

WHITE COUNTY BOARD

JUNE 11, 2018

A regular meeting of the White County Board begun and holden this 11th day of June 2018 in the Courtroom of the White County Courthouse in the City of Carmi.

Chairman Doshier called the meeting to order at 9:00 a.m.

Clerk Dozier called the roll with McAnulty, Usery, Puckett, Trout and Doshier all present.

Mr. Trout led the Board in the Pledge of Allegiance.

Chairman Doshier asked the Board if they had received the minutes of the previous meeting and were there any additions, changes or deletions to those minutes. Mr. McAnulty made a motion to waive the reading of the minutes of the previous meeting and to approve the minutes of the previous meeting as proposed in writing. Motion seconded by Usery. Motion carried 4-0-1 on roll call vote with a Puckett abstaining.

Chairman Doshier asked the Board to approve the payment of all current bills. Mr. Usery made a motion to pay all current bills. Motion seconded by McAnulty. Motion passed 5-0 on roll call vote.

Mr. Brian Ray, County Engineer, stated that the 2007 Red Dump Truck was taken to Sternberg for repair and it cost over \$18,000.00 which was one half of his maintenance budget. Mr. Ray stated that the first shipment of rural reference signs will be shipped so the County can inspect them prior to total production.

Mr. Ray stated that he had attended a meeting of the Delta Regional Authority and had picked up a pamphlet of a clinic that was being provided in Harrisburg on June 18-27, 2018 at the Harrisburg Middle School. This clinic will provide free medical, dental and optometry. The services are being provided by the Military. The clinics are open from 8 a.m. to 6 p.m. except on the 24th and the 27th in which they will be open from 8 a.m. to 1 p.m. Mr. Ray stated that the clinic last year had seen over 3,000 individuals and provided over a million dollars in medical services. Mr. Ray passed out fliers so the word could be spread to White County individuals.

Mr. Adam Allen, Director of the White County Ambulance Service, stated that the ambulance service had a net profit of over \$14,092.00 for the month of May. He also informed the Board that he and one other EMT were currently enrolled in a Paramedic class. He stated that he would not be attending the evening Board meetings for the next year or year and a half. Mr. Allen stated if there was anything of great importance to the Board that he would either notify his committee or send a representative to the meeting.

Mr. Puckett stated that 9-1-1 did not have a meeting last month because there was nothing to report. Mrs. Irwin will be rescheduling that meeting.

Mrs. Sara Hon, TB secretary, submitted her report to the Board. She told them that it was a slow year and there was no active TB cases in White County. She stated one individual had a false positive but other than that it was a slow year, which is a good thing.

The Coroner submitted his report in writing.

Chairman Doshier stated that he had received a letter notifying him that Larry Fillingim had resigned as the Regional Superintendent of Education. He stated that the County Board Chairman would meet next week to appoint a successor. His resignation is effective June 30, 2018. Chairman Doshier stated that currently Beth Rister is running for the position on the Democratic Party ticket and she has no Republican opposition. She will be the most likely person to be nominated to fill the vacancy in the REO.

Chairman Doshier stated that he has received a card from the Hope Trust to save the dates of September 25th through the 27th for the 2018 Fall Client Conference to be held at the Embassy Suites in East Peoria, IL. Chairman Doshier stated that he and Mr. Trout were not going to be on the Board so some of the other members may want to consider going.

Mr. Don Hoffman, of Emling and Hoffman gave an overview of the County 2017 audit. Mr. Hoffman said that White County had net income over expenses of \$342,000.00. He stated that the county's total financial position had decreased from last year by \$558,000.00. The County purchased over \$475,000.00 in equipment which was the bulk of \$558,000.00. Mr. Hoffman stated that he had found several weaknesses in accounting procedures. Mr. Hoffman stated that the first thing was that First Bank and Citizens National Bank have funds which are not collateralized. He stated that if a Bank were to go under only \$250,000.00 is currently being federally insured and the County would lose all the rest of their funds. Mr. Hoffman stated that the Sheriff's Department needs to make their deposits in a timely manner. He said their office is currently making deposits once a month and he would recommend once a week. Mr. Hoffman stated that checks they were writing were only being signed by one individuals rather than 2. Mr. Hoffman stated that the Sheriff's department was currently depositing Sheriff's fees into commissary and they have purchased several vehicles out of the commissary fund. Mr. Hoffman stated that those funds should be deposited in the general fund and the vehicle expense taken out of the general fund. The reserve in the commissary should be used for prisoner expenditures. Clerk Dozier stated that when she came to the meeting this morning that the General Fund was in the red by \$1,053,000.00. We have investments of \$826,000.00 and unrestricted funds of \$700,000.00. We are reluctant to start cashing in CD's. The real estate tax collection may help some but will not totally do away with the negative amount. Mr. Hoffman stated he would look into this and try to figure out something but he stated most counties have to do some short term borrowing. Mr. Doshier stated that the County has been very conservative and is reluctant to start borrowing monies to fund the everyday operations of the County.

Chairman Doshier stated that the next item on the agenda was to consider engaging Emling and Hoffman to conduct the 2018, 2019 and 2020 audit in the amount of \$29,000.00 for the County Audit, \$6,000.00 for the Circuit Clerk's audit and an additional \$5,000.00 if the County should receive over \$750,000.00 of Federal funding for a total not to exceed \$40,000.00. Mr. Trout stated that he thought the firm was doing a great job and he would make a motion to continue using their services. Motion seconded by McAnulty. Motion passed 5-0 on roll call vote.

Chairman Doshier asked the Board to adopt the annual Prevailing Wage Ordinance. The Ordinance is as follows:

ORDINANCE ESTABLISHING PREVAILING WAGE
FOR THE COUNTY OF WHITE, STATE OF ILLINOIS

Whereas, The State of Illinois has enacted “an Act regulating wages of laborers, mechanics and other workman employed in any public works by the State, County, City or any public body or any political subdivision or any anyone under contract for public works,” approved June 26, 1941, as amended, being Section 39s-1 through 39s-12, Chapter 48, Illinois Revised Statutes as amended by Public Acts 86-799 and 86-693 and,

Whereas, the aforesaid Act requires that the County of White, State of Illinois, investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workmen in the locality of said County of White, State of Illinois, employed in performing construction of public works for said County of White, State of Illinois.

