | | 0 | | |
| 506.99 | Other Insurance | | 0 | | |
| | TOTAL | \$150,000 | \$150,000 | \$150,000 | \$0 |
| TAXES: | | | | | |
| 507.00 | TOTAL | | \$0 | | |
| PURCHASED TRANSPORTATION: | | | | | |
| 508.00 | TOTAL | \$0 | \$0 | | |
| MISCELLANEOUS: | | | | | |
| 509.01 | Dues & Subscriptions | \$3,000 | \$3,000 | \$3,000 | |
| 509.02 | Travel & Meetings | 8,000 | 8,000 | 8,000 | |
| 509.03 | Bridge, Tunnel, & Highway Tolls | | 0 | | |
| 509.04 | Entertainment Expense | | | | |
| 509.05 | Charitable Donations | | | | |
| 509.06 | Fines & Penalties | | | | |
| 509.07 | Bad Debt Expense | | | | |
| 509.08 | Advertising/Promotion Media | 5,000 | 5,000 | 5,000 | |
| 509.99 | Other Miscellaneous Expense | | 0 | | |
| | TOTAL (Excluding Grey Areas) | \$16,000 | \$16,000 | \$16,000 | \$0 |

| 6B. VEHICLE USE: | Estimated FY09 Revenue Vehicle Miles (1) | Estimated FY09 Peak Vehicles Required | Estimated FY09 Revenue Vehicle Hours (1) |
|--|--|---|--|
| Regular Route | | | |
| Special Routes | | | |
| Paratransit Service Provided by Participant | 600,000 | 22 | 36,000 |
| Paratransit Service from Purchase of Service Contracts | | | |
| TOTAL | 600,000 | 22 | 36,000 |

(1) This should not include deadhead miles or hours

6C PASSENGERS

Estimated FY09

Adult

Child

Senior Citizens and
Disabled (Reduced Fare)

Student (Reduced Fare)

Token, Ticket or Pass

Paratransit Service
Provided by Participant

80,000

Paratransit Service from
Purchase of Service
Contracts

TOTAL PASSENGERS

80,000

Transfers should
be counted and
included as
separate trips in
the appropriate
category

**ILLINOIS DEPARTMENT OF TRANSPORTATION
2008 CONSOLIDATED VEHICLE PROCUREMENT
ROLLING STOCK
CAPITAL ASSISTANCE
APPLICATION**

STOP! IF YOU ARE SEEKING VEHICLE REPLACEMENT (S), BE SURE THAT YOU MEET ALL ELIGIBILITY REQUIREMENTS. SEE PAGE 5 (PART III, SECTION E). IF NOT, DO NOT SUBMIT FOR REPLACEMENT.

FOR OFFICE USE ONLY Received at IDOT: ___/___/___ BY: _____

| | |
|--|--|
| LEGAL NAME of Applicant Agency McLean County | Date of Application Filing May 28, 2008 |
| Street/Mailing Address, City, and Zip Code (Not just P. O. Box) McLean County Law and Justice Center 104 W Front Street, POBox 2400 Bloomington, IL 61702-2400 | Federal Tax Identification Number (TIN) 37-6001569 |
| List general area served (counties, city, areas as applicable) (Detail in Part 5, Page 9) All of DeWitt, Ford, Iroquois and Livingston Counties and the rural areas of McLean County | Type of Applicant see pg. 4 Section A) Private Non-Profit: _____ Section 5311 Grantee: <input checked="" type="checkbox"/> IDOT Certified Public Body: _____ |
| County HSTP Region 6 HSTP Office CCRPC 1776 E. Washington St. Urbana, IL 61802 | Illinois State Tax Exempt Number E-9994-9946-03 |
| Application Contact Person: Mike Behary Title: McLean County Planner Phone: (309) 888-5160 Vehicle Issues Contact Person: Laura Dick Title: SHOW BUS Director Phone: (309) 747-2454 | App. Contact E-Mail: mike.behary@mcleancountyil.gov Fax: (309) 888-5768 Issues Contact E-mail: showbus@gridcom.net Fax: (309) 747-2873 |

ALL APPLICANTS MUST ANSWER THESE QUESTIONS:

| | | |
|--|--------------------------------------|---|
| DOES A MINORITY GROUP MANAGE YOUR ORGANIZATION OR IS OPERATION MINORITY BASED? | <input type="radio"/> YES | <input checked="" type="radio"/> NO |
| DOES YOUR AGENCY PROVIDE SERVICE TO MINORITIES? | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| DOES YOUR APPLICATION HAVE THE SUPPORT OF YOUR LOCAL TRANSIT AGENCY? | <input type="radio"/> YES | <input type="radio"/> NO <input checked="" type="radio"/> N/A |

By this application, it is the intent of (Agency's Legal Name) McLean County to request vehicle(s) through the State of Illinois' Consolidated Vehicle Procurement (CVP) program; and will meet all applicable state, federal and local acceptance, application and maintenance requirements. I certify that the information and statements provided in this application, and all supporting documents are correct and complete.

Signature of Authorized Representative
(As authorized by board resolution, see Appendix C)

Tel. _____ / ____ / ____
Date

Matt Sorensen
Print name of Authorized Official

McLean County Board Chair
Title

READ ALL INFORMATION CAREFULLY

GENERAL INFORMATION

A. INTRODUCTION

Through the Consolidated Vehicle Program Procurement Program (CVP), the Illinois Department of Transportation - Division of Public & Intermodal Transportation (Division) makes grants to municipalities, mass transit districts, counties, and private non-profit organizations for ramp and lift equipped paratransit vehicles. Funding for these grants comes from varied sources, including the Federal Transit Administrations (FTA) Section 5309, 5310, 5311, 5316, and 5317 programs, as well as state resources. Previously, agencies eligible for different grants were required to submit numerous applications. This consolidated vehicle procurement application form was developed to make it easier for agencies to apply for funds and for the Division to review projects in applications.

All qualified agencies applying for FTA Section 5309 Discretionary, Section 5311 Rural & Small Urban, and Section 5310 for Elderly and Disabled, will complete this application. Use Page 4, Section A, to determine which items of information are required for your agency's application submittal.

B. NEW FEDERAL COORDINATION REQUIREMENTS

As part of the federal government's human services coordination initiative, all Section 5310 recipients must certify that projects are derived from a locally developed, coordinated public transit-human services transportation plan (HSTP). In the rural areas of Illinois, the Division has developed 11 regions each staffed with an HSTP Regional Coordinator (see pages 43 and 44). In the urban downstate areas the Metropolitan Planning Organization (MPO) is the HSTP agency (see page 40), AND IN NORTHEASTERN IL. REGION (SIX COUNTIES) THE CONTACT IS THE REGIONAL TRANSPORTATION AUTHORITY (RTA). All Section 5310 applicants should be actively involved in the development of these plans, and each Section 5310 application will need to be endorsed by their respective HSTP local transportation planning committee in order to be considered for funding by the Division.

C. NEW TWO-STEP APPLICATION REVIEW PROCESS

Step 1: In order to meet the federal coordination requirements identified above, all Section 5310 applicants will need to submit their application to their local HSTP office for initial review. While the applications will not be formally scored by the HSTP offices, that will continue to be done by the Division, the role of the HSTP offices will be to ensure that the agency submitting the application has been a active player in the local service coordination process and that the services provided by the application meet the service needs and goals as identified in locally derived HSTP plan.

Step 2: Each HSTP office will send all the Section 5310 applications to the Division once they have completed their local compliance review. The Division will acknowledge receipt of your application by letter or e-mail, following a preliminary review of required submittals. The acknowledgement will advise your contact of any missing or supplemental information required for full review. Any missing or delayed items or required documentation must be noted at submission. The Division may require additional information during the full review. Only when all information needed for full evaluation has been received, will the full review be completed. Your projects will be judged on: consistency with program goals and objectives, meeting public or special transportation needs, regional coordination efforts, ability to meet federal and state program requirements, and funding availability.

The acknowledgement ensures Division review of your application, though it does not ensure approval of the project. The Division considers that the submission represents the applicant's intent to undertake or continue the proposed transportation project promptly, with the receipt of the approved vehicle.

Step 3: When final review of the application is complete, the Division will make its recommendation to the Governor. Following his approval, vehicles will be ordered and grant contracts forwarded to you for signature. When both copies are returned, the agreement will be executed and dated at the Division. Only then can we deliver vehicles. The Division, on behalf of the grantees, develops the vehicle specifications, purchases the vehicles, and assures that the procurement conforms to all state and federal requirements. This constitutes the Consolidated Vehicle Procurement process.

**PART I
REQUIRED SUBMITTALS
MUST BE COMPLETED BY ALL APPLICANTS**

| |
|---------------------------------|
| Applicant Name McLean County |
|---------------------------------|

Use this matrix (A) and checklist (B) to help you meet all submission requirements of the application process.

A. Submittal Matrix Each "X" represents the information that must be submitted by each type of agency.

| Type of Applicant | Part II | Part III | Part IV | Part V | Part VI | Part VII | Part VIII | Part IX | Part X | Appendices | | | | Support Letters |
|---|---------|----------|---------|--------|---------|----------|-----------|---------|--------|------------|---|---|-------|-----------------|
| | | | | | | | | | | A | B | C | MPO | |
| Non-Profit Non-Governmental Agency (5310) | X | X | X | X | X | X | X(b) | X | X | X | X | X | X (c) | Optional |
| Federal Section 5311 Grantee | X | X | | | | | X(b) | | | X(a) | X | X | | Optional |
| IDOT-Certified Public Body (CPB) | X | X | X | X | X(a) | X | X(b) | | X | X | X | X | X (c) | Optional |

(a) this data not required if applicant agency has included with another grant application for FY07 funding.

(b) This information is required ONLY if you are applying for a vehicle for new or expanded service.

(c) If applicant is in an urbanized (metropolitan) area outside the Chicago area, see page 40.

B. Submittal Checklist Check the appropriate boxes. All items are required unless otherwise indicated.

| ITEM | ENCLOSED |
|---|----------|
| • Application, Signed by Board authorized representative (front cover, page 1) | X |
| • Part I Submittal Matrix(A) and Application Checklist Completed (B), (page 4) | X |
| • Part II Current Vehicle Inventory (page 5) | X |
| • Part III Vehicle Request Form and Budget (pages 6-7) | X |
| • Part IV Project Justification (if applicable, page 8) | |
| • Part V Applicant's Current Services and Experience (if applicable, pages 9-11) | |
| • Part VI Fleet Control and Maintenance (if applicable, page 12) | |
| • Part VII Driver Training (if applicable, page 13) | |
| • Part VIII Proposing New or Expanded Service (pages 14 & 15) | |
| • Part IX Formal Coordination Efforts (if applicable, page 16 & 17) | |
| • Part X Financial Plan (if applicable, pages 18 & 19) | |
| • Appendix A FTA & IDOT Joint Certifications Assurances (pp. 21-31) signed by Official Representative (page 23), | X |
| • 2nd- Signed and dated Attorney's Affirmation (page 22) | X |
| • Appendix B Public hearing: Published notice, hearing report and public comments (page 32) | X |
| • Appendix C Executed Board Resolution authorizing applicant's Official Representative (page 33) | X |
| • Appendix D Application Preparation Guidance (pages 34-44) | Retain |
| • Appendix E Paratransit Vehicle Catalog (pages 45-55) | Retain |
| • Letter from MPO placing project in TIP (not applicable in Cook, Lake, DuPage, Kane, Will and McHenry Counties, or any non-urbanized area) | |
| • Letter of support from Certified Public Provider or local Transit Authority (if applicable) | |
| • Letters of Support from local Legislators, others (not a requirement) | |

Note: When submitting your application: (1) Remove: instructions, vehicle catalog, other guidance (D) and informational material; (2) Include this Checklist (Indicate any missing items, noting whether pending, subject to third party submittal /approval, or delayed, and when expected.); and (3) Refer to all enclosed support materials.

**PART II
PARATRANSIT VEHICLE INVENTORY
MUST BE COMPLETED BY ALL APPLICANTS**

| | |
|---|--|
| Applicant Name McLean County | |
| Applicant's Current Paratransit Vehicle Inventory | (attach additional pages if necessary) |
| Examples: | |

| | | | | | | | |
|----|----------|------------|-----------------|-------------------|--------|--------|----------|
| 96 | Braun | R-Roof Van | IFDX0034586IL01 | 172,000 / 189,000 | 8 / N | L 1995 | N |
| 92 | EIDorado | Med. Duty | IBB01083589IL18 | 183,500/ 208,000 | 14 / Y | O 1999 | Y- #2121 |

| Yr. | Manufacturer | Type | VIN (Vehicle Identification Number) | Odometer Reading (miles) 1/1/07 ----12/31/07 | | # OF Seats/ ADA:Y/N | 1 st Year (O)Owned (L)Leased | IDOT Funded Vehicle? Contract # |
|-----|---------------|------------|-------------------------------------|---|---------|------------------------|---|------------------------------------|
| | | | | | | | | |
| 96 | Nat'l Mob | R-Roof Van | 2B6KB31Z4TK184688 | 106,645 | 106,645 | 10 Y | O 1996 | Y 2281 |
| 98 | El Dorado | M Duty | 1FDXE40F3WHB91379 | 148,743 | 148,743 | 14 Y | O 1998 | Y 2666 |
| 98 | Nat'l Mob | R-Roof Van | 2B7LB31Z9WK158253 | 176,164 | 176,164 | 10 Y | O 1998 | Y 2666 |
| 00 | Nat'l Mob | R-Roof Van | 2B6LB31Z5YK124040 | 129,482 | 140,031 | 10 Y | O 2000 | N |
| 00 | Nat'l Mob | R-Roof Van | 2B7LB31Z7YK168458 | 101,226 | 102,623 | 10 Y | O 2000 | Y 2968 |
| 00 | El Dorado | M Duty | 1FDXE45F0YHC01202 | 148,856 | 156,603 | 14 Y | O 2000 | Y 2968 |
| 00 | El Dorado | M Duty | 1FDXE45F5YHC01227 | 106,361 | 109,185 | 14 Y | O 2000 | Y 2968 |
| 02 | El Dorado | M Duty | 1FDXE45F22HB40538 | 103,398 | 119,536 | 14 Y | O 2003 | Y 253CVP |
| 02 | El Dorado | M Duty | 1FDXE45F42HB40539 | 97,440 | 125,861 | 14 Y | O 2003 | Y 161CVP |
| 03 | El Dorado | M Duty | 1FDXE45F03HB88038 | 75,727 | 95,402 | 14 Y | O 2004 | Y 373CVP |
| 03 | El Dorado | L Duty | 1FDWE35L33HB88076 | 64,773 | 95,673 | 11 Y | O 2004 | Y 373CVP |
| 03 | El Dorado | M Duty | 1FDXE45F52HB40551 | 79,210 | 97,617 | 14 Y | O 2004 | Y 194 CVP |
| 05 | El Dorado | M Duty | 1FDXE45PX5HB31762 | 25,734 | 46,667 | 14 Y | O 2005 | Y 425CVP |
| 05 | El Dorado | M Duty | 1FDXE45P15HB26630 | 25,968 | 54,485 | 14 Y | O 2005 | Y 478CVP |
| 05 | Uplander | Mini Van | 1GBDV13L75D285377 | 7,578 | 18,444 | 5 Y | L 2005 | |
| 99 | El Dorado | M Duty | 1FDWE30SXXHB50204 | | 30,542 | 12 Y | O | |
| 03 | International | SMD | 1HVBTAFM23H585213 | | | 22 Y | L 2008 | Y |
| 02 | International | SMD | 1HVBTAFM33H585219 | | | 22 Y | L 2008 | Y |
| 98 | Bluebird | H Duty | 1BAGGBSA2WF078436 | | | 22 Y | L 2008 | Y |
| 08 | El Dorado | M Duty | 1FD3E35L98DA13350 | | | 11 Y | O 2008 | Y 899CVP |
| 08 | El Dorado | M Duty | 1FD3E35L08DA13351 | | | 11 Y | O 2008 | Y 899CVP |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

Applicant Name
McLean County

PART III
VEHICLE REQUEST FORM & BUDGET
MUST BE COMPLETED BY ALL APPLICANTS

NOTE: Attach one (1) completed copy of this form for EACH vehicle requested

A. Applicant Agency Name
McLean County

Form 1 of 4, (1 of 1 etc.)