**NOW THEREFORE, BE IT ORDAINED BY THE CHAIRMAN AND COUNTY
BOARD OF THE COUNTY OF WHITE, STATE OF ILLINOIS:**

Section 1: To the extent and as requested an act regulating the 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 anyone 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 this County of White, State of Illinois, is hereby ascertained to be the same as the prevailing rate of wages for construction work in the White County area as determined by the County

Board of the County of White, State of Illinois, as of June 11, 2018, a copy of the determination being attached hereto as "Exhibit A" and incorporated herein by reference. The definition of any terms appearing in this Ordinance, which are also used in the aforesaid Act shall be the same as in said Act.

Section 2: 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 the County of White, State of Illinois, to the extent required by the aforesaid Act.

Section 3: The White County Clerk shall publicly post or keep available for inspection by any interested party in the Office of the County Clerk, White County Courthouse, Carmi, Illinois, 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.

Section 4: 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 their names and addresses, requesting copies of any determination stating the particular rate and the particular class of workmen whose wages will be effected by such rates.

Section 5: The White County Clerk shall promptly file a certified copy of this Ordinance with the Department of Labor of the State of Illinois.

Section 6: The White County Clerk shall cause to be published in a newspaper of general circulation within White County, and such publication shall constitute Notice that the

determination of prevailing rate is effective and that this is the determination of prevailing wage of this public body.

PASSED THIS 11TH day of June 2018.

BOARD MEMBERS PRESENT: FIVE

DAVID DOSHER: AYE

RON MCANULTY: AYE

KEN USERY: AYE

DON PUCKETT: AYE

WESLEY TROUT: AYE

APPROVED THIS 11TH DAY OF JUNE 2018

David D. Doshier, Chairman
White County Board
White County, Illinois

ATTEST:

Paula Dozier, White County Clerk
White County, Illinois

Prevailing Wage rates for White County effective Sept. 1, ,2017												
Trade Title	Region	Type	Class	Base Wage	Foreman Wage	M-F OT	OS A	OS H	H/W	Pension	Vacation	Training
ASBESTOS ABT-GEN	ALL	ALL		27.83	28.28	1.5	1.5	2	7.03	14.28	0.00	0.90.
ASBESTOS ABT-MEC	ALL	BLD		22.40	23.40	1.5	1.5	2	6.80	6.55	2.40	0.50
BOILERMAKER	ALL	BLD		36.5	39.00	1.5	1.5	2	7.07	22.82	1.50	0.65
BRICK MASON	ALL	BLD		30.70	32.54	1.5	1.5	2	8.75	9.24	0.00	1.80
CARPENTER	ALL	BLD		34.61	36.11	1.5	1.5	2	7.00	9.25	0.00	0.50
CARPENTER	ALL	HWY		34.61	36.36	1.5	1.5	2	7.00	9.25	0.00	0.50
CEMENT MASON	ALL	BLD		30.25	31.75	1.5	1.5	2	8.57	7.01	0.00	0.50
CEMENT MASON	ALL	HWY		29.22	30.72	1.5	1.5	1.5	8.57	7.44	0.00	0.30
CERAMIC TILE FINISHER	ALL	BLD		29.20	29.20	1.5	1.5	2	8.75	9.24	0.00	0.80
ELECTRIC PWR EQMT OP	ALL	ALL	1	39.15	53.92	1.5	1.5	2	6.36	10.96	0.00	0.39
ELECTRIC PWR EQMT OP	ALL	ALL	2	34.96	53.92	1.5	1.5	2	6.36	9.79	0.00	0.35
ELECTRIC PWR GRNDMAN	ALL	ALL		28.81	53.92	1.5	1.5	2	6.36	8.06	0.00	0.29
ELECTRIC PWR LINEMAN	ALL	ALL		49.05	52.35	1.5	1.5	2	6.36	13.73	0.00	0.49
ELECTRICIAN	ALL	ALL		42.73	44.98	1.5	1.5	2	8.27	11.96	0.00	0.85
ELECTRONIC SYS TECH	ALL	BLD		34.06	36.06	1.5	1.5	2	7.63	4.77	0.00	0.40
FLOOR LAYER	ALL	BLD		32.33	33.08	1.5	1.5	2	7.00	9.25	0.00	0.50
GLAZIER	ALL	BLD		27.23	29.43	1.5	1.5	2	6.22	6.95	0.00	0.40
HT/FROST INSULATOR	ALL	BLD		29.99	30.99	1.5	1.5	2	5.05	10.09	0.00	0.28
IRON WORKER	ALL	ALL		28.64	30.14	1.5	1.5	2	8.41	10.92	0.00	0.35
LABORER	ALL	BLD		26.83	27.28	1.5	1.5	2	7.03	14.28	0.00	0.80
LABORER	ALL	HWY		26.83	27.28	1.5	1.5	2	7.03	14.28	0.00	0.80
MACHINIST	ALL	BLD		45.35	47.85	1.5	1.5	2	7.26	8.95	1.85	0.00
MARBLE FINISHERS	ALL	BLD		29.20	29.20	1.5	1.5	2	8.75	9.24	0.00	0.80
MARBLE MASON	ALL	BLD		30.70	32.54	1.5	1.5	2	8.75	9.24	0.00	0.80