B. Vehicle Type Requested: Use the vehicle catalog to select the unit type to meet your passengers' needs:

- Mini-Van w/ramp (2 wheelchairs/5 passengers)
- Light Duty Paratransit w/lift (3 wheelchairs/ 12 passengers)
- Medium Duty Paratransit w/lift (5 wheelchairs/ 14 passengers)
- Super Medium Duty Paratransit w/lift (5 wheelchairs/ 22 pass.) Requires extensive justification, well documented requirements, up-to-date detail of on-site maintenance capability and large client base experience and needs.

C. Category of Request (Check appropriate category)

- Replacement of owned vehicle
- Replacement of leased vehicle
- Service Expansion (see p.14)
- New Service (see p. 14)

D. Vehicle Request Priority (among all vehicle request forms submitted)

Based on needs, the requested vehicle on **this** form is to be considered for funding (1st, 2nd, etc.)1st.

Note: No two requested vehicles may have the same priority ranking.

E. Vehicle Replacement Criteria (enclose all justification/documentation)

To be eligible current vehicles must meet Criteria 1 or 2 AT TIME OF APPLICATION.

| TYPE | CRITERIA 1 | CRITERIA 2 |
|---|---------------|--|
| Autos/Mini-Vans/Raised Roof Vans | 95,000 Miles | OR 5 yrs, in documented unsafe & poor operating condition |
| Light Duty Paratransit Vehicle (10-12 pass) | 95,000 Miles | OR 6 yrs, in documented unsafe & poor operating condition |
| Medium Duty Paratransit/School Bus (13-16 pass) | 120,000 Miles | OR 8 yrs, in documented unsafe & poor operating condition |
| Super Medium Duty Paratransit Vehicle (>16 pass) | 180,000 Miles | OR 9 yrs, in documented unsafe & poor operating condition |
| Heavy Duty Transit Vehicle (>30 pass) | 280,000 Miles | OR 10 yrs, in documented unsafe & poor operating condition |

• Any 1991 or 1993 MST heavy-duty vehicle regardless of mileage or condition.

F. Please provide Replacement Vehicle Identification Information for the vehicle being replaced:

| Yr. | Manufacturer | Type | Date/Mileage | (if applicable) VIN # IDOT Contract # |
|-----|--------------|----------|--------------|---|
| 02 | El Dorado | Med Duty | 5/08 128,708 | 253CVP |

Criteria 2 Justification (i.e., documentation vehicle is unsafe or in poor condition –include, photos, receipts)

CRITERIA FOR DISPOSAL OF IDOT FUNDED VEHICLES: General: Consumer Vans, RR or Mini – 120,000 miles; Light Duty- 120,000 miles; Medium Duty Vehicles – 150,000 miles; Super Medium – 200,000 miles; Heavy Duty Transit Vehicle – 300,000 miles. Any questions: Contact the Program Manager at IDOT.

**PART III
VEHICLE REQUEST FORM & BUDGET
MUST BE COMPLETED BY ALL APPLICANTS**

NOTE: Attach one (1) completed copy of this form for EACH vehicle requested

| | |
|--|-----------------------------|
| A. Applicant Agency Name McLean County | Form 2 of 4 , (1 of 1 etc.) |
|--|-----------------------------|

B. Vehicle Type Requested: Use the vehicle catalog to select the unit type to meet your passengers' needs:

- Mini-Van w/ramp (2 wheelchairs/5 passengers)
- Light Duty Paratransit w/lift (3 wheelchairs/ 12 passengers)
- Medium Duty Paratransit w/lift (5 wheelchairs/ 14 passengers)
- Super Medium Duty Paratransit w/lift (5 wheelchairs/ 22 pass.) Requires extensive justification, well documented requirements, up-to-date detail of on-site maintenance capability and large client base experience and needs.

C. Category of Request (Check appropriate category)

- Replacement of owned vehicle
- Replacement of leased vehicle
- Service Expansion (see p.14)
- New Service (see p. 14)

D. Vehicle Request Priority (among all vehicle request forms submitted)

Based on needs, the requested vehicle on **this** form is to be considered for funding (1st, 2nd, etc.)2nd
Note: No two requested vehicles may have the same priority ranking.

E. Vehicle Replacement Criteria (enclose all justification/documentation)

To be eligible current vehicles must meet Criteria 1 or 2 AT TIME OF APPLICATION.

| TYPE | CRITERIA 1 | CRITERIA 2 |
|--|---------------|--|
| Autos/Mini-Vans/Raised Roof Vans | 95,000 Miles | OR 5 yrs, in documented unsafe & poor operating condition |
| Light Duty Paratransit Vehicle (10-12 pass) | 95,000 Miles | OR 6 yrs, in documented unsafe & poor operating condition |
| Medium Duty Paratransit/School Bus (13-16 pass) | 120,000 Miles | OR 8 yrs, in documented unsafe & poor operating condition |
| Super Medium Duty Paratransit Vehicle (>16 pass) | 180,000 Miles | OR 9 yrs, in documented unsafe & poor operating condition |
| Heavy Duty Transit Vehicle (>30 pass) | 280,000 Miles | OR 10 yrs, in documented unsafe & poor operating condition |

• Any 1991 or 1993 MST heavy-duty vehicle regardless of mileage or condition.

F. Please provide Replacement Vehicle Identification Information for the vehicle being replaced:

| Yr. | Manufacturer | Type | Date/Mileage | (if applicable) VIN # IDOT Contract # |
|-----|--------------|----------|--------------|---|
| 02 | El Dorado | Med Duty | 5/08 138,816 | 161CVP |

Criteria 2 Justification (i.e., documentation vehicle is unsafe or in poor condition –include, photos, receipts)

CRITERIA FOR DISPOSAL OF IDOT FUNDED VEHICLES: General: Consumer Vans, RR or Mini – 120,000 miles; Light Duty- 120,000 miles; Medium Duty Vehicles – 150,000 miles; Super Medium – 200,000 miles; Heavy Duty Transit Vehicle – 300,000 miles. Any questions: Contact the Program Manager at IDOT.

**PART III
VEHICLE REQUEST FORM & BUDGET
MUST BE COMPLETED BY ALL APPLICANTS**

NOTE: Attach one (1) completed copy of this form for EACH vehicle requested

| | |
|--|----------------------------|
| A. Applicant Agency Name McLean County | Form 3 of 4, (1 of 1 etc.) |
|--|----------------------------|

B. Vehicle Type Requested: Use the vehicle catalog to select the unit type to meet your passengers' needs:

- Mini-Van w/ramp (2 wheelchairs/5 passengers)
- Light Duty Paratransit w/lift (3 wheelchairs/ 12 passengers)
- Medium Duty Paratransit w/lift (5 wheelchairs/ 14 passengers)
- Super Medium Duty Paratransit w/lift (5 wheelchairs/ 22 pass.) Requires extensive justification, well documented requirements, up-to-date detail of on-site maintenance capability and large client base experience and needs.

C. Category of Request (Check appropriate category)

- Replacement of owned vehicle
- Replacement of leased vehicle
- Service Expansion (see p.14)
- New Service (see p. 14)

D. Vehicle Request Priority (among all vehicle request forms submitted)

Based on needs, the requested vehicle on **this** form is to be considered for funding (1st, 2nd, etc.) 3rd
Note: No two requested vehicles may have the same priority ranking.

E. Vehicle Replacement Criteria (enclose all justification/documentation)

To be eligible current vehicles must meet Criteria 1 or 2 AT TIME OF APPLICATION.

| TYPE | CRITERIA 1 | CRITERIA 2 |
|--|---------------|--|
| Autos/Mini-Vans/Raised Roof Vans | 95,000 Miles | OR 5 yrs, in documented unsafe & poor operating condition |
| Light Duty Paratransit Vehicle (10-12 pass) | 95,000 Miles | OR 6 yrs, in documented unsafe & poor operating condition |
| Medium Duty Paratransit/School Bus (13-16 pass) | 120,000 Miles | OR 8 yrs, in documented unsafe & poor operating condition |
| Super Medium Duty Paratransit Vehicle (>16 pass) | 180,000 Miles | OR 9 yrs, in documented unsafe & poor operating condition |
| Heavy Duty Transit Vehicle (>30 pass) | 280,000 Miles | OR 10 yrs, in documented unsafe & poor operating condition |

• Any 1991 or 1993 MST heavy-duty vehicle regardless of mileage or condition.

F. Please provide Replacement Vehicle Identification Information for the vehicle being replaced:

| Yr. | Manufacturer | Type | Date/Mileage | (if applicable) VIN # IDOT Contract # |
|-----|--------------|---------|--------------|---|
| 03 | El Dorado | L. Duty | 5/08 107,623 | 373CVP |

Criteria 2 Justification (i.e., documentation vehicle is unsafe or in poor condition –include, photos, receipts)

CRITERIA FOR DISPOSAL OF IDOT FUNDED VEHICLES: General: Consumer Vans, RR or Mini – 120,000 miles; Light Duty- 120,000 miles; Medium Duty Vehicles – 150,000 miles; Super Medium – 200,000 miles; Heavy Duty Transit Vehicle – 300,000 miles. Any questions: Contact the Program Manager at IDOT.

**PART III
VEHICLE REQUEST FORM & BUDGET
MUST BE COMPLETED BY ALL APPLICANTS**

NOTE: Attach one (1) completed copy of this form for EACH vehicle requested

| | |
|--|----------------------------|
| A. Applicant Agency Name McLean County | Form 4 of 4, (1 of 1 etc.) |
|--|----------------------------|

B. Vehicle Type Requested: Use the vehicle catalog to select the unit type to meet your passengers' needs:

- Mini-Van w/ramp (2 wheelchairs/5 passengers)
- Light Duty Paratransit w/lift (3 wheelchairs/ 12 passengers)
- Medium Duty Paratransit w/lift (5 wheelchairs/ 14 passengers)
- Super Medium Duty Paratransit w/lift (5 wheelchairs/ 22 pass.) Requires extensive justification, well documented requirements, up-to-date detail of on-site maintenance capability and large client base experience and needs.

C. Category of Request (Check appropriate category)

- Replacement of owned vehicle
- Replacement of leased vehicle
- Service Expansion (see p.14)
- New Service (see p. 14)

D. Vehicle Request Priority (among all vehicle request forms submitted)

Based on needs, the requested vehicle on this form is to be considered for funding (1st, 2nd, etc.)4th
Note: No two requested vehicles may have the same priority ranking.

E. Vehicle Replacement Criteria (enclose all justification/documentation)

To be eligible current vehicles must meet Criteria 1 or 2 AT TIME OF APPLICATION.

| TYPE | CRITERIA 1 | CRITERIA 2 |
|--|---------------|--|
| Autos/Mini-Vans/Raised Roof Vans | 95,000 Miles | OR 5 yrs, in documented unsafe & poor operating condition |
| Light Duty Paratransit Vehicle (10-12 pass) | 95,000 Miles | OR 6 yrs, in documented unsafe & poor operating condition |
| Medium Duty Paratransit/School Bus (13-16 pass) | 120,000 Miles | OR 8 yrs, in documented unsafe & poor operating condition |
| Super Medium Duty Paratransit Vehicle (>16 pass) | 180,000 Miles | OR 9 yrs, in documented unsafe & poor operating condition |
| Heavy Duty Transit Vehicle (>30 pass) | 280,000 Miles | OR 10 yrs, in documented unsafe & poor operating condition |

• Any 1991 or 1993 MST heavy-duty vehicle regardless of mileage or condition.

F. Please provide Replacement Vehicle Identification Information for the vehicle being replaced:

| Yr. | Manufacturer | Type | Date/Mileage | (if applicable) VIN # IDOT Contract # |
|-----|--------------|----------|--------------|---|
| 00 | El Dorado | Med Duty | 5/08 120,136 | #2968 |

Criteria 2 Justification (i.e., documentation vehicle is unsafe or in poor condition –include, photos, receipts)

CRITERIA FOR DISPOSAL OF IDOT FUNDED VEHICLES: General: Consumer Vans, RR or Mini – 120,000 miles; Light Duty- 120,000 miles; Medium Duty Vehicles – 150,000 miles; Super Medium – 200,000 miles; Heavy Duty Transit Vehicle – 300,000 miles. Any questions: Contact the Program Manager at IDOT.

Applicant Name
McLean County

**ESTIMATED PROJECT BUDGET
MUST BE COMPLETED BY ALL APPLICANTS**

| G. Estimated CVP Budget | | | | | | | Estimated Total Cost Line Total x Unit Cost (d) x (e) |
|---|-----------------------|---------------------|-----------------|------------|----------------------------------|-------------------------------|--|
| Vehicle Type | Capacity (Approx.) | Requested Number of | | | Line Total (a)+(b)+(c) (d) | Estimated Unit Cost (e) | |
| | | Replace (a) | Expansio (b) | New (c) | | | |
| Mini-Van Paratransit (w/ ramp) MV | 6 pass. | | | | | \$36,000 | \$ |
| Light Duty Paratransit Vehicle (w/lift) LD | 12 pass. | 3 | | | 3 | \$50,000 | \$150,000 |
| Medium Duty Paratransit Vehicle (w/lift) MD | 14 pass. | | | | | \$58,000 | \$ |
| Super Medium Duty Para- Transit Vehicle (w/lift) SMD | 22 pass. | 1 | | | 1 | \$90,000 | \$90,000 |

Total CVP Request: \$240,000

Comments:

While these vehicles are all considered replacement vehicles due to the mileage on various units in the current fleet, they may also act as expansion vehicles

JOINT CERTIFICATION AND ASSURANCES FOR IDOT & FTA PROGRAMS

Please Print or Type: Name of Applicant/Agency: McLean County

Name and Relationship of Board Authorized Representative: Matt Sorensen, McLean County Board Chair

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all State and Federal statutes, regulations, executive orders, and Federal requirements applicable to each application it makes to the Federal Transit Administration (FTA) and/or the Illinois Department of Transportation (IDOT) in Federal Fiscal Year 2008.

IDOT and the FTA intend that the certifications and assurances in Appendix A, should apply, as required, to each project for which the Applicant seeks now, or may later seek, FTA or IDOT assistance during Federal Fiscal Year 2008.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document, and any other submission made to FTA or IDOT, and acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801, *et seq.*, and implemented by U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR. part 31 apply to any certification, assurance or submission made to IDOT or FTA. The criminal fraud provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with the Urbanized Area Formula Program, 49 U.S.C. 5307, and may apply to any other certification, assurance, or submission made in connection with any program administered by FTA or IDOT.

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Date: _____

Authorized Representative of Applicant

Appendix B

Public Hearing Notice

NOTE: To be published locally 14 days before the scheduled hearing (see page 36)

Notice of Public Hearing

McLean County

RE: State of Illinois Paratransit Vehicle Grant for all of DeWitt, Ford, Iroquois and Livingston Counties and the rural areas of McLean County

Notice is hereby given that a public hearing will be held by: McLean County

On: June 17, 2008 at 9:00am

Where: McLean County Government Center, 115 E Washington St, Bloomington, IL Room 400

I. For the purpose of considering a project for which financial assistance is being sought from the Illinois Department of Transportation, pursuant to the Illinois Department of Transportation's general authority to make such Grants, and which is generally described as follows:

- A. Description of Project To purchase three replacement light duty 12 passenger paratransit vehicles and one super medium duty 22 passenger paratransit vehicle to be used in the provision of rural public transportation. The light duty vehicles are projected to cost \$50,000 and the super medium duty vehicle is projected to cost \$90,000, and the total cost is \$240,000.

This project will be included in a Consolidated Vehicle Procurement Program undertaken by the State of Illinois on behalf of **McLean County**, with State and Federal Funds.

- B. Relocation Relocation Assistance will not be required.
- C. Environment This project is being implemented to minimize environmental impact.
- D. Comprehensive Planning This project is in conformance with comprehensive transportation planning in the area.
- E. Elderly and Disabled All new equipment included in this project will meet ADA accessibility rules for the elderly and persons with disabilities.
- II. At the hearing McLean County will afford an opportunity for interested persons or agencies to be heard with respect to the social, economic and environmental aspects of the project. Interested persons may submit orally or in writing, evidence and recommendations with respect to said project.
- III. A copy of the application for a state grant for the proposed project for the intended service area will be made available for public inspection at the McLean County Government Center, 115 E Washington, Bloomington, IL, 61701. Contact Mike Behary, Planner, Room M102, Phone 309-888-5160

* **Note to Applicants:** Please Submit public hearing minutes, as well as written and verbal comments from the proceedings, with your completed Application to IDOT-DPIT.

COUNTY NOTICE

NOTICE is given that a public hearing will be held by McLean County on Tuesday, June 17, 2008 at 9 a.m. in Room 400, Government Center, 115 E. Washington St., Bloomington, IL regarding a State of Illinois Paratransit Vehicle Grant for all of Ford, Iroquois, Livingston and DeWitt Counties and the rural areas of McLean County.

- I. For the purpose of considering a project for which financial assistance is being sought from the Illinois Department of Transportation, pursuant to the Illinois Department of Transportation's general authority to make such Grants, and which is generally described as follows:
 - A. Description of Project - To purchase three replacement light duty 12 passenger paratransit vehicles and one super medium duty 22 passenger paratransit vehicle to be used in the provision of rural public transportation. The light duty vehicles are projected to cost \$50,000 and the super medium duty vehicle is projected to cost \$90,000 and the total cost is \$240,000.
This project will be included in a Consolidated Vehicle Procurement Program undertaken by the State of Illinois on behalf of McLean County, with State and Federal Funds.
 - B. Relocation Assistance will not be required.
 - C. This project is being implemented to minimize environmental impact.
 - D. This project is in conformance with comprehensive transportation planning in the area.
 - E. All new equipment included in this project will meet ADA accessibility rules for the elderly and persons with disabilities.
- II. At the hearing, McLean County will afford an opportunity for interested persons or agencies to be heard with respect to the social, economic and environmental aspects of the project. Interested persons may submit orally or in writing, evidence and recommendations with respect to said project.
- III. A copy of the application for a state grant for the proposed project for the intended service area will be made available for public inspection at the McLean County Government Center, 115 East Washington, Bloomington, IL 61701. Contact Mike Behary, Planner, Room M102, Phone 309-888-5160.

Published on May 31, 2008

Appendix C
BOARD RESOLUTION

NO. _____

Resolution authorizing application for and execution of a Public Transportation Capital Assistance Grant under the Illinois Department of Transportation's general authority to make such Grants.

WHEREAS, the provision of general public and/or specialized paratransit service is essential to the transportation of elderly, disabled and other transportation disadvantaged persons; and

WHEREAS, The Illinois Department of Transportation's general authority to make such Grants, makes funds available to offset certain capital costs of a private non-profit, general public or a IDOT Certified Public Provider transportation system providing specialized paratransit service; and

WHEREAS, grants for said funds will impose certain obligations upon the recipient.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF MCLEAN COUNTY:

Section 1. That an application be made to the Division of Public and Intermodal Transportation, Department of Transportation, State of Illinois, for a financial assistance grant under The Illinois Department of Transportation's general authority to make such Grants, for the purpose of off-setting certain general public and/or Elderly and Disabled Transportation Program capital costs of McLean County.

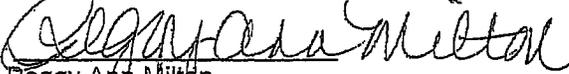
Section 2. That the Board Chair of McLean County (or, in the absence of the Chair or by the Chair's request, the Vice Chair) is hereby authorized and directed to execute and file such application on behalf of McLean County.

Section 3. That the Board Chair of McLean County (or, in the absence of the Chair or by the Chair's request, the Vice Chair) is authorized to furnish such additional information as may be required by the Division of Public & Intermodal Transportation in connection with the aforesaid application for said grant.

Section 4. That the Board Chair of McLean County (or, in the absence of the Chair or by the Chair's request, the Vice Chair) is hereby authorized and directed to execute and file on behalf of McLean County any grant agreement pursuant to said application

PRESENTED and ADOPTED this 17th day of June, 2008

ATTEST:



Peggy Ann Milton
County Clerk
McLean County, IL

APPROVED:



Matt Sorensen
Chair
McLean County Board

Members Selzer/Owens moved the County Board approve Requests for Approval of Fiscal Year 2008 Revised IDOT Application and Fiscal Year 2009 IDOT Application for Section 5311 and Downstate Operating Assistance Program (DOAP) Grant (revision incorporates DOAP funds for the first time) and Approval of Calendar Year 2008 IDOT Consolidated Vehicle Procurement Capital Assistance Application (three replacement light Duty El Dorado vehicles and one super medium Vehicle) - Building and Zoning. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Selzer, Chairman, presented the following:

**PURCHASE OF SERVICE AGREEMENT
FOR THE RURAL GENERAL PUBLIC
TRANSPORTATION**

under the Section 5311 Operating and Assistance program

between

McLean County

and

Meadows Mennonite Retirement Community

d/b/a SHOW BUS

Contract Number _____

State Fiscal Year 2009

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| <u>Exhibit A</u> | - <u>Final Approved Service Plan</u> | |
| <u>Exhibit B</u> | - <u>Approved Project Budget</u> | |
| <u>Exhibit C</u> | - <u>Drug-Free Workplace Certification</u> | |
| <u>Exhibit D</u> | - <u>Special Provisions to the Agreement</u> | |

This Agreement is made by and between McLean County, (hereinafter referred to as "Grantee") and MMRC d/b/a/ Show Bus (hereinafter referred to as "Provider" which term shall include its successors and assigns).

WHEREAS, the Grantee proposes to provide public transportation services in a non-urbanized area of Illinois (herein referred to as the Project);

WHEREAS, the Grantee has applied under the Section 5311 of the Federal Transit Act; as amended, (49 USC App 1614), to the Illinois Department of Transportation (hereinafter "IDOT") for operating and administrative assistance for this Project;

WHEREAS, the Grantee's application has been approved by IDOT;

WHEREAS, the Grantee has made application under the provisions of Illinois combined Statutes 20 ILCS 2705/49 et seq., paragraph 30 ILCS 415/2 et seq. (1992 State Bar Edition), herein referred to as the "Acts";

WHEREAS, the Provider has been selected by the Grantee to provide public transportation services;

WHEREAS, such application has been approved by IDOT; and

NOW THEREFORE; in consideration of the mutual covenants hereinafter set forth, this Agreement is made to provide for the provision of service to set forth the terms and conditions upon which the financial assistance will be made available, and to set forth the Agreement of the Parties as to the manner to which the Project will be undertaken, completed and used.

ITEM 1- DEFINITIONS

As used in this Agreement

- (a) "Grantee" means the McLean County.
- (b) "IDOT" means the Illinois Department of Transportation, Divisions of Public Transportation.
- (c) "FTA" means the Federal Transit Administration of the United States Grantee of Transportation
- (d) "Government" means the government of the United States of America
- (e) "Provider" means a provider of transit service participating in the Section 5311 program and supplying transportation services for the Project under contract to the Grantee
- (f) "Project Costs" means the sum of eligible costs incurred by the Provider and/or its Operator(s) in performing the Project.
- (g) "USDOT" means the United States Department of Transportation

Item 2 – Project Scope

The Provider agrees to provide the public transportation services described in the Grantee's Final Approved Application and Services Plan on file at the IDOT offices. Provider's Service Plan is incorporated into this Agreement as Exhibit A, and made a part hereof. Provider shall not reduce, terminate or substantially change such public transportation without the prior written approval of the Grantee.

Item 3- Amount of Contract

Under the Section 5311 program administered by IDOT, the Grantee may make payments for up to 50% of the Provider's eligible operating deficit and up to 80% of the eligible administrative expenses incurred by the Provider during the fiscal year 2009 in the provisions of public transportation services approved by the Grantee. In no even shall the Provider's payment under this Agreement exceed the total funding available for the Project Costs. Total funding for the Project cots it \$ 1,726,379.

The Provider agrees that it will provide, or cause to be provided, from sources other than funds provided under Section 5311 of the Federal Transit Act, as amended, sufficient funds to meet the non-IDOT portion of the operating deficit and administrative expenses.

Item 4- Documents Forming This Agreement

The Parties agree that this constitutes the entire Agreement between the Parties hereto, that there are no agreements of understandings, implied or expressed, except as specifically set forth in the Agreement and that all prior arrangements and understandings in the connection are merged into and contained in this Agreement.

The Parties hereto further agree that this Agreement consists of this Part, entitled "Purchase of Service Agreement for Rural General Public Transportation", together with Exhibit A, entitled "Provider's Application," Exhibit B, entitled "Approved Project Budget," and Exhibit C, entitled "State of Illinois Drug Free Workplace Certification," all of which are by this reference specifically incorporated herein.

Item 5- Illinois Grant Funds Recovery Act

This Agreement is subject to the Illinois Grant Funds Recovery Act, 20 ILCS 705/1. This Agreement is valid until June 30, 2009 and grant funds are available to Provider and may be expended by Provider until said date unless the Grantee, at its discretion, grants an extension of time. Any Funds which are not expended or legally obligated by the Provider at the end of the this agreement or by the expiration of the period of time funds are available for expenditure or obligation, whichever is earlier, shall be returned to the Grantee within 45 days. Project close-out shall be in accordance with ITEM 14 of this Agreement.

This ITEM is subject to further revision as the sole determination and discretion of the Grantee.

Item 6- Accomplishment of the Project

- a. General Requirements - The provider shall commence, carry on, and complete the Project with all practicable dispatch, in a sound, economical, and efficient manner, and in accordance with the provisions hereof, the Service Plan, and all applicable laws and Grantee guidelines.
- b. Pursuant to Federal, State, and Local Law - In performance of its obligations pursuant to this Agreement, the Provider and its contractors shall comply with all applicable provisions of Federal, State and local law. All limits and standards set forth in this Agreement to be observed in the performance of the Project are minimum requirements and shall not affect the application of more restrictive local standards to the performance of the Project.

The Provider agrees that the most recent of such Federal and State requirements will govern the administration of this Agreement at any particular time, except if there is sufficient evidence in the Agreement of a contrary intent. Such contrary intent might be evidenced by a letter signed by either IDOT or FTA, the language of which modifies or otherwise conditions the text of a particular provision of this Agreement. Likewise, new Federal and State laws, regulations, policies and administrative practices may be established after the date the Agreement has been executed and may apply to this Agreement. To achieve compliance with changing Federal and State requirements, the Provider agrees to include in all third party contracts financed with Government (FTA & IDOT) assistance specific notice that Federal and State requirements may change and the changed requirements will apply to the project as required.

- c. Project Funds - The provider shall initiate and prosecute to completion all proceedings necessary to enable the Provider to provide its share of the Project costs at or prior to the time that such funds are needed to meet Project costs.
- d. Changed Conditions Affecting Performance - The Provider shall immediately notify the Grantee of any change in conditions or local law, or of any other event which may significantly affect its ability to perform the Project in accordance with the provision of this contract.
- e. No Government Obligations to Third Parties - The Grantee shall not be subject to any obligations or liabilities by contractors of the Provider or their subcontractors of the Provider or their subcontractors or any other person not a party to this contract in connection with the performance of this Project pursuant to the provisions of this Agreement without its specific written consent and notwithstanding its concurrence in or approval of the award of any contract or subcontract or the solicitation thereof.

ITEM 38 - CHARTER SERVICE OPERATIONS

The provider may not engage in charter service operations except as provided under Section 3(f) of the Federal Transit Act, as amended, 49 U.S.C. app. Section 1602 (f), and FTA regulations "Charter Service," 49 C.F.R. Part 604. Any charter service agreement entered into under these regulations is incorporated into this Agreement by reference.

ITEM 39 - PRIVACY

Should the Provider, or any of its subcontractors, or their employees, administer any system of records on behalf of the Federal Government, the Privacy Act of 1974 (The Act), 5 U.S.C. Section 552a, imposes information restrictions on the party managing the system of records.

ITEM 40 - MATCHING FUNDS

It is hereby expressly agreed by the Provider that it will cause to be provided all matching funds required of the Grantee in the Grantee's "Non-Urbanized Area Transportation Project Agreement for Operating Assistance" entered into with the State of Illinois.

ITEM 41 - FUNDING DELAY

It is hereby expressly agreed between the parties that if any delay occurs in providing Federal or State funding to the Provider, there is absolutely no obligation on the part of the Grantee to fund Provider's program hereunder. That if the "Non-Urbanized Area Transportation Project Agreement for Operating Assistance" entered into by and between the Grantee and the State of Illinois is terminated, then this agreement is immediately null and void. Further, if there is any delay in funding from the aforesaid agreement, Grantee and Provider may, by mutual written consent, agree to suspend services contemplated hereunder.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be made effective and executed as of the 1st day of July, 2008, by their respective duly authorized officials.

Provider's Name & Address

Grantee's Name & Address

Meadows Mennonite Home
d/b/a SHOWBUS, 24588 Church Street
Chenoa, IL 61726

McLean County Board
115 E. Washington Street
Bloomington, IL 61702-2400

By: Robert O. Buttsche
Chief Executive Officer

By: Matt Sorensen
Matt Sorensen,
County Board Chairman

Attest:

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

Members Selzer/Rackauskas moved the County Board approve a Request for Approval of Purchase of Services Agreement between Meadows Mennonite Retirement Community d/b/a/ SHOWBUS and McLean County to provide rural Public Transportation - Building and Zoning. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Selzer, Chairman, presented the following:

MOTOR VEHICLE LEASE AGREEMENT

Bloomington, Illinois June 17, 2008

This Lease Agreement between the COUNTY OF McLEAN, (the "Lessor") and MEADOWS MENNONITE HOME (SHOW BUS), (the "Lessee"):

WITNESSETH:

The Lessor hereby leases to the Lessee and the Lessee hereby rents and leases from the Lessor the motor vehicles described herein, together with all optional equipment, accessories, spare parts and substitute and replacement parts and equipment now or hereafter attached thereto (the "vehicles"), on the terms and conditions hereinafter set out.