MILLWRIGHT	ALL	BLD		34.61	36.11	1.5	1.5	2	7.00	9.25	0.00	0.50
MILLWRIGHT	ALL	HWY		35.11	36.86	1.5	1.5	2	7.00	9.25	0.00	0.50
OPERATING ENGINEER	ALL	ALL	1	34.90	35.90	1.5	1.5	2	9.60	10.75	0.00	3.75
OPERATING ENGINEER	ALL	ALL	2	33.00	35.90	1.5	1.5	2	9.60	10.75	0.00	3.75
OPERATING ENGINEER	ALL	ALL	3	25.60	35.90	1.5	1.5	2	9.60	10.75	0.00	3.75
OPERATING ENGINEER	ALL	O&C		26.18	0.00	1.5	1.5	2	9.60	10.75	0.00	3.75
OPERATING ENGINEER	ALL	O&C		24.75	0.00	1.5	1.5	2	9.60	10.75	0.00	3.75
OPERATING ENGINEER	ALL	O&C		19.20	0.00	1.5	1.5	2	9.60	10.75	0.00	3.75
OPERATING ENGINEER	ALL	RVR		35.00	36.00	1.5	1.5	2	9.60	10.75	0.00	3.75
OPERATING ENGINEER	ALL	RVR	1	31.55	36.00	1.5	1.5	2	9.60	10.75	0.00	3.75
PAINTER	ALL	BLD	2	26.45	27.95	1.5	1.5	2	6.75	6.30	0.00	0.40
PAINTER	ALL	HWY		27.60	29.10	1.5	1.5	2	6.75	6.30	0.00	0.40
PAINTER OVER 30 FT	ALL	BLD		27.20	28.70	1.5	1.5	2	6.75	6.30	0.00	0.40
PAINTER PWR EQMT	ALL	BLD		27.45	28.95	1.5	1.5	2	6.75	6.30	0.00	0.40
PAINTER PWR EQMT	ALL	HWY		28.60	30.10	1.5	1.5	2	6.75	6.30	0.00	0.40
PILEDRIVER	ALL	BLD		34.61	36.11	1.5	1.5	2	7.00	9.25	0.00	0.50
PILEDRIVER	ALL	HWY		35.11	36.86	1.5	1.5	2	7.00	9.25	0.00	0.50
PIPEFITTER	ALL	BLD		35.35	37.47	1.5	1.5	2	7.95	8.87	0.00	0.82
PLASTERER	ALL	BLD		30.25	31.75	1.5	1.5	2	8.57	7.01	0.00	0.50
PLUMBER	ALL	BLD		35.35	37.47	1.5	1.5	2	7.95	8.87	0.00	0.82
ROOFER	ALL	BLD		28.80	30.80	1.5	1.5	2	7.50	6.05	0.00	0.54
SHEETMETAL WORKER	ALL	ALL		33.05	34.55	1.5	1.5	2	8.83	8.04	1.99	0.42
SPRINKLER FITTER	ALL	BLD		37.12	39.87	1.5	1.5	2	8.42	8.50	0.00	0.35
STONE MASON	ALL	BLD		30.70	32.54	1.5	1.5	2	8.75	9.24	0.00	0.80
TERAZZO FINISTER		BLD		29.20	29.20	1.5	1.5	2	8.75	9.24	0.00	0.80
TRUCK DRIVER		ALL	1	36.26	40.15	1.5	1.5	2	12.16	6.10	0.00	0.25
TRUCK DRIVER		ALL	2	36.77	40.15	1.5	1.5	2	12.16	6.10	0.00	0.25
TRUCK DRIVER		ALL	3	37.05	40.15	1.5	1.5	2	12.16	6.10	0.00	0.25
TRUCK DRIVER		ALL	4	37.36	40.15	1.5	1.5	2	12.16	6.10	0.00	0.25
TRUCK DRIVER		ALL	5	38.35	40.115	1.5	1.5	2	12.16	6.10	0.00	0.25
TUCKPOINTER		BLD		30.70	32.54	1.5	1.5	2	8.75	9.24	0.00	0.80

Legend

M-F OT Unless otherwise noted, OT pay is required for any hour greater than 8 worked each day, Mon through Fri. The number listed is the multiple of the base wage.

OSA Overtime pay required for every hour worked on Saturdays

OSH Overtime pay required for every hour worked on Sundays and Holidays

H/W Health/Welfare benefit Explanations WHITE COUNTY

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and Veterans Day in some classifications/counties. 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. If in doubt, please check with IDOL.

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 a limitation of the product handled. Ceramic takes into consideration most hard tiles.

ELECTRIC POWER LINEMAN

Construction, maintenance and dismantling of overhead and underground electric power lines, including high voltage pipe type cable work, and associated structures and equipment.

ELECTRIC POWER EQUIPMENT OPERATOR - CLASS 1

Operation of all crawler type equipment D-4 and larger from the ground to assist the Electric Power Linemen in performing their duties.

ELECTRIC POWER EQUIPMENT OPERATORS - CLASS 2

Operation of all other equipment from the ground to assist the Electric Power Linemen in performing their duties.

ELECTRIC POWER GROUNDMAN

Applies to workers who assist the Electric Power Lineman from the ground.

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.

TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION 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.

OPERATING ENGINEERS - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

Class 1. Boom or Winch Type Truck; Back-End man on Bituminous Surfacing Machine; APSCO or Equal Spreading Machine, Backhoe, Backfiller, Boom or Winch Cat, Bituminous Mixplane Machine, Blacksmith, Bituminous Surfacing Machine, Bull-Dozer, Crane, Shovel, Dragline, Truck Crane, Pile Driver, Concrete

Breaker, Concrete or Pumpcrete Pumps, Dinky or Standard Locomotives, Well or Caisson Drills, Elevating Grader, Fork Lifts, Flexplane, Gradeall, Hi-Lift Hoists, Guy-Derricks, Hysters, Mechanic Motor Patrol, Mixers- 21 cu. ft. or over, Push Cats, Pulls and Scrapers, Two Well Point Pumps, Pulverizer or Tiller, PugMill, Rubber-Tired Farm Type Tractor with Bulldozer/Blade/Auger or hi-lift over 1/2 yd., Jersey Spreader, Tract-Air used with Drill or Hi-Lift, Trenching or Ditching Machines, Wood Chipper w/Tractor, Self-Propelled Roller w/Blade, Equipment Greaser, Self-Propelled Bump Grinder on Concrete pavement, Boat Operator, Skid-Loaders, Tuggers, Lazer Screed, and Self-Propelled Chip Spreader (when others run conveyors).

Class 2. Any type tractor pulling any type roller or disc, Two Air Compressors (220 cu. ft. capacity or over), Two AirTract Drills, Air-Track Drill w/Compressor, Automatic Bins or Scales w/Compressor or Generator, Pipeline Boring Machine, Bulk Cement Plant w/Separate Compressor, Power Operated Bull Float, Hydra-Lift w/Single Motor, Straw Mulcher Blower w/Spout, Self-Propelled Roller/Compactor, oiler on milling machine, Self-Propelled Air-Track Drill (one), Air Compressor w/Valve driving piling, Two Conveyors, Self-Propelled Concrete Saw, Form Grader, Truck Crane Oiler, Self-Propelled Vibrator, Rubber Tired Farm Type Tractor w/Blade/Bulldozer/Auger/hi-lift -1/2 yd. or less, Elevator Operator, Man Lift (scissor lift) when lifting materials.