DESCRIPTION OF VEHICLES

| <u>Year</u> | <u>Make</u> | <u>Model</u> | <u>VIN#</u> |
|-------------|-------------|----------------------|-------------------|
| 1998 | FORD | ELDORADO | 1FDXE40F3WHB91379 |
| 1998 | DODGE | RAM VAN/B350 MAXIVAN | 2B7LB31Z9WK158253 |
| 2000 | DODGE | RAISED ROOF VAN | 2B7LB31Z7YK168458 |
| 2000 | FORD | ELDORADO | 1FDXE45F0YHC01202 |
| 2000 | FORD | ELDORADO | 1FDXE45F5YHC01227 |
| 2002 | FORD | ELDORADO | 1FDXE45F22HB40538 |
| 2002 | FORD | ELDORADO | 1FDXE45F42HB40539 |
| 2003 | FORD | ELDORADO | 1FDXE45F03HB88038 |
| 2003 | FORD | ELDORADO | 1FDWE35L33HB88076 |
| 2005 | FORD | ELDORADO | 1FDXE45PX5HB31762 |
| 2005 | FORD | ELDORADO | 1FDXE45P15HB26630 |
| 2008 | FORD | ELDORADO | 1FD3E35L98DA13350 |
| 2008 | FORD | ELDORADO | 1FD3E35L08DA13351 |

Lessee represents that the vehicles being leased are and will be used solely in connection with Lessee's obligations to McLean County in providing transportation services pursuant to Section 5311 of the Federal Transit Act of 1991 for Public Transportation Operating Assistance. Lessee's address is 24588 Church Street, Chenoa, IL 61726.

1. **TERM** The term of this lease is three years from the date first set out above. The lease term expires on June 17, 2011, on which date the Lessee shall return the vehicles to the Lessor unless the parties hereto enter into a new or renewed lease agreement on or before that date.

2. **RENT** The Lessee agrees to pay to Lessor the sum of 0 dollars during the term of the Lease Agreement. However, in consideration of having the use of the vehicles for the term and purposes set out herein, the Lessee agrees as follows:

3. **LESSEE'S WARRANTIES** Lessee agrees and warrants that the vehicles have been delivered to Lessee in good operating condition and are free of defects and are suitable for the intended use of the Lessee. Lessee warrants that it and all persons who will operate the vehicles hold currently valid driver's licenses issued by the State of Illinois and that neither Lessee nor such other operators have been convicted of such traffic violations or have such a traffic accident record as would be cause for cancellation of the insurance required hereunder.

4. **INSURANCE** Lessee shall supply at its sole expense, and maintain in full force and effect during the term of the lease and thereafter until the vehicles have been returned to the Lessor, a policy or policies of insurance written by a company satisfactory to the Lessor, by the terms of which Lessor and Lessee, together and severally, are named as the insureds and are protected against liability and/or loss arising out of the condition, maintenance, use, or operation of the vehicles herein leased, in amounts not less than \$3,000,000 combined single limits for property damage, bodily injury, or death; \$350,000 uninsured/underinsured motorists coverage; with deductible amounts not exceeding \$1,000 comprehensive and \$1,000 collision. Such policy or policies of insurance shall provide at least ten days advance notice to Lessor in writing of cancellation or change or modification in any terms, conditions or amounts of coverage provided herein. Lessor shall be provided with a true copy or certificate of such insurance. Should Lessee fail to produce or pay the cost of maintaining in force the insurance specified herein or to provide Lessor with a copy or certificate of such insurance, Lessor may, but shall not be obligated to, procure such insurance and Lessee shall reimburse Lessor on demand for the cost thereof. Suffering lapse or cancellation of the required insurance shall be an immediate and automatic default by Lessee hereunder.

5. **INDEMNITY** Lessee agrees to indemnify and hold Lessor free and harmless from any liability, loss, cost, damage, expense, including attorney's fees, which Lessor may suffer or incur as a result of any claims which may be made by any person or persons, including but not limited to Lessee, its agents and employees, that arise out of or result from the manufacture, delivery, actual or alleged ownership, performance, use, operation, selection, leasing and/or return of the vehicles, whether such claims are based on negligence, whether of Lessor or another, breach of contract, breach of warranty, absolute liability or otherwise.

6. **TITLE** This instrument is a lease and not an installment contract. The vehicles are the sole property of the Lessor and Lessee shall insure that Lessor is named as owner on any certificate of title issued with respect to the vehicles. Lessee shall have no right, title, or interest in or to the vehicles except for the right to operate and use the vehicles for the purposes stated herein and not as the agent of Lessor, so long as Lessee is not in default under the terms of this lease.

7. **USE BY LESSEE** Lessee agrees to use the vehicles only for lawful purposes. Lessee agrees not to assign, transfer or sublet its rights or otherwise encumber its interest hereunder. In the event Lessee fails to pay any assessment, tax, lien or fine levied against the vehicles, Lessor may, at its election, make such payment and Lessee shall reimburse Lessor on demand. Lessee shall indemnify and hold Lessor harmless from any and all fines, forfeiture, damages, or penalties resulting from violations of any law, ordinance, rule, or regulation.

8. **MAINTENANCE** Lessee shall keep and maintain the vehicles in good operating condition and working order as required in the maintenance program described in the Owner's Manual and shall perform all protective maintenance required to insure full validation of the manufacturer's warranty. Such maintenance hereinbefore described shall be made at the Lessee's expense.

9. **LICENSE, TAXES, AND OTHER EXPENSES** Lessee agrees to pay all costs, expenses, fees and charges incurred in connection with the licensing and registration of said vehicles, of title thereto and in connection with the use and operation thereof during the term of this lease, including without limitation, gasoline, oil, lubrication, repairs, maintenance, tires, storage, parking, tools, fines, towing, servicing costs, as well as all sales taxes, use taxes, personal property and other ad valorem taxes and all assessments and other governmental charges whatsoever and by whomsoever payable on the said vehicles or on the use, ownership, possession, rental, shipment, transportation, delivery or operation of same. Lessor shall in no way be obligated to maintain, repair or service said vehicles.

10. **TERMINATION** This lease agreement may be terminated by the Lessor in the event one or more of the terms of this lease agreement is breached by the Lessee or the Lessee is in default as provided in the lease agreement. Upon the discovery of the breach or default as the case may be, the Lessee shall surrender the vehicles to the Lessor on demand. Lessee shall remain liable and responsible for any pending claims, maintenance, repairs, taxes, licenses, and any other expenses associated with Lessee's use of the vehicles.

11. **DEFAULT** In the event that the Lessee does not pay any charge, expense, or cost herein agreed to be paid by Lessee when due, or fails to obtain or maintain any insurance required by this Lease, or violates or fails to perform or otherwise breaches any undertaking or covenants contained in this Lease, or any other Lease or Lessor, or becomes insolvent or makes an assignment for the benefit of creditors, or files a voluntary petition in bankruptcy, or if any voluntary petition in bankruptcy is filed against the Lessee, or other proceeding for the appointment of a receiver for Lessee is filed, or if proceedings for reorganization, extension and/or composition with creditors under any provision or federal law be instituted by or against Lessee, or if the property of Lessee be levied upon or if Lessor should otherwise deem itself or the vehicles unsafe or unsecured or should Lessor in good faith believe that the prospect of payment of rental or other payment or other performance by Lessee is impaired, then and in any such event, the Lessee shall be deemed in default of this Lease. Upon the occurrence of any such default, Lessor may, at its option and without notice or demand, declare this agreement in default and thereupon the vehicles and all rights of Lessee therein shall be surrendered to Lessor and Lessor may take possession of the vehicles wherever found, with or without process of law, and for this purpose may enter upon any premises of Lessee or wherever the same be found, without liability therefore. The Lessor may retain all rentals and payment and resale proceeds theretofore received and other sums, if any, otherwise payable to the Lessee hereunder and the Lessor shall be entitled to recover from Lessee any unpaid charges for the balance of the lease term for the vehicles and all other sums, if any, due to come due, together with all costs and expenses, including reasonable attorney's fees, incurred by Lessor in the enforcement of its rights and remedies hereunder. The repossession and sale of the vehicles by Lessor shall not affect Lessor's right to recover from Lessee all damages which Lessor may have suffered by reason of Lessee's breach of any provision of this Lease and Lessor may sell any such vehicles with or without advertisement, at public or private sale and without notice thereof to Lessee. The rights and remedies of Lessor in the event of default herein mentioned shall not be deemed exclusive but shall be cumulative and in addition to all other rights and remedies in Lessor's favor existing by law.

12. **APPLICABLE LAW** This Lease has been executed by the Lessee and delivered to the Lessor at the Lessor's offices in Bloomington, Illinois, and it shall be governed by and interpreted under the laws of Illinois.

13. **LOCATION** The vehicles shall be principally kept or garaged where not in use at the Lessee's address as set out above or at such other address in the State of Illinois as the Lessee shall give Lessor written notice of. The vehicles shall not be removed from the State of Illinois, except for trips of short duration, without the prior written consent of Lessor.

14. **MISCELLANEOUS** This instrument constitutes the entire agreement between the parties and shall be binding upon the parties and their respective heirs, executors, administrators, successors or assigns and shall only be amended by a written instrument signed by the parties hereto. Any waiver of the performance of any of the terms, covenants or conditions hereof by either party shall not be construed as thereafter waiving any such terms, condition or covenants, but the same shall remain in full force and effect, as if no such waiver had occurred.

15. **SEVERABILITY** This agreement is severable, and the invalidity, or unenforceability, of any provision of this Agreement, or any party hereof, shall not render the remainder of this Agreement invalid or enforceable.

16. This agreement may be amended by the mutual written consent of both parties.

17. **COUNTERPARTS** This lease agreement shall be executed in multiple counterparts, each of which shall constitute a duplicate original.

IN WITNESS WHEREOF, the parties hereto have executed this lease on the date first above written, and the Lessee acknowledges receipt of a completely filled-in, executed counterpart.

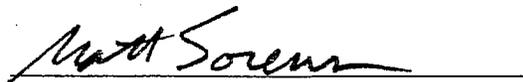
MEADOWS MENNONITE HOME (SHOWBUS)
Lessee


Robert O. Bertsche, President

ATTEST:

COUNTY OF McLEAN
Lessor


Peggy Ann Milton, County Clerk
McLean County, Illinois


Matt Sorensen, Chairman
McLean County Board



McLean County

INTER-OFFICE COMMUNICATION
DEPARTMENT OF BUILDING AND ZONING
Phone: 888-5160

TO: David Selzer and Finance Committee
FROM: ^{MJB} Mike Behary, County Planner
DATE: May 27, 2008
RE: SHOW BUS Items

The attached are key sections of the following documents related to the operation and capital of SHOWBUS that are similar to the ones presented last year. SHOWBUS provides rural public transportation for McLean, Livingston, Ford, DeWitt, and Iroquois counties. Please see the complete documents at the Department of Building and Zoning.

1. FY 2008 Revised IDOT Application for Section 5311 and Downstate Operating Assistance Program (DOAP) Grant - this revision incorporates DOAP funds for the first time. Although legislation granted the funding retroactively to July 1, 2007
2. FY 2009 IDOT Application for Section 5311 and DOAP - the DOAP amount may change.
3. Calendar Year 2008 IDOT Consolidated Vehicle Procurement Capital Assistance Application - three replacement light duty El Dorado vehicles and one super medium vehicle are being requested.
4. Purchase of services agreement between Meadows Mennonite Retirement Community d/b/a SHOW BUS and McLean County to provide rural public transportation.
5. Revised Motor Vehicle Lease Agreement between McLean County and SHOW BUS - this has been revised to remove one vehicle that was retired and to add two new light duty vehicles.

Laura Dick the Director of SHOW BUS and I will be present at the June 3rd Finance Committee meeting to answer any questions or concerns. Please call me if I can be of further assistance.

Members Selzer/Caisley moved the County Board approve a Request for Approval of Revised Motor Vehicle Lease Agreement between McLean County and SHOWBUS (to remove one vehicle and to add two new light duty vehicles) - Building and Zoning. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Selzer, Chairman, presented the following:

An Ordinance of the McLean County Board
Amending the 2008 Combined
Appropriation and Budget Ordinance for Fund 0102

WHEREAS, Chapter 55, Section 5/6-1003 of the Illinois Compiled Statutes (1992) allows the County Board to approve appropriations in excess of those authorized by the budget; and,

WHEREAS, the McLean County Health Department has requested an amendment to the McLean County Fiscal Year 2008 appropriation in Fund 0102 Dental Sealant Grant Program, and the Board of Health and Finance Committee concur; and,

WHEREAS, the County Board concurs that it is necessary to approve such amendment, now, therefore,

BE IT ORDAINED AS FOLLOWS:

1. That the Auditor is requested to increase revenue line 0410-0013 Dental Contributions – in Fund 0102, Department 0061, Program 0062 from \$0 to \$14,600.
2. That the County Auditor is requested to increase the appropriations of the following line item accounts in Fund 0102, Department 0061, Program 0062, Dental Sealant Program as follows:

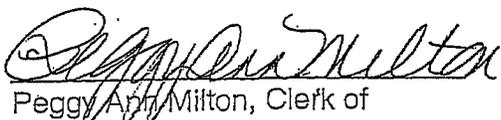
| LINE | DESCRIPTION | PRESENT AMOUNT | INCREASE (DECREASE) | NEW AMOUNT |
|-----------|--------------------------|----------------|---------------------|------------|
| 0612-0003 | Educational Materials | \$ 890 | \$ 1,600 | \$ 2,490 |
| 0836-0001 | Pur Medical/Dental Equip | \$ 1,500 | \$ 13,000 | \$ 14,500 |
| TOTALS: | | \$ 2,390 | \$ 14,600 | \$ 16,990 |

3. That the County Clerk shall provide a copy of this ordinance to the County Administrator, County Treasurer, County Auditor, and the Director of the Health Department.

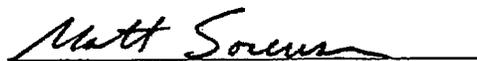
Adopted by the County Board of McLean County this 17th day of June, 2008.

ATTEST:

APPROVED:



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



Matt Sorensen Chairman of the
McLean County Board



McLean County
Health Department

Partners in Prevention

200 W. Front St., Rm. 304 • Bloomington, IL 61701

To: Honorable Members of the McLean County Board Finance Committee

From: Robert J. Keller, Director

Date: May 28, 2008

Re: Action Items for the McLean County Board Finance Committee meeting of June 4, 2008.

Budget Amendment to Grant Fund 0102

Included in the action items for June 4th is an amendment to the budget, along with an accompanying narrative, to grant Fund 0102 for the purpose of appropriating revenue and expenditures as a result of two outside organizations' donations. The United Way of McLean County provided revenue to purchase infant and toddler toothbrushes as part of a community child oral health coalition initiative. In addition, the John M. Scott Commission provided a one-time donation of \$13,000 to cover the cost of purchasing dental operatory equipment for the department's dental clinic.

2008 Amendments to Chapter 21 of the McLean County Code – Animals

Attached you will find a cover memorandum from Health Department Assistant Administrator Walt Howe along with a full and abbreviated version of proposed amendments to the McLean County Animal Control Ordinance contained within Chapter 21 of the McLean County Code. The amendments were approved by the McLean County Board of Health at its May meeting. As Mr. Howe's memorandum states, the amendments are primarily being presented at this time to bring the County's ordinance into compliance with recent revisions to the Illinois Animal Control Act and comport with changes to the City of Bloomington and Town of Normal's ordinances. Six general areas of the ordinance are impacted.

U:\Animal Control\acordnarfinan08.doc .

**Budget Amendment
Grant Fund 0102
Narrative**

The McLean County received two donations from private organizations within the past two months to further the efforts of its dental programs.

United Way

The United Way of McLean County provided \$1,600 to assist in the provision of infant and toddler tooth brushes to residents of McLean County. The infant tooth brushes are sent to the families of all infants born to residents of McLean County. The fingertip infant toothbrushes are designed to promote oral health at the earliest stage of an infant's life. Toddler toothbrushes are designed to provide preventive oral health assistance for families of children reaching their first birthday. The toothbrushes are mailed along with an assortment of health promotion materials. The Health Department is part of a children's oral health coalition that includes the department, the United Way of McLean County, Heartland Head Start, et al.

John M. Scott Commission

As part of a onetime, yearend, action the John M. Scott Commission provided a donation of \$13,000 to the McLean County Health Department toward the purchase of dental operatory equipment. The department previously purchased one new operatory from its dental program fund. The Health Department operates with three dental operatories that were installed in 1998 at the time of the move to its current facility. Since that time, the equipment has become worn and parts are no longer available for repair purposes. The department envisions that the one-time \$13,000 contribution will cover the expense associated with acquiring two additional operatories to complete the replacement process.

Members Selzer/Cavallini moved the County Board approve a Request for Approval of the McLean County Board Amending the 2008 Combined Appropriation and Budget Ordinance for Fund 0102 - Dental Sealant Program (\$1,600.00 Grant from the United Way and \$13,000.00 from the John M. Scott Commission) - Health Department. Clerk Milton shows all Members present voting in favor of the Motion except Member Rackauskas who voted present. Motion carried.

Member Selzer, Chairman, presented the following:

McLEAN COUNTY, ILLINOIS
COMPREHENSIVE ANNUAL FINANCIAL REPORT
Year Ended December 31, 2007

Submitted By:

Jackie Dozier
McLean County Auditor

Rebecca C. McNeil
McLean County Treasurer



JACKIE DOZIER
COUNTY AUDITOR

(309) 888-5151 • P.O. Box 2400 • Bloomington, Illinois 61702-2400

June 4, 2008

The Honorable Chairman and Members
of the McLean County Board
Government Center, Room 401
115 West Washington Street
Bloomington, Illinois 61702-2400

Dear County Board Members and Citizens of McLean County:

The Comprehensive Annual Financial Report of McLean County for the fiscal year ended December 31, 2007 is submitted herewith. This report was prepared as a joint effort by the McLean County Auditor and the McLean County Treasurer. Responsibility for both the accuracy of the presented data and the completeness and fairness of the presentation, including all disclosures, rests with the County. We believe the data as presented is accurate in all material respects; that it is presented in a manner designed to fairly set forth the County's financial position and results of operations as measured by the financial activity of the government-wide statements and its various funds; and that all disclosures necessary to enable the reader to gain the maximum understanding of the County's financial activities have been included.

This report has been prepared in conformance with generally accepted accounting principles as prescribed in pronouncements of the Governmental Accounting Standards Board.

Management's discussion and analysis (MD&A) immediately follows the independent auditor's report and provides a narrative introduction, overview, and analysis of the basic financial statements. MD&A complements this letter of transmittal and should be read in conjunction with it.

The County was established on December 25, 1830, and operates under the County Board form of government according to the mandates of the State of Illinois. The County is governed by a 20-member board, two representatives being elected from each of ten districts, and serving four-year terms.

This report includes all funds of the government. The County provides a full range of services. This includes administration of justice and public safety, construction and maintenance of County highways, administration of public health services and programs, operation of a County nursing home, operation of a 2,150 acre recreational area, collection of taxes for 175 districts, administration of elections, and general administrative services. The County Treasurer also serves as treasurer for various trust and agency funds not under the jurisdiction of the County Board. This report includes

all funds under the jurisdiction of the County Board, but excludes the financial position of the Regional Office of Education, as it is a component unit of the State of Illinois. The County has two discretely presented component units, the Emergency Telephone System Board (ETSB) and the Public Building Commission (PBC). Further information regarding component units can be found in Note 1 – Description of Business and Summary of Significant Accounting Policies (a) Financial Reporting Entity.

FINANCIAL INFORMATION

Management of the government is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the government are protected from loss, theft or misuse and to ensure that adequate accounting data are compiled to allow for the preparation of financial statements in conformity with generally accepted accounting principles. The internal control structure is designed to provide reasonable, but not absolute, assurance that these objectives are met. The concept of reasonable assurance recognizes that: (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

We believe that all internal control evaluations occur within the above framework and that the County's internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions.

The County's financial statements for governmental funds have been prepared on the modified accrual basis of accounting in conformity with generally accepted accounting principles. Revenues are recognized when measurable and available to finance current expenditures; expenditures are recognized when goods and services are received and liabilities are due and payable. During 2003, the County adopted Governmental Accounting Standards Board Statement No. 34. Thereby, government-wide statements have also been reported on the accrual basis. Within those statements, revenues are recognized when earned and expenses when incurred. Note 1 to the basic financial statements summarizes the County's significant accounting policies.

Budgetary Controls. McLean County maintains budgetary controls. The objectives of these budgetary controls are to ensure compliance with legal provisions embodied in the annual appropriated budget approved by the County Board.

The County adopts fiscal year budgets for all governmental funds, except for a portion of the General Fund (the Employee Benefits Fund), Working Cash Fund, Parks and Recreation Special Activities Fund, D.A.R.E. Program Fund, Sheriff Donation Trust Fund, Jail Prisoners' Commissary Fund, Nursing Home Employee Vending Fund, Township Motor Fuel Tax Fund, Township Bridge Program Fund, Law Library Fund, Collector Tax Indemnity Fund, and Capital Improvement Fund. Budget amendments require approval of the County Board. The budgets for governmental funds are controlled on a line item basis, except for the General Fund, which is controlled at the departmental level. Purchase order amounts are encumbered prior to the release of the order to the vendor. When an encumbrance exceeds available appropriation authority, the order is delayed until the budget is amended. Open encumbrances lapse at year-end, and must be re-appropriated in the following year. Therefore, encumbrances are not reported as a reservation of fund balance.

Cash Management. The County's investment policy is written in accordance with Illinois state law and seeks to minimize risk while maintaining a competitive yield. Under the pooled-cash concept, the County invests all funds' cash, where permitted by State law, with maturities planned to coincide with cash needs. Amounts necessary to finance immediate day-to-day demands are deposited in interest bearing demand accounts; other monies are invested in high yielding acceptable risk instruments as allowed by state statutes. Interest earned on investments is deposited in the County General Fund unless otherwise mandated by state statutes or resolution. The amount of interest earned on deposits from total governmental funds during fiscal year 2007 was \$1,748,790 which represents an increase of \$162,573 (10.25%) in interest earned from 2006. The County's balance held in cash and investments from total governmental funds was \$24,865,359 which represents a decrease of \$368,699 (1.46%) from 2006. Most of the County's fund balances are adequate. Some of those dependent on property taxes, such as Social Security and IMRF, may require short-term, inter-fund loans.

Long-Term Obligations. The only outstanding bonds payable are those to the Public Building Commission, a component unit of the County. For more information regarding these obligations, please refer to Note 8 to the basic Financial Statements.

Economic Condition and Outlook. Both major cities within the governmental boundaries have established new growth and revitalization efforts. In 2007, McLean County's equalized assessed value surpassed \$3.57 billion. Average homes are selling for \$171,859, with 2,663 homes sold in 2007, and 463 permits were issued for new single family construction. Three major Illinois interstate routes also intersect in McLean County bringing many businesses and tourist travelers through the area. The Central Illinois Regional Airport has also seen their passenger boarding rate increase from 262,409 in 2006 to 269,839 in 2007. McLean County is also home to two major universities and two community colleges. Graduates of these facilities often stay in the community due to the quality of life and the employment offered by key employers in the insurance, education, healthcare, agriculture, and manufacturing fields. The quality of life has been further enhanced through the completion of the new US Cellular Coliseum and renovations at the Bloomington Cultural District. The Normal Downtown Redevelopment Plan has many stages yet to be completed but has already been enhanced by the opening of new and renovated commercial office buildings and restaurants. Construction of the 120 wind turbines in Phase II was recently completed. The 240 wind turbines have the capacity to generate 400 megawatts of electricity. When fully operational, this new Wind Farm will be one of the largest facilities of its kind in the United States. The Economic Development Council continues to have a major impact in retaining and attracting new businesses through their network of services. Unemployment continues to be relatively low and stable in this community as a result of steady job growth. Unemployment rates increased from 3.4% in 2006 to 3.9% in 2007. The majority of the workforce is employed in the category of professional and business services through companies such as State Farm Insurance and Country Financial. There are also a number of community agencies to assist and supplement the lifestyles of those in need. The consensus is that the economy and quality of life in McLean County is vital and strong.

OTHER INFORMATION

Independent Audit. State statutes require an annual audit by independent certified public accountants. The accounting firm of McGladrey & Pullen LLP was selected by the County Board to perform the audit. The auditor's report on the basic financial statements and supplemental combining and individual fund statements and schedules is included in the financial section of this report.

Awards. The Government Finance Offices Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the County for its Comprehensive Annual Financial Report for the fiscal year ending December 31, 2006. This was the twenty-second consecutive year that McLean County government has received this prestigious award. In order to be awarded a Certificate of Achievement, the government published an easily readable and efficiently organized Comprehensive Annual Financial Report. This report satisfied both generally accepted accounting principles and applicable legal requirements.

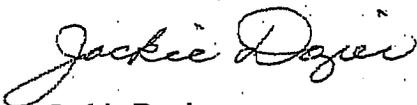
A Certificate of Achievement is valid for a period of one year only. We believe that our current Comprehensive Annual Financial Report continues to meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

ACKNOWLEDGMENT

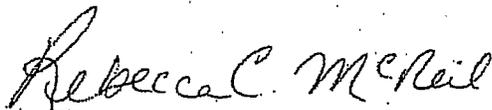
We wish to express our appreciation to the Assistant County Treasurer, Chief Deputy Auditor and to the other County officials and staff who provided assistance in completing this report.

We also wish to express our appreciation to the members of the McLean County Board for their continued interest and support in conducting the financial operations of the County in a sound and progressive manner.

Respectfully submitted,



Jackie Dozier
McLean County Auditor



Rebecca C. McNeil
McLean County Treasurer

Selzer/Gordon Receive Outside Auditor's Report including Comprehensive Annual Financial Report, Management Letter of Advisory Comments and Single Audit Report for the year ended December 31, 2007 -County Administrator's Office. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried. Document is on file for review in the office of the McLean County Clerk.

Member Selzer, Chairman, presented the following:

PREVAILING RATE OF PUBLIC WORKS WAGES FOR McLEAN COUNTY
ORDINANCE

WHEREAS, the State of Illinois has enacted "An Act regulating wages of laborers, mechanics and other workmen employed in any public works by the State, county, city or any public body or any political subdivision or by any one under contract for public works," approved June 26, 1941, as amended, being Section 130/0.01 through 130/12, Chapter 820, *Illinois Compiled Statutes* (2004); and

WHEREAS, the aforesaid Act requires that the County of McLean investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workmen in the locality of said McLean County employed in performing construction of public works for said McLean County; now, therefore,

BE IT ORDAINED by the McLean County Board as follows:

16.01 To the extent as required by "An Act regulating wages of laborers, mechanics, and other workmen employed in any public works by the State, county, city or any public body or any political subdivision or by any one under contract for public works," approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workmen engaged in the construction of public works coming under the jurisdiction of the County of McLean, to the best of our knowledge and represented by the Illinois Department of Labor, is hereby ascertained to be the same as the prevailing rate of wages for construction work in McLean County areas as determined by the Department of Labor of the State of Illinois as of May 1, 2008, a copy of that determination being attached hereto and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the County of McLean. The definition of any terms appearing in this Ordinance which are also used in aforesaid Act shall be the same as in said Act.

16.02 Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of this County to the extent required by the aforesaid Act.

16.03 The County Clerk shall publicly post or keep available for inspection by any interested party in the County Clerk's Office of this County (Room 102, Government Center) this determination of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

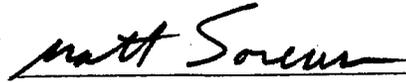
16.04 The County Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed, or file names and addresses, requesting copies of any determination stating the particular rates and the particular class of workmen whose wages will be affected by such rates.

(2)

The County Clerk shall promptly file a certified copy of this Ordinance with both the Secretary of State and the Department of Labor of the State of Illinois. The County Clerk shall cause to be published in a newspaper of general circulation within the area a copy of this Ordinance, and such publication shall constitute notice that the determination is effective and that this is the determination of the public body.

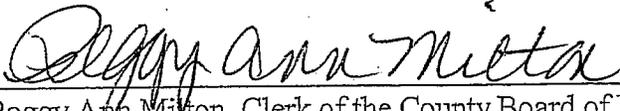
ADOPTED by the County Board of McLean County, Illinois, this 17th day of June, 2008.

APPROVED:



Matt Sorensen, Chairman
McLean County Board

ATTEST:



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

e:\ann\res\prevwage.08

Mclean County Prevailing Wage for May 2008

| Trade Name | RG | TYP | C | Base | FRMAN | *M-F>8 | OSA | OSH | H/W | Pensn | Vac | Trng |
|----------------------|----|-----|---|--------|--------|--------|-----|-----|-------|-------|-------|-------|
| ===== | == | === | = | ===== | ===== | ===== | === | === | ===== | ===== | ===== | ===== |
| ASBESTOS ABT-GEN | | BLD | | 25.810 | 26.560 | 1.5 | 1.5 | 2.0 | 6.050 | 5.780 | 0.000 | 0.600 |
| ASBESTOS ABT-GEN | | HWY | | 27.000 | 27.550 | 1.5 | 1.5 | 2.0 | 6.050 | 5.820 | 0.000 | 0.700 |
| ASBESTOS ABT-MEC | | BLD | | 25.480 | 27.230 | 1.5 | 1.5 | 2.0 | 8.760 | 6.410 | 0.000 | 0.310 |
| BOILERMAKER | | BLD | | 30.970 | 33.970 | 2.0 | 2.0 | 2.0 | 8.270 | 7.740 | 0.000 | 0.300 |
| BRICK MASON | | BLD | | 27.090 | 28.590 | 1.5 | 1.5 | 2.0 | 5.900 | 7.500 | 0.000 | 0.420 |
| CARPENTER | | BLD | | 27.660 | 29.660 | 1.5 | 1.5 | 2.0 | 6.750 | 7.000 | 0.000 | 0.320 |
| CARPENTER | | HWY | | 28.810 | 30.810 | 1.5 | 1.5 | 2.0 | 6.750 | 7.500 | 0.000 | 0.320 |
| CEMENT MASON | | ALL | | 25.670 | 26.420 | 1.5 | 1.5 | 2.0 | 5.050 | 8.750 | 0.000 | 0.400 |
| CERAMIC TILE FNSHER | | BLD | | 24.910 | 0.000 | 1.5 | 1.5 | 2.0 | 6.250 | 7.350 | 0.000 | 0.420 |
| ELECTRIC PWR EQMT OP | | ALL | | 30.750 | 0.000 | 1.5 | 1.5 | 2.0 | 4.750 | 8.610 | 0.000 | 0.000 |
| ELECTRIC PWR GRNDMAN | | ALL | | 21.090 | 0.000 | 1.5 | 1.5 | 2.0 | 4.750 | 5.905 | 0.000 | 0.000 |
| ELECTRIC PWR LINEMAN | | ALL | | 34.160 | 36.350 | 1.5 | 1.5 | 2.0 | 4.750 | 9.560 | 0.000 | 0.000 |
| ELECTRIC PWR TRK DRV | | ALL | | 22.130 | 0.000 | 1.5 | 1.5 | 2.0 | 4.750 | 6.200 | 0.000 | 0.000 |
| ELECTRICIAN | | BLD | | 33.210 | 36.530 | 1.5 | 1.5 | 2.0 | 5.150 | 6.600 | 0.000 | 0.830 |
| ELECTRONIC SYS TECH | | BLD | | 24.290 | 25.790 | 1.5 | 1.5 | 2.0 | 5.150 | 3.730 | 0.000 | 0.250 |
| ELEVATOR CONSTRUCTOR | | BLD | | 35.615 | 40.070 | 2.0 | 2.0 | 2.0 | 8.775 | 6.960 | 2.140 | 0.000 |
| FENCE ERECTOR | E | ALL | | 27.550 | 29.300 | 1.5 | 1.5 | 2.0 | 6.810 | 6.650 | 0.000 | 0.500 |
| GLAZIER | | BLD | | 27.020 | 27.770 | 1.5 | 1.5 | 2.0 | 6.400 | 5.750 | 0.000 | 0.500 |
| HT/FROST INSULATOR | | BLD | | 36.400 | 38.150 | 1.5 | 1.5 | 2.0 | 8.760 | 10.11 | 0.000 | 0.310 |
| IRON WORKER | E | ALL | | 27.550 | 29.300 | 1.5 | 1.5 | 2.0 | 6.810 | 6.650 | 0.000 | 0.500 |
| IRON WORKER | W | BLD | | 26.310 | 28.060 | 1.5 | 1.5 | 2.0 | 8.140 | 7.810 | 0.000 | 0.400 |
| IRON WORKER | W | HWY | | 28.570 | 30.070 | 1.5 | 1.5 | 2.0 | 8.140 | 7.810 | 0.000 | 0.350 |
| LABORER | | BLD | | 24.810 | 25.560 | 1.5 | 1.5 | 2.0 | 6.050 | 5.780 | 0.000 | 0.600 |
| LABORER | | HWY | | 26.000 | 26.550 | 1.5 | 1.5 | 2.0 | 6.050 | 5.820 | 0.000 | 0.600 |
| LABORER, SKILLED | | BLD | | 24.810 | 25.560 | 1.5 | 1.5 | 2.0 | 6.050 | 5.780 | 0.000 | 0.600 |
| LABORER, SKILLED | | HWY | | 26.000 | 26.550 | 1.5 | 1.5 | 2.0 | 6.050 | 5.820 | 0.000 | 0.600 |
| LATHER | | BLD | | 27.660 | 29.660 | 1.5 | 1.5 | 2.0 | 6.750 | 7.000 | 0.000 | 0.320 |
| MACHINERY MOVER | W | HWY | | 28.570 | 30.070 | 1.5 | 1.5 | 2.0 | 8.140 | 7.810 | 0.000 | 0.350 |
| MACHINIST | | BLD | | 38.390 | 40.390 | 2.0 | 2.0 | 2.0 | 4.880 | 6.550 | 2.650 | 0.000 |
| MARBLE FINISHERS | | BLD | | 24.910 | 0.000 | 1.5 | 1.5 | 2.0 | 6.250 | 7.350 | 0.000 | 0.420 |
| MARBLE MASON | | BLD | | 26.520 | 27.770 | 1.5 | 1.5 | 2.0 | 6.250 | 7.350 | 0.000 | 0.420 |
| MILLWRIGHT | | BLD | | 27.240 | 29.240 | 1.5 | 1.5 | 2.0 | 6.750 | 7.850 | 0.000 | 0.320 |
| MILLWRIGHT | | HWY | | 28.860 | 30.860 | 1.5 | 1.5 | 2.0 | 6.750 | 7.950 | 0.000 | 0.320 |
| OPERATING ENGINEER | | BLD | 1 | 29.420 | 32.420 | 1.5 | 1.5 | 2.0 | 6.450 | 10.00 | 0.000 | 1.100 |
| OPERATING ENGINEER | | BLD | 2 | 27.360 | 32.420 | 1.5 | 1.5 | 2.0 | 6.450 | 10.00 | 0.000 | 1.100 |
| OPERATING ENGINEER | | BLD | 3 | 25.850 | 32.420 | 1.5 | 1.5 | 2.0 | 6.450 | 10.00 | 0.000 | 1.100 |
| OPERATING ENGINEER | | HWY | 1 | 30.300 | 33.300 | 1.5 | 1.5 | 2.0 | 6.450 | 10.00 | 0.000 | 1.100 |
| OPERATING ENGINEER | | HWY | 2 | 27.790 | 33.300 | 1.5 | 1.5 | 2.0 | 6.450 | 10.00 | 0.000 | 1.100 |
| OPERATING ENGINEER | | HWY | 3 | 23.640 | 33.300 | 1.5 | 1.5 | 2.0 | 6.450 | 10.00 | 0.000 | 1.100 |
| PAINTER | | ALL | | 29.850 | 31.850 | 1.5 | 1.5 | 1.5 | 6.750 | 6.750 | 0.000 | 0.500 |
| PAINTER SIGNS | | BLD | | 28.970 | 32.520 | 1.5 | 1.5 | 1.5 | 2.600 | 2.310 | 0.000 | 0.000 |
| PILEDRIVER | | BLD | | 28.160 | 30.160 | 1.5 | 1.5 | 2.0 | 6.750 | 7.000 | 0.000 | 0.320 |
| PILEDRIVER | | HWY | | 29.810 | 31.810 | 1.5 | 1.5 | 2.0 | 6.750 | 7.500 | 0.000 | 0.320 |
| PIPEFITTER | | BLD | | 36.100 | 38.980 | 1.5 | 1.5 | 2.0 | 6.450 | 7.100 | 0.000 | 1.100 |
| PLASTERER | | BLD | | 26.920 | 28.920 | 1.5 | 1.5 | 2.0 | 4.700 | 9.940 | 0.000 | 0.400 |
| PLUMBER | | BLD | | 36.100 | 38.980 | 1.5 | 1.5 | 2.0 | 6.450 | 7.100 | 0.000 | 1.100 |
| ROOFER | | BLD | | 25.250 | 26.250 | 1.5 | 1.5 | 2.0 | 5.550 | 6.700 | 0.000 | 0.150 |
| SHEETMETAL WORKER | | BLD | | 28.740 | 30.180 | 1.5 | 1.5 | 2.0 | 5.770 | 10.21 | 0.000 | 0.310 |
| SIGN HANGER | W | HWY | | 28.570 | 30.070 | 1.5 | 1.5 | 2.0 | 8.140 | 7.810 | 0.000 | 0.350 |
| SPRINKLER FITTER | | BLD | | 35.140 | 37.690 | 1.5 | 1.5 | 2.0 | 7.000 | 6.200 | 0.000 | 0.250 |
| STEEL ERECTOR | W | HWY | | 28.570 | 30.070 | 1.5 | 1.5 | 2.0 | 8.140 | 7.810 | 0.000 | 0.350 |
| TERRAZZO FINISHER | | BLD | | 24.910 | 0.000 | 1.5 | 1.5 | 2.0 | 6.250 | 7.350 | 0.000 | 0.420 |
| TERRAZZO MASON | | BLD | | 26.520 | 27.770 | 1.5 | 1.5 | 2.0 | 6.250 | 7.350 | 0.000 | 0.420 |
| TILE MASON | | BLD | | 26.520 | 27.770 | 1.5 | 1.5 | 2.0 | 6.250 | 7.350 | 0.000 | 0.420 |

| | | | | | | | | | | |
|--------------|---------|--------|--------|-----|-----|-----|-------|-------|-------|-------|
| TRUCK DRIVER | O&C 1 | 21.970 | 0.000 | 1.5 | 1.5 | 2.0 | 8.600 | 3.797 | 0.000 | 0.000 |
| TRUCK DRIVER | O&C 2 | 22.290 | 0.000 | 1.5 | 1.5 | 2.0 | 8.600 | 3.797 | 0.000 | 0.000 |
| TRUCK DRIVER | O&C 3 | 22.450 | 0.000 | 1.5 | 1.5 | 2.0 | 8.600 | 3.797 | 0.000 | 0.000 |
| TRUCK DRIVER | O&C 4 | 22.650 | 0.000 | 1.5 | 1.5 | 2.0 | 8.600 | 3.797 | 0.000 | 0.000 |
| TRUCK DRIVER | O&C 5 | 23.250 | 0.000 | 1.5 | 1.5 | 2.0 | 8.600 | 3.797 | 0.000 | 0.000 |
| TRUCK DRIVER | N ALL 1 | 34.200 | 34.750 | 1.5 | 1.5 | 2.0 | 6.000 | 4.075 | 0.000 | 0.250 |
| TRUCK DRIVER | N ALL 2 | 34.350 | 34.750 | 1.5 | 1.5 | 2.0 | 6.000 | 4.075 | 0.000 | 0.250 |
| TRUCK DRIVER | N ALL 3 | 34.550 | 34.750 | 1.5 | 1.5 | 2.0 | 6.000 | 4.075 | 0.000 | 0.250 |
| TRUCK DRIVER | N ALL 4 | 34.750 | 34.750 | 1.5 | 1.5 | 2.0 | 6.000 | 4.075 | 0.000 | 0.250 |
| TRUCK DRIVER | S ALL 1 | 27.457 | 0.000 | 1.5 | 1.5 | 2.0 | 8.600 | 3.797 | 0.000 | 0.000 |
| TRUCK DRIVER | S ALL 2 | 27.857 | 0.000 | 1.5 | 1.5 | 2.0 | 8.600 | 3.797 | 0.000 | 0.000 |
| TRUCK DRIVER | S ALL 3 | 28.057 | 0.000 | 1.5 | 1.5 | 2.0 | 8.600 | 3.797 | 0.000 | 0.000 |
| TRUCK DRIVER | S ALL 4 | 28.307 | 0.000 | 1.5 | 1.5 | 2.0 | 8.600 | 3.797 | 0.000 | 0.000 |
| TRUCK DRIVER | S ALL 5 | 29.057 | 0.000 | 1.5 | 1.5 | 2.0 | 8.600 | 3.797 | 0.000 | 0.000 |

Legend:

- M-F>8 (Overtime is required for any hour greater than 8 worked each day, Monday through Friday.)
- OSA (Overtime is required for every hour worked on Saturday)
- OSH (Overtime is required for every hour worked on Sunday and Holidays)
- H/W (Health & Welfare Insurance)
- Pensn (Pension)
- Vac (Vacation)
- Trng (Training)

Explanations

MCLEAN COUNTY

FENCE ERECTOR - See Ironworkers.

IRONWORKERS (EAST) - That part of the county East of a diagonal line from Heyworth to a point half way between Chenoa and Weston.

TEAMSTERS (NORTH) - North of a straight line starting on the west side where Route 24 crosses McClean County line in a southeasterly direction to the most south-southwestern corner of Livingston County.

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial/Decoration Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day. Generally, any of these holidays which fall on a Sunday is celebrated on the following Monday. This then makes work performed on that Monday payable at the appropriate overtime rate for holiday pay. Common practice in a given local may alter certain days of celebration such as the day after Thanksgiving for Veterans Day. If in doubt, please check with IDOL.

Oil and chip resealing (O&C) means the application of road oils and liquid asphalt to coat an existing road surface, followed by application of aggregate chips or gravel to coated surface, and subsequent rolling of material to seal the surface.

EXPLANATION OF CLASSES

ASBESTOS - GENERAL - removal of asbestos material/mold and hazardous materials from any place in a building, including mechanical systems where those mechanical systems are to be removed. This includes the removal of asbestos materials/mold and hazardous materials from

ductwork or pipes in a building when the building is to be demolished at the time or at some close future date.

ASBESTOS - MECHANICAL - removal of asbestos material from mechanical systems, such as pipes, ducts, and boilers, where the mechanical systems are to remain.

CERAMIC TILE FINISHER, MARBLE FINISHER, TERRAZZO FINISHER

Assisting, helping or supporting the tile, marble and terrazzo mechanic by performing their historic and traditional work assignments required to complete the proper installation of the work covered by said crafts. The term "Ceramic" is used for naming the classification only and is in no way a limitation of the product handled. Ceramic takes into consideration most hard tiles.

ELECTRONIC SYSTEMS TECHNICIAN

Installation, service and maintenance of low-voltage systems which utilizes the transmission and/or transference of voice, sound, vision, or digital for commercial, education, security and entertainment purposes for the following: TV monitoring and surveillance, background/foreground music, intercom and telephone interconnect, field programming, inventory control systems, microwave transmission, multi-media, multiplex, radio page, school, intercom and sound burglar alarms and low voltage master clock systems.

Excluded from this classification are energy management systems, life safety systems, supervisory controls and data acquisition systems not intrinsic with the above listed systems, fire alarm systems, nurse call systems and raceways exceeding fifteen feet in length.

LABORER, SKILLED - BUILDING

The skilled laborer building (BLD) classification shall encompass the following types of work, irrespective of the site of the work: tending of carpenters in unloading, handling, stockpiling and distribution operations, also other building crafts, mixing, handling, and conveying of all materials used by masons, plasterers and other building construction crafts, whether done by hand or by any process. The drying of plastering when done by salamander heat, and the cleaning and clearing of all debris. All work pertaining to and in preparation of asbestos abatement and removal. The building of scaffolding and staging for masons and plasterers. The excavations for buildings and all other construction, digging, of trenches, piers, foundations and holes, digging, lagging, sheeting, cribbing, bracing and propping of foundations, holes, caissons, cofferdams, and dikes, the setting of all guidelines for machine or hand excavation and subgrading. The mixing, handling, conveying, pouring, vibrating, gunniting and otherwise applying of concrete, whether by hand or other method of concrete for any walls, foundations, floors, or for other construction concrete sealant men. The wrecking, stripping, dismantling, and handling of concrete forms and false work, and the building of centers for fireproofing purposes. Boring machine, gas, electric or air in preparation for shoving pipe, telephone cable, and so forth, under highways, roads, streets and alleys. All hand and power operating cross cut saws when used for clearing. All work in compressed air construction. All work on acetylene burners in salvaging. The blocking and tamping of concrete. The laying of sewer tile and conduit, and pre-cast materials. The assembling and

dismantling of all jacks and sectional scaffolding, including elevator construction and running of slip form jacks. The work of drill running and blasting, including wagon drills. The wrecking, stripping, dismantling, cleaning, moving and oiling of forms. The cutting off of concrete piles. The loading, unloading, handling and carrying to place of installation of all rods, (and materials for use in reinforcing) concrete and the hoisting of same and all signaling where hoist is used in this type of construction coming under the jurisdiction of the Laborers' Union. And, all other labor work not awarded to any other craft. Mortar mixers, kettlemen and carrier of hot stuff, tool crib men, watchmen (Laborer), firemen or salamander tenders, flagmen, deck hands, installation and maintenance of temporary gas-fired heating units, gravel box men, dumpmen and spotters, fencing Laborers, cleaning lumber, pit men, material checkers, dispatchers, unloading explosives, asphalt plant laborers, writer of scale tickets, fireproofing laborers, janitors, asbestos abatement and removal laborers, handling of materials treated with oil, creosote, chloride, asphalt, and/or foreign material harmful to skin or clothing, Laborers with de-watering systems, gunnite nozzle men, laborers tending masons with hot material or where foreign materials are used, Laborers handling masterplate or similar materials, laser beam operator, concrete burning machine operator, material selector men working with firebrick or combustible material, dynamite men, track laborers, cement handlers, chloride handlers, the unloading and laborers with steel workers and re-bars, concrete workers (wet), luteman, asphalt raker, curb asphalt machine operator, ready mix scalemen, permanent, portable or temporary plant drilling machine operator, plaster tenders, underpinning and shoring of buildings, fire watch, signaling of all power equipment, to include trucks excavating equipment, etc., tree topper or trimmer when in connection to construction, tunnel helpers in free air, batch dumpers, kettle and tar men, tank cleaners, plastic installers, scaffold workers, motorized buggies or motorized unit used for wet concrete or handling of building materials, sewer workers, rod and chain men, vibrator operators, mortar mixer operator, cement silica, clay, fly ash, lime and plasters, handlers (bulk or bag), cofferdam workers, on concrete paving, placing, cutting and tying of reinforcing, deck hand, dredge hand and shore laborers, bankmen on floating plant, asphalt workers with machine & layers, grade checker, power tools, caisson workers, lead man on sewer work, welders, cutters, burners and torch men, chain saw operators, paving breaker, jackhammer and drill operator, layout man and/or drainage tile layer, steel form setters -- street and highway, air tamping hammerman, signal man on crane, concrete saw operator, screen man on asphalt pavers, front end man on chip spreader, multiple concrete duct -- lead man.