Class 3. Belt Drag Machine, Power Broom, Mechanical Plasterer Applicator, Trac-Air, Air Compressor (220 cu. Ft. or over) One, Air Compressor (under 220 cu. Ft) four, Automatic Bin, Bulk Cement Plant w/Built-in Compressor running off same motor or electric motor, Fireman or Switchman, Self-Propelled Form Tamper, Light Plants (4), Welding Machines (4), Pumps (4), or Combination of four (4) Pumps, Light Plants, Welding Machines, Air-Compressors (under 200 cu. Ft.), Mudjacks or Wood Chipper, Mixers - less than 21 cu. Ft. Mortar Mixer w/ Skip or Pump, Pipeline Tract Jack. One Operating Engineer may operate and maintain any combination of the following pieces of equipment, not to exceed four (4) which shall be within a reasonable distance, such combination may include any equipment in this classification: (Compressors, Light Plants, Welding Machines, Pumps or Conveyors), One Well - Point Pump, Two Motor Driven Heaters, One Air Compressor (under 220 cu. Ft.),

One Engine-Drive Conveyor, One Motor Driven Heater, One Light Plant, One Pump, One Welding Machine, One Ullmac or Equal Spreader, Oilers, and one Generator 10 kw or greater

OPERATING ENGINEER - O & C (Oil and Chip Resealing ONLY). Includes the operation of all motorized heavy equipment used in oil and chip resealing, including but not limited to operating self-propelled chip spreaders, and all types of rollers (both hard and rubber tired); and other duties pertaining to the operation or maintenance of heavy equipment related to oil and chip resealing.

Class 1. See Class 1 above for types of equipment operated.

Class 2. See Class 2 above for types of equipment operated.

Class 3. See Class 3 above for types of equipment operated.

OPERATING ENGINEER RIVER WORK 1 - operate the following machines when working on River Work and Levee Work on the Mississippi and Ohio Rivers, Lakes and Tributaries: Crane, Shovel, Drageline, Scrapers, Dredge, Derrick, Pile-Driver, Push Boat, all power boat operators, Mechanic, Engineman on Dredge, Leverman on Dredge, All Bituminous Spreader machines, Backhoe, Backfiller, Boom, or Winch Cat, Bituminous Mixplane Machine, Blacksmith, Bituminous Surfacing Machine, Bulldozer, Truck Cranes, Hydraulic Truck Mounted Boom/Crane, Concrete Finishing Machine, or Spreader Machine, Concrete Breaker, Concrete or Pumpcrete Machines, Concrete Plant Operator, All Off Road Material Hauling

Equipment, Dinky or Standard Locomotives, Well Drill, Elevating Grader, Fork-Lifts, Flexplane, Gradeall, Hi-Lift, Power Handblade Tugger type Hoist, Hoist Two Drum (or over one), Guyderrick, Hyster, Motor Patrol, Mixers - 21 Cu. Ft. or over, Push Cat, Pulls, & Scrapers, Pumps-Two Well Points, Equipment Greaser, P & H Pulverizer or Pulverizer equal to Pugmill, Pugmill, Rubber-Tired farm type tractor

w/Bulldozer/Blade/Auger or Hi-Lift over Zi yard, Skimmer Scoops, Seaman Tiller, Jersey Spreader, Tract-Air used with Drill or Hi-Lift, Trenching or Ditching Machine, Wood Chipper w/Tractor, self-propelled roller w/Blade, Concrete Pumps and Small Equipment Operators.

OPERATING ENGINEER RIVER 2 - when working on River Work and Levee Work on the Mississippi and Ohio Rivers, Lakes and Tributaries shall be employed as the Oiler or Fireman on Crane, Dragline, Shovel, Dredge, Truck Crane, Pile Driver, Gradeall, Dinky or Standard Locomotive, Guy Derrick, Trenching Machine or Ditching Machine 80 H.P. and over, All Terrain (cherry-picker) with over 40 ton Lifting Capacity, Deck Oiler, and Deckhands on the Ohio River.

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 217-782-1710 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.

Mr. McAnulty made a motion to approve the prevailing wage ordinance. Motion seconded by Usery. Motion passed 5-0 on roll call vote.

Chairman Doshier asked the Board to consider the adoption of an ordinance regulating zoning for solar energy farms and appoint a solar committee. Chairman Doshier stated that he, Wes Trout and Brian Ray would be on the committee. Following is the solar ordinance:

ORDINANCE NO. 06-11-2018-1

AN ORDINANCE REGULATING COMMERCIAL SOLAR FARMS

WHEREAS, White County, Illinois is a non-home rule unit of local government pursuant to Article VII, Section 8 of the 1970 Illinois Constitution;

WHEREAS, the County Board of White County has determined it necessary to pass an ordinance regulating solar farms pursuant to its lawful authority to regulate and restrict location and use of structures pursuant to 55 ILCS 5/5-12001;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF WHITE COUNTY, ILLINOIS, THAT THE FOLLOWING ORDINANCE TO REGULATE COMMERCIAL SOLAR FARMS BE AND HEREBY IS ADOPTED:

1. Design Standards.

- a. This ordinance shall apply only to solar farms that are erected for commercial purposes and shall not apply to any personal use of solar power.
- b. Foundations. The project's engineer or another qualified engineer shall certify that the foundation and design of the solar panel is within accepted professional standards, given local soil and climate conditions. All solar farms shall be in compliance with any applicable local, state and federal regulatory standards, Illinois Public Act 099-0906 and the National Electric Code as amended. The installation of new solar energy generation facilities shall be installed by a qualified person as defined by Illinois Public Act (known as the "Future Energy Jobs Act").
- c. Power and communication lines. Power and communications lines running between arrays of solar panels and to electric substations or interconnections with buildings shall be buried underground, except in areas where technical or physical constraints make it more practicable to install above ground. Exemptions or variances may be granted in instances where shallow bedrock, watercourses, or other elements of natural landscape interfere with the ability to bury lines. JULIE shall be contacted before digging/excavating begins.
- d. Minimum lot size. No commercial solar farm shall be erected on any lot less than five (5) acres in size.
- e. Height. Systems, equipment and structures shall not exceed 30 feet in height when ground mounted. Excluded from this height requirement, however, are electric transmission lines and utility poles.
- f. Setbacks. Ground mounted solar energy systems as part of a solar farm shall have a setback for all equipment excluding fences a minimum of 100 feet on the front

(entrance to solar energy farm) and 50 feet from all other property lines, with the exception of residential property lines, in which the solar energy system shall be setback 100 feet for existing residential properties, with the setback distances to be measured from the edge of the solar equipment of the solar farm to the property line of existing residential properties. The White County Board may grant a variance to such setback requirement if the proposed or existing buffer is sufficient to screen the project from view from adjoining property or public rights-of-way, if the owners of the adjoining properties agree to waive these setback requirements. For clarification, these setbacks do not apply to adjacent parcels included within the project site.

- g. Screening and fencing. The solar energy system shall be fully enclosed and secured by a fence with a minimum height of six feet. Keys shall be provided at locked entrances for access by appropriate emergency personnel. The applicant shall propose a landscaping plan, where necessary, to minimize the visibility of the project from adjacent residential structures. The landscape plan shall take into account the type(s) of vegetation to be planted, along with its approximate location. Earth berms and other topographical features and existing wooded areas may be acceptable forms of screening.
- h. Lighting. If lighting is provided at the site, lighting shall be shielded and downcast such that the light does not spill onto adjacent residential parcel.
- i. Noise. Noise levels measured at the property line shall not exceed 50 decibels when located adjacent to an existing residence or residential district.
- j. Performance standards. All solar power plants must conform to the performance standards as set forth by any local, state, federal regulatory standards, Illinois Public Act 099-0906 or the National Electric Code as amended.
- k. Signage. An appropriate warning sign shall be provided at the entrance to the facility and along the perimeter to the solar farm project. The sign at the entrance to the facility shall include the facilities 911 address and two 24-hour emergency contact numbers in letters that are a minimum of 4 inches.
- l. Outdoor storage. Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the solar farm shall be allowed. The White County Board Solar Farm (“Subcommittee”) shall have the discretion in determining whether outdoor storage is in compliance with this provision. In any event, all outdoor storage areas shall be paved with a bituminous surface and either fenced or screened to prevent viewing from adjoining properties and uses. For clarification purposes, during construction periods, it is understood that there may be materials, vehicles, and equipment on the site(s) that do not support the operation or maintenance of the solar farm. It will be further understood that any materials, vehicles, or equipment on the site during construction that does not directly support the operation and maintenance of the

solar farm will be removed at the completion of the construction as to be in compliance with this section.

- m. Aviation protection. For solar energy systems located within five hundred (500) feet of an airport or within approach zones of an airport, the applicant shall complete and provide the results of the Solar Glaze Hazard Analysis Tool (SGHAT) for the airport traffic control tower cab and final approach paths, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federal Obligated Airports, or most recent version adopted by FAA.
- n. Fire protection. A fire protection plan for the construction and the operation of the facility and emergency access to the site.
- o. Endangered species and wetlands. Solar farm developers shall be required to initiate a natural resource review consultation with the Illinois Department of Natural Resources (IDNR) through the Department's online EcoCat Program. Areas reviewed through this process will be endangered species and wetlands.
The cost of the EcoCat consultation shall be borne by the developer.

2. Application requirements. Due to the unique nature and special requirements of solar power plants and their potential impacts to adjoining properties and government services, solar power plants shall be required to submit and obtain approval on the following items or any special conditions required by the White County Board. The applicant shall be required to submit two copies of all documents proving ownership or interest in the property.

- a. A site plan with existing conditions showing the following:
 - i. Existing property lines and property lines extending 100 feet from the exterior boundaries of the solar project, including the names of adjacent property owners and current use of those properties.
 - ii. Existing adjacent public and private roads, showing widths of the roads and any associated easements.
 - iii. Location and size of any abandoned wells, sewage treatment plants within the solar farm or on adjacent parcels.
 - iv. Existing buildings and any impervious surfaces within the solar farm.
 - v. A contour map showing topography at two-foot intervals. A contour map of surrounding properties may also be required.
 - vi. Existing vegetation (list type and percent of coverage: i.e. cropland/plowed fields, grassland, wooded areas etc.)
 - vii. Waterways, watercourses, lakes, public water and wetlands.
 - viii. Any delineated wetland boundaries.
 - ix. A copy of the current FEMA FIRM map that shows the subject property. And, the 100-year flood elevation and any regulated flood protection elevation, if available.

- x. Floodway, flood fringe and/or general floodplain district boundary, if applicable and not provided on the copy of the current FEMA FIRM map.
 - xi. Mapped soils according to the White County Soil Survey.
 - xii. Surface water drainage patterns.
 - xiii. The location of any known subsurface drainage tiles.
- b. Plan of proposed conditions:
- i. Location and spacing of solar panels.
 - ii. Location of access roads and access points.
 - iii. Planned location of underground or overhead electric lines connecting the solar farm to a building, substation or other electric load.
 - iv. New electrical equipment other than at the existing building or substation that is to be the connection point for the solar farm.
 - v. Sketch elevation of the premises accurately depicting proposed solar energy conversion system and its relationship to structure on adjacent land.
 - vi. Weed/grass control. Applicant must present an acceptable weed control plan for property inside and outside fenced area for entire property. The operating company during the operation of the solar farm must maintain the fence and adhere to the weed/grass control plan. If the operating company does not, there can be a fine of \$750.00 per violation per week if the fence is not secure or the weed/grass control plan is not followed.
- c. All solar power plant applications shall be accompanied by a preliminary map and plan showing the roads and rights-of-ways that will be utilized for both the construction and operation of the solar power plant. The applicant shall submit an executed agreement between the solar power plant owner/operator and all road district authorities with infrastructure affected by the solar power plant to the county. This agreement shall include at a minimum:
- i. A final map identifying the routes that will be used.
 - ii. A plan for maintaining and/or repairing the affected roads.
 - iii. Other inclusions as specified by the White County Board or affected road authority.
 - iv. Manufacturer's specification and recommended installation methods for all major equipment, including typical solar panels, mounting systems and foundations for poles or racks.
- d. A general cost per megawatt.
- e. A description of the method of connecting the array to a building or substation.
- f. At the time of the applying for approval, a written demonstration shall be provided that the applicant is in the queue to acquire an interconnect agreement. A copy of an interconnect agreement with the appropriate electric utility, or a written explanation outlining why an interconnection agreement is not necessary shall be provided to the county.