LABORER, SKILLED - HIGHWAY

The skilled laborer heavy and highway (HWY) classification shall encompass the following types of work, irrespective of the site of the work: handling of materials treated with oil, creosote, asphalt and/or any foreign materials harmful to skin or clothing, track laborers, chloride handlers, the unloading and loading with steel workers and re-bars, concrete workers (wet), tunnel helpers in free air, batch dumpers, mason tenders, kettle and tar men, plastic installers, scaffold workers, motorized buggies or motorized unit used for wet concrete or handling of building materials, laborers with de-watering systems, sewer workers plus depth, rod and chainmen, vibrator operators, mortar mixer operators, cement silica, clay, fly

ash, lime and plasters, handlers (bulk or bag), cofferdam workers plus depth, on concrete paving, placing, cutting and tying or reinforcing, deck hand, dredge hand shore laborers, bankmen on floating plant, asphalt workers with machine, and layers, grade checker, power tools, stripping of all concrete forms excluding paving forms, dumpmen and spotters, when necessary, caisson workers plus depth, gunnite nozzle men, welders, cutters, burners and torchmen, chain saw operators, paving breaker, jackhammer and drill operators, layout man and/or drainage tile layer, steel form setters - street and highway, air tamping hammerman, signal man on crane, concrete saw operator, screedman on asphalt pavers, front end man on chip spreader, multiple concrete duct, luteman, asphalt raker, curb asphalt machine operator, ready mix scalemen (portable or temporary plant), laser beam operator, concrete burning machine operator, and coring machine operator.

TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION - SOUTH

Class 1. Drivers on 2 axle trucks hauling less than 9 ton. Air compressor and welding machines and brooms, including those pulled by separate units, truck driver helpers, warehouse employees, mechanic helpers, greasers and tiremen, pickup trucks when hauling materials, tools, or workers to and from and on-the-job site, and fork lifts up to 6,000 lb. capacity.

Class 2. Two or three axle trucks hauling more than 9 ton but hauling less than 16 ton. A-frame winch trucks, hydrolift trucks, vector trucks or similar equipment when used for transportation purposes. Fork lifts over 6,000 lb. capacity, winch trucks, four axle combination units, and ticket writers.

Class 3. Two, three or four axle trucks hauling 16 ton or more. Drivers on water pulls, articulated dump trucks, mechanics and working forepersons, and dispatchers. Five axle or more combination units.

Class 4. Low Boy and Oil Distributors.

Class 5. Drivers who require special protective clothing while employed on hazardous waste work.

TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION - NORTH

Class 1. Two or three Axle Trucks. A-frame Truck when used for transportation purposes; Air Compressors and Welding Machines, including those pulled by cars, pick-up trucks and tractors; Ambulances; Batch Gate Lockers; Batch Hopperman; Car and Truck Washers; Carry-alls; Fork Lifts and Hoisters; Helpers; Mechanics Helpers and Greasers; Oil Distributors 2-man operation; Pavement Breakers; Pole Trailer, up to 40 feet; Power Mower Tractors; Self-propelled Chip Spreader; Skipman; Slurry Trucks, 2-man operation; Slurry Truck Conveyor Operation, 2 or 3 man; Teamsters; Unskilled dumpman; and Truck Drivers hauling warning lights, barricades, and portable toilets on the job site.

Class 2. Four axle trucks; Dump Crets and Adgetors under 7 yards; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnapulls or Turnatrailers when pulling other than self-loading equipment or similar equipment under 16 cubic yards; Mixer Trucks under 7 yards; Ready-mix Plant Hopper Operator, and Winch Trucks, 2 Axles.

Class 3. Five axle trucks; Dump Crets and Adgetors 7 yards and over; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turntrailers or turnapulls when pulling other than self-loading equipment or similar equipment over 16 cubic yards; Explosives and/or Fission Material Trucks; Mixer Trucks 7 yards or over; Mobile Cranes while in transit; Oil Distributors, 1-man operation; Pole Trailer, over 40 feet; Pole and Expandable Trailers hauling material over 50 feet long; Slurry trucks, 1-man operation; Winch trucks, 3 axles or more; Mechanic--Truck Welder and Truck Painter.

Class 4. Six axle trucks; Dual-purpose vehicles, such as mounted crane trucks with hoist and accessories; Foreman; Master Mechanic; Self-loading equipment like P.B. and trucks with scoops on the front.

TRUCK DRIVER - OIL AND CHIP RESEALING ONLY.

This shall encompass laborers, workers and mechanics who drive contractor or subcontractor owned, leased, or hired pickup, dump, service, or oil distributor trucks. The work includes transporting materials and equipment (including but not limited to, oils, aggregate supplies, parts, machinery and tools) to or from the job site; distributing oil or liquid asphalt and aggregate; stock piling material when in connection with the actual oil and chip contract. The Truck Driver (Oil & Chip Resealing) wage classification does not include supplier delivered materials.

OPERATING ENGINEERS - BUILDING

Class 1. Cranes; Overhead Cranes; Gradall; All Cherry Pickers; Mechanics; Central Concrete Mixing Plant Operator; Road Pavers (27E - Dual Drum - Tri Batchers); Blacktop Plant Operators and Plant Engineers; 3 Drum Hoist; Derricks; Hydro Cranes; Shovels; Skimmer Scoops; Koehring Scooper; Drag Lines; Backhoe; Derrick Boats; Pile Drivers and Skid Rigs; Clamshells; Locomotive Cranes; Dredge (all types) Motor Patrol; Power Blades - Dumore - Elevating and similar types; Tower Cranes (Crawler-Mobile) and Stationary; Crane-type Backfiller; Drott Yumbo and similar types considered as Cranes; Caisson Rigs; Dozer; Tournadozer; Work Boats; Ross Carrier; Helicopter; Tournapulls - all and similar types; Scoops (all sizes); Pushcats; Endloaders (all types); Asphalt Surfacing Machine; Slip Form Paver; Rock Crusher; Heavy Equipment Greaser; CMI, CMI Belt Placer, Auto Grade & 3 Track and similar types; Side Booms; Multiple Unit Earth Movers; Creter Crane; Trench Machine; Pump-crete-Belt Crete-Squeeze Cretes-Screw-type Pumps and Gypsum; Bulker & Pump - Operator will clean; Formless Finishing Machine; Flaherty Spreader or similar types; Screed Man on Laydown Machine; Wheel Tractors (industrial or Farm-type w/Dozer-Hoe-Endloader or other attachments); F.W.D. & Similar Types; Vermeer Concrete Saw.

Class 2. Dinkeys; Power Launches; PH One-pass Soil Cement Machine (and similar types); Pugmill with Pump; Backfillers; Euclid Loader; Forklifts; Jeeps w/Ditching Machine or other attachments; Tuneluger; Automatic Cement and Gravel Batching Plants; Mobile Drills (Soil Testing) and similar types; Gurries and Similar Types; (1) and (2) Drum Hoists (Buck Hoist and Similar Types); Chicago Boom; Boring Machine & Pipe Jacking Machine; Hydro Boom; Dewatering System; Straw Blower; Hydro Seeder; Assistant Heavy Equipment Greaser on Spread;

Tractors (Track type) without Power Unit pulling Rollers; Rollers on Asphalt -- Brick Macadam; Concrete Breakers; Concrete Spreaders; Mule Pulling Rollers; Center Stripper; Cement Finishing Machines & CMI Texture & Reel Curing Machines; Cement Finishing Machine; Barber Green or similar loaders; Vibro Tamper (All similar types) Self-propelled; Winch or Boom Truck; Mechanical Bull Floats; Mixers over 3 Bag to 27E; Tractor pulling Power Blade or Elevating Grader; Porter Rex Rail; Clary Screed; Truck Type Hoptoe Oilers; Fireman; Spray Machine on Paving; Curb Machines; Truck Crane Oilers; Oil Distributor; Truck-Mounted Saws.

Class 3. Air Compressor; Power Subgrader; Straight Tractor; Trac Air without attachments; Herman Nelson Heater, Dravo, Warner, Silent Glo, and similar types; Roller: Five (5) Ton and under on Earth or Gravel; Form Grader; Crawler Crane & Skid Rig Oilers; Freight Elevators - permanently installed; Pump; Light Plant; Generator; Conveyor (1) or (2) - Operator will clean; Welding Machine; Mixer (3) Bag and Under (Standard Capacity with skip); Bulk Cement Plant; Oiler on Central Concrete Mixing Plant.

OPERATING ENGINEERS - HEAVY AND HIGHWAY CONSTRUCTION

Class 1. Cranes; Hydro Crane; Shovels; Crane Type Backfiller; Tower Cranes - Mobile & Crawler & Stationary; Derricks & Hoists (3 Drum); Draglines; Drott Yumbo & similar types considered as Cranes; Back Hoe; Derrick Boats; Pile Driver and Skid Rigs; Clam Shell; Locomotive - Cranes; Road Pavers - Single Drum - Dual Drum - Tri Batcher; Motor Patrols & Power Blades - Dumore - Elevating & Similar Types; Mechanics; Central Concrete Mixing Plant Operator; Asphalt Batch Plant Operators and Plant Engineers; Gradall; Caisson Rigs; Skimmer Scoop - Koering Scooper; Dredges (all types); Hoptoe; All Cherry Pickers; Work Boat; Ross Carrier; Helicopter; Dozer; Tournadozer; Tournapulls - all and similar types; Multiple Unit Earth Movers; Scoops (all sizes); Pushcats; Endloaders (all types); Asphalt Surfacing Machine; Slip Form Paver; Rock Crusher; Heavy Equipment Greaser (top greaser on spread); CMI, Auto Grade, CMI Belt Placer & 3 Track and similar types; Side Booms; Starting Engineer on Pipeline; Asphalt Heater & Planer Combination (used to plane streets); Wheel Tractors (with dozer, hoe or endloader attachments); F.W.D. and Similar types; Blaw Knox Spreader and Similar types; Trench Machines; Pump Crete - Belt Crete - Squeeze Crete - screw type pumps and gypsum (operator will clean); Formless Finishing Machines; Flaherty Spreader or similar types; Screed Man on Laydown Machine; Vermeer Concrete Saw.

Class 2. Bulker & Pump; Power Launches; Boring Machine & Pipe Jacking Machine; Dinkeys; P-H One Pass Soil Cement Machines and similar types; Wheel Tractors (Industry or farm type - other); Back Fillers; Euclid Loader; Fork Lifts; Jeep w/Ditching Machine or other attachments; Tunneluger; Automatic Cement & Gravel Batching Plants; Mobile Drills - Soil Testing and similar types; Pugmill with pump; All (1) and (2) Drum Hoists; Dewatering System; Straw Blower; Hydro-Seeder; Boring Machine; Hydro-Boom; Bump Grinders (self-propelled); Assistant Heavy Equipment Greaser; Apsco Spreader; Tractors (track-type) without Power Units Pulling Rollers on Asphalt - Brick or Macadam; Concrete Breakers; Concrete Spreaders; Cement Strippers; Cement Finishing Machines & CMI Texture & Reel Curing Machines; Vibro-Tampers (all similar types self-propelled); Mechanical Bull Floats; Self-propelled Concrete Saws; Mixers-over three (3) bags to 27E; Winch and Boom Trucks; Tractor Pulling Power

Blade or Elevating Grader; Porter Rex Rail; Clary Screed; Mule Pulling Rollers; Pugmill without Pump; Barber Greene or similar Loaders; Track Type Tractor w/Power Unit attached (minimum); Fireman; Spray Machine on Paving; Curb Machines; Paved Ditch Machine; Power Broom; Self-Propelled Conveyors; Power Subgrader; Oil Distributor; Straight Tractor; Truck Crane Oiler; Truck Type Oilers; Directional boring machine; Horizontal directional drill.

Class 3. Straight framed articulating end dump vehicles and Truck mounted vac unit (separately powered); Trac Air Machine (without attachments); Heiman Nelson Heater, Dravo Warner, Silent Glo & similar types; Rollers - five ton and under on earth and gravel; Form Graders; Pumps; Light Plant; Generator; Air Compressor (1) or (2); Conveyor; Welding Machine; Mixer - 3 bags and under; Bulk Cement Plant; Oilers.

Other Classifications of Work:

For definitions of classifications not otherwise set out, the Department generally has on file such definitions which are available. If a task to be performed is not subject to one of the classifications of pay set out, the Department will upon being contacted state which neighboring county has such a classification and provide such rate, such rate being deemed to exist by reference in this document. If no neighboring county rate applies to the task, the Department shall undertake a special determination, such special determination being then deemed to have existed under this determination. If a project requires these, or any classification not listed, please contact IDOL at 618/993-7271 for wage rates or clarifications.

LANDSCAPING

Landscaping work falls under the existing classifications for laborer, operating engineer and truck driver. The work performed by landscape plantsman and landscape laborer is covered by the existing classification of laborer. The work performed by landscape operators (regardless of equipment used or its size) is covered by the classifications of operating engineer. The work performed by landscape truck drivers (regardless of size of truck driven) is covered by the classifications of truck driver.

Members Selzer/Harding moved the County Board approve a Request for Approval of an Ordinance for Prevailing Rate of Public Works Wages for McLean County - County Administrator's Office. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

Member Selzer, Chairman, presented the following:

RESOLUTION OF THE McLEAN COUNTY BOARD
APPROVING THE REQUEST RECEIVED FROM
THE NORMAL TOWNSHIP SUPERVISOR
TO CHANGE POLLING PLACES

WHEREAS, the Supervisor of Normal Township has formally requested that Normal Precinct 7 in Normal Township be changed for the November, 2008 general election; and,

WHEREAS, the Supervisor of Normal Township has recommended that Precinct 7 be moved from Epiphany School, 1002 East College Avenue, Normal, Illinois to the Normal Township Hall Building, 304 East Mulberry Street, Normal, Illinois; and,

WHEREAS, the Finance Committee, at a Special Committee meeting on Tuesday, June 17, 2008, recommended approval of the request received from the Supervisor of Normal Township; now, therefore,

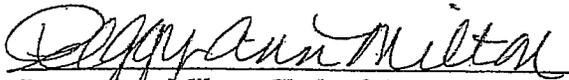
BE IT RESOLVED by the McLean County Board, now meeting in regular session, as follows:

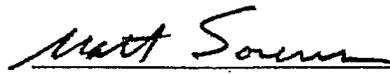
- (1) The McLean County Board hereby approves the recommendation received from the Supervisor of Normal Township to move Precinct 7 from Epiphany School, 1002 East College Avenue, Normal, Illinois to the Normal Township Hall Building, 304 East Mulberry Street, Normal, Illinois
- (2) The McLean County Board hereby requests that the County Clerk provide a certified copy of this Resolution to the Supervisor of Normal Township and the First Civil Assistant State's Attorney.