g. A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event that they are not in use for 12 consecutive months. The operating company shall have six (6) months to complete the decommissioning plan or the county will take the necessary decommissioning steps. The plan shall include provisions for removal of all structures (including equipment, fencing and roads) and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. Disposal of structure and/or foundation shall meet the provisions of any applicable White County ordinances and/or any regulations of the Illinois Environmental Protection Agency or the United States Environmental Protection Agency. The decommissioning security amount will be developed by a third party Illinois-licensed professional engineer which has been mutually agreed upon by the applicant and the White County Board and shall be required by the county in order to assure the proper decommissioning of the site. The third party Illinois-licensed professional engineer may account for the scrap and salvage value of the project in developing the proposed decommissioning security amount. In no instance shall the financial security be less than \$1,000.00 per acre. This security financing should be in the form of an irrevocable letter of credit or bond. The decommissioning plan and financial security must be presented to and accepted by the White County Board prior to the start of construction for the facility. The applicant/owner will reevaluate the decommissioning cost and financial assurance at the end of years ten, twenty, and thirty, as applicable. The reevaluation of the decommissioning cost and financial assurance will be mutually agreed upon by the applicant and the White County Board. All costs associated with the third party Illinois-licensed professional engineer will be paid by the owner operator of the solar farm.

The county shall have access to the financial assurance for the expressed purpose of completing decommissioning if decommissioning is not completed by the applicant within six (6) months of the end of the project life or facility abandonment. The county is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

The county is granted the right to seek injunctive relief to effectuate or complete decommissioning, as well as the county's right to seek reimbursement from applicant or applicant successor for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by the applicant or applicant's successors, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien.

Financial provisions shall not be so onerous as to make solar power projects unfeasible.

An update to this decommissioning plan should be submitted to the county every three (3) years. In addition, any decommissioning plans signed by the party

responsible for decommissioning and the landowner (if different) shall be submitted with the application.

In the event that the State of Illinois enacts a law with regard to solar farms, such as AIMA legislation, the strictest requirements shall prevail. For the avoidance of doubt, this provision shall not apply to any projects or properties that are otherwise grandfathered and/or exempted under such legislation.

The county reserves the right to require reasonable additional information or components to the plan as the county deems necessary to ensure that an adequate proposal is in place to decommission the facility in its entirety and that adequate funds are available.

- h. **Liability insurance.** The owner operator of the solar farm shall maintain a current general liability policy covering bodily injury and property damage and name White County as an additional insured with limits of at least two millions dollars (\$2,000,000.00) per occurrence and five million dollars (\$5,000,000.00) in the aggregate with a deductible of no more than five thousand dollars (\$5,000). The applicant/owner must provide proof of insurance to the White County Board prior to construction and then on an annual basis. Applicant must also provide proof of insurance upon any material changes to the terms and conditions of the policy.
3. **Fees and costs.** No solar farm application shall be accepted until the filing fee of \$5,000.00 is paid and accompanied by a notarized statement of the appropriate corporate officials or official legal representative of the applicant that the applicant will pay to the county additional fees to reimburse the county for moneys expended in excess of \$5,000.00 in preparing for, processing, reviewing, and evaluating the application to its final resolution. The applicant shall also agree in said notarized statement to stop all proceedings if an invoice for reimbursement to the county is not paid to the county treasurer within ten days after the invoice has been presented to the appropriate corporate officer or official legal representative of the applicant.
4. **Administration and Enforcement.** The White County Board Solar Farm Subcommittee, which shall consist of the chairman of the White County Board, the White County Highway Engineer, and an at-large member of the White County Board selected by the chairman of the White County Board, shall enforce the provisions of this ordinance through an inspection of the solar farm every year. The White County Board Solar Farm Subcommittee is hereby granted the power and authority to enter upon the premises of the solar farm at any time by coordinating a reasonable time with the operator/owner of the facility. Any person, firm or corporation who violates, disobeys, omits, neglects, refuses to comply with, or resists enforcement of any of the provisions of this section may face fines of not more than

\$750.00 for each offense or rescission of permit. Any challenge to any fine or rescission of permit may be challenged first to the White County Board before initiation of any suit through the appropriate court system.

The applicant shall submit its application to the Subcommittee. The Subcommittee shall review and determine whether the application is complete within thirty (30) days of applicant's filing. If the application is not deemed complete, the Subcommittee shall instruct applicant why application is insufficient and allow applicant the opportunity to re-submit a complete application. Within 30 days of the application being deemed complete, the Subcommittee shall review the application and make a recommendation to the White County Board regarding approval of the application. The White County Board will have thirty (30) days to act on such application. Applicant shall have thirty (30) days to appeal any decision by the White County Board for reconsideration by the Board.

Any approval of a solar project will be valid throughout the useful life of the project, including through decommissioning.

5. Annual Update Requirements. All contact information including name, phone number, and address of the current property owner, lessor, lessee, the interconnecting utility company, and buyer of the power (if applicable and if this information can be disclosed publicly), shall be submitted annually within 30 days of the anniversary date of the permit until decommissioning has been completed at which point the permit will be null and void.
6. This Ordinance shall be in full force and effect from and after its passage.

Passed by the White County Board on this 11th day of June, 2018.

AYES:	5
NAYS:	0
PRESENT:	5
ABSENT/ABSTAIN:	0

APPROVED this 11th day of June, 2018

ATTEST:

DAVID DOSHER
WHITE COUNTY BOARD, Chairman

PAULA DOZIER
WHITE COUNTY CLERK

Mr. Usery made a motion to adopt the solar energy farms ordinance and to approve the appointment of the solar energy committee. Motion was seconded by Puckett. Motion carried 5-0 on roll call vote.

Chairman Doshier stated that the next item on the agenda was to consider adoption of the second amendment resolution. Mr. J. J. Wittenborn, a retired police officer, informed the Board that he was definitely in support of the resolution. Mr. Wittenborn gave a brief background of his career as a State Police Officer and Tactical Response Leader. Mr. Wittenborn also gave facts and figures on different school incidents that were the worst in the history of the nation and it involved dynamite and killed 44 children and faculty members in Ohio in 1929. Mr. Wittenborn explained that he had to enlist the help of private citizens on a couple of different occasions, because he did not have enough man power to contain the situation that he was in. The resolution is as follows:

RESOLUTION OF THE COUNTY BOARD OF THE COUNTY OF WHITE, ILLINOIS

Resolution # 06-11-2018-2

Resolution opposing the passage of any bill where the 100th Illinois General Assembly and any future Illinois General Assembly attempts to pass legislation restricting the individual right of U.S. citizens as protected by the Second Amendment of the United States Constitution and Section 22 of Article 1 of the Illinois Constitution.

WHEREAS, the right of the People to keep and bear arms is protected as an individual right under the Second Amendment to the United States Constitution as interpreted by the United States Supreme Court in *District of Columbia v. Heller* and incorporated against the States by the Due Process Clause of the Fourteenth Amendment of the United States Constitution as interpreted by the United States Supreme Court in *McDonald v. City of Chicago*; and

WHEREAS, the right of the People to keep and bear arms is guaranteed under the Constitution of the State of Illinois in Article 1, Section 22 which clearly states that “subject only to the police power, the right of the individual citizen to keep and bear arms shall not be infringed”; and

WHEREAS, the individual right of the People to keep and bear arms for defense of life, liberty, and property is regarded as an inalienable right by the People of White County, Illinois; and

WHEREAS, the People of White County, Illinois, derive economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within White County using all types of firearms allowable under the United States Constitution; and

WHEREAS, the White County Board, being duly elected to represent the People of White County and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Illinois; and

WHEREAS, the Illinois House of Representatives and the Illinois Senate, being elected by the People of the State of Illinois and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Illinois; and

WHEREAS, the Governor of Illinois, being duly elected to represent the People of the State of Illinois and being duly sworn by his Oath of Office to uphold the United States Constitution and the Constitution of the State of Illinois; and

WHEREAS, the White County Board believes that the 100th Illinois General Assembly has proposed and considered legislation that would unconstitutionally infringe the individual right to keep and bear arms protected by the Second Amendment of the United States Constitution and Section 22 of Article 1 of the Constitution of the State of Illinois.

NOW, THEREFORE, BE IT RESOLVED that the People of White County, Illinois, do hereby oppose the enactment of any legislation that would infringe upon the right of the People to keep and bear arms and consider such laws to be unconstitutional and beyond the lawful legislative powers of the Illinois General Assembly;

BE IT FURTHER RESOLVED, that the White County Board demands that the Illinois General Assembly cease further actions aimed at restricting the right of the People to keep and bear arms in a manner of taking private property without due process, just compensation, and equal protection of the law.

BE IT FURTHER RESOLVED, that the Clerk of White County is hereby directed to prepare and deliver certified copies of this Resolution to the Office of the Governor and the following members of the Illinois General Assembly: Speaker of the House Michael J. Madigan, House Majority Leader Barbara Flynn Currie, House Minority Leader Jim Durkin, Senate President John Cullerton, Senate Majority Leader James Clyborne, Jr., Senate President Pro Tempore Don Harmon, and Senate Minority Leader William E. Brady.

Passed by the White County Board on this 11th day of June, 2018

AYES: 5

NAYS: 0
PRESENT: 5
ABSENT/ABSTAIN: 0

ATTEST:

PAULA DOZIER
WHITE COUNTY CLERK

DAVID DOSHER
WHITE COUNTY BOARD, Chairman

Mr. McAnulty made a motion to adopt the resolution, seconded by Trout. Motion passed 5-0 on roll call vote.

Chairman Doshier asked the Board to rescind the May 11, 2011 resolution that increases the Sheriff's fees, but allows those fees to be washed directly against the Sheriff's budgeted expenditures. Mr. McAnulty explained that this does not comply with standard auditing procedures. Mr. McAnulty made the motion to rescind the resolution, seconded by Usery. Motion passed 5-0 on roll call vote.

Chairman Doshier asked the Board to consider adopting a resolution to increase Sheriff's fees and making the effective date May 11, 2011. The resolution is as follows:

Resolution

A Resolution to Increase Fees

WHEREAS, Chapter 55, Act 5, Section 4-5001 of the Illinois Compiled Statutes provided that the statutory fees imposed by the Sheriff may be increased by the County Board if such an increase is justified by an acceptable cost analysis showing that the fees allowed by 55 ILCS 5/4-5001 are not sufficient to cover the actual cost of providing the services; and

WHEREAS, Chapter 55, Act 5, Section 4-5001 requires a statement of the costs of providing each service, program and activity shall be prepared and be part of the public record, and;

WHEREAS, A statement of the cost (attached hereto and made a part hereof) and costs analysis by White County Sheriff's Office has been prepared; and,

WHEREAS, based upon the White County Sheriff's Office study, the County Board recommends that the County Code be amended to increase the following Sheriffs Fees;

- 1. For serving or attempting to serve Summons on each defendant to each county, \$ 35.00
- 2. For serving or attempting to serve an Order or Judgment granting injunctinal relief in each county, \$ 35.00;
- 3. For serving or attempting to serve each garnishee in each county, \$35.00;
- 4. For serving or attempting to serve an Order for Replevin in each county, \$ 35.00;
- 5. For serving or attempting to serve an Order for Attachment or each defendant in each county, \$ 35.00;
- 6. For serving or attempting to serve a Warrant of Arrest, \$ 35.00
- 7. For serving or attempting to serve a Subpoena on each witness, in each county, \$ 35.00;
- 8. For serving or attempting to serve an Order or Judgment for the possession of real estate in an action or ejection or in any other action, or for restitution in an action of forcible entry and detainer without aid, \$ 35.00;
- 9. All service and attempts will include, in addition to the fee of \$ 35.00, a \$ 1.00 per mile mileage fee, if applicable.

IT IS HEREBY RESOLVED that each of said fees shall be set as herein above set forth.