ADOPTED by the McLean County Board this 17th day of June, 2008.

ATTEST:

APPROVED:


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


Matt Sorensen, Chairman
McLean County Board

Members Selzer/Owens moved the County Board approve a Request for Approval of a Resolution of the McLean County Board approving the Request Received from the Normal Township Supervisor to Change Polling Places - County Clerk. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

JUSTICE COMMITTEE:
Member Renner, Chairman, presented the following:

McLEAN COUNTY – GRANT INFORMATION FORM

General Grant Information

| | |
|---|--|
| <u>Requesting Agency or Department:</u> McLean County Court Services | <u>This request is for:</u> <input checked="" type="checkbox"/> A New Grant <input type="checkbox"/> Renewal/Extension of Existing Grant |
| <u>Grantor:</u> Bureau of Justice Assistance | <u>Grant Type:</u> <input checked="" type="checkbox"/> Federal, CFDA #: <input type="checkbox"/> State <input type="checkbox"/> Other |
| <u>Anticipated Grant Amount:</u> \$ 333,002 | <u>Grant Funding Method:</u> <input checked="" type="checkbox"/> Reimbursement <input checked="" type="checkbox"/> Pre-Funded |
| <u>Anticipated Match Amount (if applicable):</u> \$0 | <u>Expected Initial Receipt Date:</u> 6/1/2008 <u>Source of Matching Funds (if applicable):</u> |

Personnel and Information

| | |
|--|---|
| <u>New personnel will be hired:</u> <input type="checkbox"/> Yes (complete chart below) <input checked="" type="checkbox"/> No | <u>A new hire will be responsible for financial reporting:</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|--|---|

| <u>New Personnel Expense Chart</u> | Current FY | Current FY+1 | Current FY+2 |
|------------------------------------|---------------|-----------------|-----------------|
| Number of Employees: | 0 | | |
| Personnel Cost | \$ | \$ | \$ |
| Fringe Benefit Cost | \$ | \$ | \$ |
| Total Cost | \$ | \$ | \$ |

Additional Costs and Requirements (if applicable)

| | |
|---|---|
| <u>Description of equipment to be purchased:</u> Intoxilyzer, drug testing equipment | <u>Description of subcontracting costs:</u> A program evaluation of the McLean County Drug Court will be conducted by an outside agency. |
|---|---|

| <u>Additional Costs Chart</u> | Current FY | Current FY+1 | Current FY+2 |
|-------------------------------|---------------|-----------------|-----------------|
| Subcontractors | \$50,000 | \$ | \$ |
| Equipment | \$30,000 | \$ | \$ |
| Other | \$253,002 | \$ | \$ |
| Total Cost | \$333,002 | \$ | \$ |

Other requirements or obligations: (increased workload, continuation of program after grant period, etc)
Money will be used to provide mental health and family support services. In addition funds will be used to provide incentives for the drug court clients as well as emergency housing and medical cost for the clietns.

Responsible Personnel for Grant Reporting and Oversight:

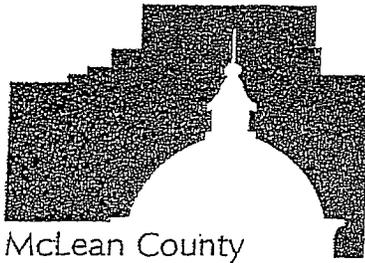
Department Head Signature

5-22-08
Date

Grant Administrator Signature (if different)

Date

| | |
|-------------------------------------|---------------|
| OVERSIGHT COMMITTEE APPROVAL | |
| _____ Chairman | _____ Date |



COURT SERVICES

Roxanne K. Castleman, Director

Law & Justice Center, 104 W. Front Street, 7th Floor P.O. Box 2400 Bloomington, IL 61702

Adult Division
Room 700
Ph: (309) 888-5360
Fax: (309) 888-5434

Juvenile Division
Room 701
Ph: (309) 888-5370
Fax: (309) 888-5831

Extended Day
Room 703
Ph: (309) 888-5370
Fax: (309) 888-5831

Memo

To: Honorable Members of the Justice Committee 
From: Roxanne K. Castleman
CC: Chief Judge Elizabeth A. Robb
Date: 5/21/2008
Re: Discretionary Grants Earmarked for Drug Court

McLean County Court Services recently received information from the Bureau of Justice that we are able to apply for its FY 2008 Congressionally Mandated Award (Discretionary Earmarked Funds), for our drug court program. The awarded amount is \$333,002.

I am currently working on the grant application as it has a due date of June 11, 2008. The drug court team has identified several programs and equipment items for which we would be request funding. This includes, but is not limited to:

- Program evaluation
- Mental health services
- Family support and programming services
- Drug testing equipment
- Portable breathalyzer

This is an excellent opportunity for McLean County, as it will allow us to provide additional services to the clients in drug court, that we could not provide without these funds.

There is no match for these funds.

I will be present at the Justice Committee meeting, to answer any questions you may have.

Thank you for your consideration in this matter.

Members Renner/Moss moved the County Board approve a Request for Approval of a Bureau of Justice Assistance Grant in the amount of \$333,002.00 for Discretionary Grant Earmarked for Drug Court - Court Services. Clerk Milton shows all Members present voting in favor of the Motion. Motion

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

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

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

WHEREAS, the Solid Waste Technical and Policy Committee recommended that the following grant application be approved for funding from the County's Solid Waste Management Fund:

1) Rural Recycling Grants for the following municipalities:

- Village of Arrowsmith - \$1,000
- Village of Carlock - \$1,000
- Village of Colfax - \$1,000
- Village of Downs - \$1,000
- Village of Heyworth - \$1,000
- City of LeRoy - \$1,000
- City of Lexington - \$1,000
- Village of Saybrook - \$1,000
- Village of Danvers - \$1,000
- Village of Stanford - \$1,000

2) Electronics Recycling Drop off administered by the Town of Normal - \$1,500

3) Compact Fluorescent Lamp (CFL) recycling program administered by the Ecology Action Center- \$5,000

WHEREAS, the Land Use and Development Committee, at its regular meeting on June 5, 2008, recommended approval of the recommendations received from the Solid Waste Technical and Policy committee; now, therefore,

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

1. The McLean County Board hereby approves the following grant applications and the amounts requested for grant funds from the County's Solid Waste Management Fund:

1) Rural Recycling Grants for the following municipalities:

- Village of Arrowsmith - \$1,000
- Village of Carlock - \$1,000
- Village of Colfax - \$1,000
- Village of Downs - \$1,000
- Village of Heyworth - \$1,000
- City of LeRoy - \$1,000
- City of Lexington - \$1,000
- Village of Saybrook - \$1,000
- Village of Danvers - \$1,000
- Village of Stanford - \$1,000

2) Electronics Recycling Drop off administered by the Town of Normal - \$1,500

3) Compact Fluorescent Lamp (CFL) Recycling program administered by the Ecology Action Center- \$5,000

2. The McLean County Board hereby directs the County Clerk to forward a certified copy of this Resolution to the Director of Building and Zoning, the Director of the McLean County Regional Planning Commission, and the County Administrator.

ADOPTED by the McLean County Board this 17th day of June, 2008.

ATTEST:

APPROVED:



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



Matt Sorensen, Chairman
McLean County Board

Members Gordon/Dean moved the County Board approve a Request for Approval of a Resolution Approving the Recommendations of the Solid Waste Technical and Policy Committee - Grant Awards from the McLean County Solid Waste Management Fund. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

PROPERTY COMMITTEE:
Member Bostic, Chairman, presented the following:

young architects 211 prospect box 1484 bloomington, il. 61704 662-8812

June 9, 2008

RECEIVED

JUN 10 2008

Facilities Mgt. Div.

Mr. Jack Moody CFM- Director of Facilities Management
County of McLean
103 West Front Street
Bloomington, Illinois 61701

Re: County of McLean - Juvenile Detention Center
903 North Main - Normal

Architectural Services
Outdoor Exercise Area 157 - Concrete Deck Replacement and Repair

Dear Mr. Moody:

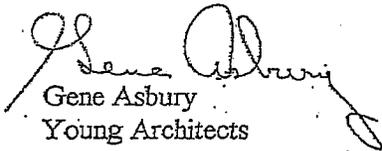
Upon our site review with you on Monday, June 9, 2008 inspecting the damaged Outdoor Exercise Area 157, we would propose the following:

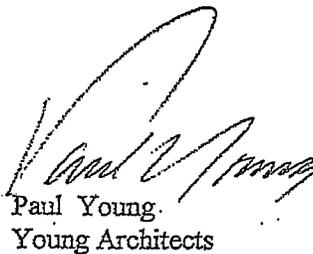
Young Architects would propose to prepare construction documents and specifications for the competitive bidding and construction of the required replacement - repair of the Outdoor Exercise Area 157 and existing sloping concrete deck with the necessary plans, details, elevations, and building sections for a fee not to exceed \$ 6,400.00. This would also include the repair of the viewed Northwest and Northeast wall "cracks" that have recently surfaced.

This proposal is based upon (1) the original construction document dated December 21, 1991 which you loaned us and (2) the facility site inspection this morning with Mr. Gene Asbury, Mr. Tom Hawk, Mr. Paul Young, and yourself.

Please review the enclosed and if there are any questions, so advise.

Sincerely,


Gene Asbury
Young Architects


Paul Young
Young Architects

Members Bostic/Owens moved the County Board approve a Request for Approval to retain Young Architects to prepare Construction Documents and Bid Specifications to replace-repair the outside recreation yard and brick at the Juvenile Detention Center - Facilities Management. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

REPORT OF THE COUNTY ADMINISTRATOR:
Members Segobiano/Gordon moved the County Board go into Executive Session to consider Personnel Matters. Executive session of McLean County Board was convened at 9:25 a.m.

ATTORNEY AT LAW
514 S. MOORE STREET
BLOOMINGTON, IL 61701
(309) 275-9170
RKEARNEY@KEARNEYSLAW.COM

June 13, 2008

By Electronic Mail

Mr. John Zeunik
McLean County Administrator
Government Center
Bloomington, Illinois

Re: Recommendations for Board Consideration

Dear Mr. Zeunik,

In connection with my recently completed employment investigation conducted on behalf of the County Administrator's Office, please accept these recommendations for board consideration and action.

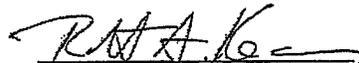
1. County offices should develop a system whereby position vacancies are publicly posted. Public offices (such as county government) should be open to candidates from the public for public sector jobs. Not only does this serve to provide a level playing field for job candidates, but it also gives the county a chance to recruit the best qualified person for a job. Limited, or referral-only searches may be quicker than open searches, but by definition they result in a process whereby, at best, the most qualified person with access to the right public officials is hired rather than the most qualified person, period. At worst, such searches result in the hire of well-connected individuals without regard to their qualifications.
2. No job applicant should have special advantage or access to information about jobs, job responsibilities, or pay rates. Information about job duties and pay rates should be helpful and uniformly given to all job applicants regardless of their access to public officials or to non-public information.

3. Board members should not participate in job interviews for county jobs, especially entry-level positions and positions in areas that fall within their oversight responsibilities on the board. When their presence is meant to show support for a job candidate, it is arguably coercive and injects the board into the hiring decisions of county offices. And because the board member is likely able to sit in on an interview only by virtue of his position on the board, it stacks the deck against applicants without such special connections.
4. Board members and county supervisors (including public officials) should undergo periodic supervisor training that provides them with important human resource tools, such as (1) what should my response be if an employee complains about workplace harassment? (2) should my response be in person or in writing? (3) what protections am I legally required to provide to employees who may feel threatened in the workplace? (4) what interview questions are appropriate and what types of questions are inappropriate? (5) what ethical and legal boundaries affect the hiring process? (6) how far can a board member or a public official go in recommending an individual for a county position? and (7) what types of personal relationships can pose a conflict of interest?
5. The Board should recommend a uniform set of employment practice policies governing all county employees. Policies that are not uniform (or, worse, unwritten) are unhelpful. They may also be sources of harm. (Uniformity in this case does not mean that elected officials have less control over their individual offices. Rather, it means they can agree on some fundamental principles, the vast majority of which are legal principles and are not debatable matters anyway.) The policies should, at a minimum, constitute a set of standards that define unacceptable workplace conduct (including harassment) and that further define the county's commitment to prevent retaliation against any employee who complains in good faith about harassment. The policies should be widely distributed and publicly available to all county employees.
6. The Board should revisit its ethics policy and seek to update and strengthen it. The exercise should result in a policy that answers

this fundamental question: what does the board see as its role in the community and what limitations does it impose on itself?

7. A Board member who is intimate with a county employee should not be involved in evaluating the employee's performance.
8. The top official in the office where the complainant is employed should work closely with the complainant to ensure that her environment is free of harassment.
9. The County Administrator should meet with the complainant to describe the County's investigation into her complaint and these recommendations.
10. The Office of the State's Attorney, or, by referral, a special investigator/prosecutor, should determine what legal issues are raised by the conflicting affidavits provided during the course of the investigation.

Respectfully submitted,


Robert A. Kearney

Members Selzer/Segobiano moved to go back into open session and have recommendations go to Administrator's office for implementation. Clerk Milton shows all Members present voting in favor of the Motion. Motion carried.

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

MCLEAN COUNTY BOARD COMPOSITE

June 17, 2008

2008 Budget Expenditures

| COMMITTEE | PENDING EXPENDITURES | PRE-PAID EXPENDITURES | TOTAL EXPENDITURES |
|------------------|----------------------|-----------------------|-----------------------|
| Executive | | \$315,981.61 | \$315,981.61 |
| Finance | \$158.34 | \$505,812.34 | \$505,970.68 |
| Human Services | | \$372,859.00 | \$372,859.00 |
| Justice | \$55,269.41 | \$2,669,999.95 | \$2,725,269.36 |
| Land Use | | \$27,167.68 | \$27,167.68 |
| Property | | \$809,392.20 | \$809,392.20 |
| Transportation | | \$416,868.92 | \$416,868.92 |
| Health Board | | \$393,054.77 | \$393,054.77 |
| Disability Board | | \$50,019.50 | \$50,019.50 |
| T. B. Board | | \$16,712.57 | \$16,712.57 |
| Total | \$55,427.75 | \$5,577,868.54 | \$5,633,296.29 |



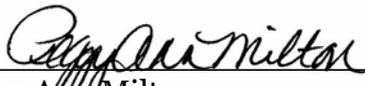
Matt Sorensen, Chairman
McLean County Board

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

The meeting was adjourned until July 22, 2008 at 9:00 a.m., in Government Center, Room 400, Bloomington, Illinois.

Time: 9:50 a.m.

Matt Sorensen
County Board Chairman



PeggyAnn Milton
County Board Clerk

STATE OF ILLINOIS)
) ss.
COUNTY OF McLEAN)

I, PeggyAnn Milton, County Clerk in and for the State and County aforesaid, do hereby certify the foregoing to be a full, true, and correct copy of the proceedings had by the McLean County Board at a meeting held on the 17th day of June, 2008, and as the same appears of record.

IN WITNESS WHEREOF, I have set my hand and official seal this 14th day of July, 2008.



PeggyAnn Milton
McLean County Clerk