IT IS HEREIN FURTHER RESOLVED that said fee schedule shall go into effect on the 11th day of May, 2011.

PASSED, ADOPTED AND APPROVED this 11th day of June, 2018.

AYES: _____

NAYS: _____

ABSTAINED: _____

ABSENT: _____

David Doshier
White County Board Chairman

ATTEST:

Paula Dozier
White County Clerk

Mr. McAnulty made a motion to approve the resolution setting the Sheriff's fees and making it retroactive to May 11, 2011. Motion seconded by Usery. Motion passed 5-0 on roll call vote.

Chairman Doshier asked the Board to consider a preliminary engineering agreement for Section 18-07123-00-BR located over Cane Creek on County Road 325N in the SE SW of Section 8 Township 7 South Range 9 East. Mr. Brian Ray, County Engineer, stated that he was using a new engineering firm. Mr. Ray informed the Board that Lamac Engineering has been purchased by individuals from Springfield and he is using a firm out of Mt. Vernon, Illinois called Round Table Design. Mr. Usery made a motion to approve the preliminary engineering agreement, seconded by McAnulty. Motion passed 5-0 on roll call vote.

Chairman Doshier asked the Board to consider a preliminary engineering agreement for IN-House Box Culvert Project #2018-1-WC, a culver replacement project 2 miles East of Springerton crossing the Skillet Fork Tributary located on 2000N in the SW SW of Section 18 Township 4 South Range 9 East. Mr. Usery made a motion to approve the preliminary engineering agreement for a culvert over the Skillet Fork. Motion seconded by Trout. Motion passed 5-0 on roll call vote.

Chairman Doshier asked the Board to consider an adoption of an ordinance so that the county may continue to collect a cable television franchise fee. The ordinance is as follows:

ORDINANCE NO. 06-11-2018-3

AN ORDINANCE ADDRESSING THE PAYMENT OF CABLE TELEVISION FRANCHISE FEES IN
THE COUNTY OF WHITE, ILLINOIS

WHEREAS, Telecommunications Management LLC, dba New Wave operates a cable television system providing cable television services to households in the County of White _____ , Illinois authorized under an Authorization to Offer Cable or Video Services granted by the Illinois Commerce Commission on July 1, 2017 pursuant to 220 IL. COMP. STAT. 5/21-401; and

WHEREAS, 220 ILL. COMP. STAT. 5/21-801 permits the County to collect service provider fees from a cable operator operating within the County pursuant to a state authorization; and

WHEREAS, the County hereby adopts this Ordinance in order to collect service provider fees from Telecommunications Management LLC, dba NewWave.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF WHITE,
ILLINOIS AS FOLLOWS:

SECTION 1. Telecommunications Management LLC, dba New Wave shall pay an annual service provider fee to the County in an amount equal to 3 % of annual gross revenues derived from the provision of cable or video service to households located within the County. The twelve (12) month period for the computation of the service provider fee shall be a calendar year.

SECTION 2. The service provider fee payment shall be due quarterly and payable within 45 days after the close of the preceding calendar quarter. Each payment shall be accompanied by a brief report prepared by a representative of the Grantee showing the basis for the computation. If mailed, the fee shall be considered paid on the date it is postmarked.

SECTION 3. For purposes of the calculation of the service provider fee, “gross revenues” shall mean consideration of any kind or nature, including, without limitation, cash, credits, property, and in-kind contributions received by Telecommunications Management LLC, dba New Wave for the operation of its cable system to provide cable or video service within the County, including the following: (i) recurring charges for cable service or video service; (ii) event- based charges for cable service or video service, including, but not limited to, pay-per-view and video-on-demand charges; (iii) rental of set-top boxes and other cable service or video service equipment; (iv) service charges related to the provision of cable service or video service, including, but not limited to, activation, installation, and repair charges; (v) administrative charges related to the provision of cable service or video service, including but not limited to service order and service termination charges; (vi) late payment fees or charges, insufficient funds check charges, and other charges assessed to recover the costs of collecting delinquent payments; (vii) a pro rata portion of all revenue derived by the cable system from advertising or for promotion or

exhibition of any products or services; and (viii) a pro rata portion of compensation derived by the cable system from the promotion or exhibition of any products or services sold by “home shopping” channels or similar services carried by the cable system.

SECTION 4. For purposes of the calculation of the service provider fee, “gross revenues” shall not include:

- (i) revenues not actually received, even if billed, such as bad debt;
- (ii) the service provider fee or any tax, fee or assessment of general applicability; (iii) any revenues received from services not classified as cable service or video service, including, without limitation, revenue received from telecommunications services, voice over internet protocol (VoIP) services, information services, the provision of directory or Internet advertising, or any other revenues attributed by the holder to noncable service or non-video service in accordance with the holder's books and records and records kept in the regular course of business and any applicable laws, rules, regulations, standards, or orders; (vi) security deposits collected from subscribers, or (vii) any amounts paid by subscribers to “home shopping” or similar vendors for merchandise sold through any home shopping channel offered as part of the cable service or video service.

SECTION 5. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form (which publication is hereby authorized) as provided by law.

ADOPTED this 11th day of June, 2018. A.D.

MEMBERS ELECTED: FIVE

MEMBERS PRESENT: FIVE

David Doshier: AYE

Donald Puckett: AYE

Ron McAnulty: AYE

Wes Trout: AYE

Ken Usery: AYE

APPROVED this 11th day of June, 2018 A.D.

David Doshier, Chairman

White County Board

ATTEST:

Paula Dozier, White County Clerk

Mr. Usery made a motion to adopt the ordinance to allow White County to continue to collect a franchise from New Wave. Motion seconded by McAnulty. Motion passed 5-0 on roll call vote.

Chairman Doshier stated that the next item on the agenda was to consider the approval of a resolution allowing the sale of real estate through the Trustee's program on parcel # 05-21-164-002 to Casey Inman. Mr. McAnulty made a motion to approve the sale of property to Casey Inman. Motion seconded by Trout. Motion passed 5-0 on roll call vote.

Chairman Doshier stated that the next meeting would be held on Tuesday, July 10 at 7:00 p.m.

Mr. Trout made a motion to adjourn, seconded by McAnulty. Motion passed 5-0 on roll call vote.