

Sharon K. Williams, District 1  
Junior Watkins, District 2  
Betty Duncan, District 3  
Chairperson-Andrew A. Rand, District 4  
Brandy Bryant, District 5  
Eden S. Blair, District 6  
James C. Dillon, District 7  
Phillip Salzer, District 8  
Kathrin Pastucha, District 9



Andrew A. Rand - Chairperson  
Rachael Parker - County Clerk

Robert Reneau, District 10  
Linda Daley, District 11  
Rachel Reliford, District 12  
Vice-Chairperson-James T. Fennell, District 13  
Brian Elsasser, District 14  
Steven Rieker, District 15  
Matthew Windish, District 16  
Jennifer Groves Allison, District 17  
Paul Rosenbohm, District 18

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PEORIA COUNTY BOARD  
MEETING AGENDA  
Thursday, March 10, 2022  
6:00 PM

County Courthouse • 324 Main Street • County Board Room 403 • Peoria, Illinois 61602  
Voice: (309) 672-6056 • Fax: (309) 672-6054 • TDD: (309) 672-6073  
[www.peoriacounty.gov](http://www.peoriacounty.gov)

CALL TO ORDER  
MOMENT OF SILENCE  
PLEDGE OF ALLEGIANCE  
ROLL CALL BY THE COUNTY CLERK

- I. APPROVAL OF MINUTES
  - Approval of February 10, 2022 County Board Meeting Minutes
- II. PROCLAMATIONS & PRESENTATIONS
  - A Proclamation recognizing the contributions of Leonard Unes to the Peoria County Zoning Board of Appeals and the entire Peoria County Community
  - A Proclamation recognizing April 4-10, 2022 as National Public Health Week
- III. CITIZENS' REMARKS
  - Individuals wishing to give public comment are asked to fill out a form upon arrival at the board meeting. Five minutes is allocated per person wishing to speak, with a maximum allotted time of 30 minutes. Members of the public should observe social distancing as they are able.
  - Peoria County Board meetings are livestreamed and may be watched remotely. Comments on these platforms will not be added to the record.
    - Facebook: <https://www.facebook.com/peoriacountygov>
    - YouTube: <https://www.youtube.com/channel/UC-qaAdj6tz1xqi3odzEoMIQ>
- IV. CONSENT AGENDA *(including reports to be filed)*
  - C1. The Treasurer report consisting of the Bank and CD's Portfolio for the month of January 2022 and Revenue & Expenditure Reports for the 13<sup>th</sup> period of 2021.
  - C2. The Auditor's report of expenditures from Accounts Payable system is accessible at [www.peoriacounty.org/auditor/transparency](http://www.peoriacounty.org/auditor/transparency).



- C3. A resolution (items 1,2 – conveyances; item 3 – surrender) from the County Administrator and Chairman of the Ways and Means Committee recommending that the County Board Chairman be authorized and directed to execute deeds of said property to the highest bidder, and be authorized to cancel the appropriate Certificates of Purchase. This resolution shall be effective ninety days from March 10, 2022, and any transaction between the parties involved not occurring within this period shall be null and void. *(Poll vote per Rules of Order, Article V, Section 18C)*
- C4. A resolution from your Executive Committee recommending approval of Amendment #2 to the By-laws of the Peoria Riverfront Museum.
- C5. A resolution from your Executive Committee recommending approval to settle Circuit Court civil case number 17-L-14 for a payment of \$200,000.00.
- C6. A recommendation from your Finance, Audit and Legislative Affairs Committee to approve an Ordinance authorizing the sale of refunding General Obligation Bonds (Alternate Revenue Source), Series 2011 to refund the outstanding portion of Peoria County's 2011 bonds as tax exempt.
- C7. A resolution from your Public Safety and Justice Committee recommending approval of a rollover appropriation of unspent FY 2020 Justice Assistance Grant (JAG) funds and Unreserved Fund Balance into the FY 2022 C.O.P.S. budget.
- C8. A resolution from your Public Safety and Justice Committee recommending approval of an FY 2022 budget appropriation in the amount of \$175,402.00 in AOIC funding related to the Illinois Court Technology Modernization Program
- C9. A resolution from your County Operations Committee recommending approval to settle Workman's Compensation Case #010015-006265-WC-01 for an amount not to exceed \$60,000.00.
- C10. A resolution from your Infrastructure Committee recommending approval of a Cooperative Research Agreement between the County of Peoria and Bradley University for the purpose of maintaining the Pavement Management Program.
- C11. A recommendation from your Infrastructure Committee to approve an Ordinance establishing a posted speed limit of 30 mph on W. Robertson Road from Ford Road to Cul-de-Sac.
- C12. A resolution from your Infrastructure Committee recommending approval of a Preliminary Engineering Services Agreement with Infrastructure engineering, Inc. for Phase I and Phase II Engineering of Slope Wall Replacement of Structure Number 072-3103 on Blue Ridge Road, at a cost not to exceed \$45,300.00.
- C13. A resolution from your Infrastructure Committee recommending approval of the lowest responsible bid of Stark Excavating, Bloomington, IL, in the amount of \$258,989.10, for culvert replacement on Todd School Road.



C14. A resolution from your Infrastructure Committee recommending approval of the lowest responsible bid of Porter Brothers, Rock Falls, IL, in the amount of \$248,629.25, for tilling and sealcoating of township roads in Millbrook Township.

C15. A resolution from your Infrastructure Committee recommending approval of the lowest responsible bid of Porter Brothers, Rock Falls, IL, in the amount of \$42,203.48, for tilling and sealcoating township road in Rosefield Township.

C16. Chairman Appointments.

#### V. ZONING ORDINANCE AND RESOLUTIONS

1. Case #ZBA-2022-000006, Petition of Briscoe Financial, LLC. A Special Use request from Section 20-5.5.2.2.c of the Unified Development Ordinance. This section allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and room are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis through the websites Airbnb and VRBO. The parcel is located in Chillicothe Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.
2. Case #ZBA-2022-000007, Petition of Briscoe Financial, LLC. A Special Use request from Section 20-5.5.2.2.c of the Unified Development Ordinance. This section allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis through the websites Airbnb and VRBO. The parcel is located in Chillicothe Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.
3. Case #ZBA-2022-000012, Petition of Cornwell Solar, LLC. A Special Use request from Section 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the "A-1" Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment") of these regulations are met. The petitioner proposes to construct a 40mW utility-scale Solar Energy Generation Facility. The parcels are located in Princeville Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.
4. Case #ZBA-2022-000013, Petition of Peoria County. A Text Amendment to amend Chapter 20, Appendix A "Fee Schedule" of the Peoria County Code. The Zoning Board of Appeals recommends approval. The Land Use Committee concurs.
5. A resolution from your Finance, Audit, and Legislative Affairs Committee recommending approval to effectuate the sale and disposal of Heddington Oaks and associated costs of refunding the Series 2001 Alternate Revenue Source Bonds issued for the construction of Heddington Oaks Nursing Home.



6. A resolution from your Executive Committee recommending adoption of an Intergovernmental Agreement between Springdale Cemetery and the County of Peoria, the City of Peoria, and the Park District of Peoria. *(Pending Committee Approval)*

7. SUSPENSION OF RULES

8. A Proclamation extending the Declaration of Emergency due to COVID-19 in Peoria County, Illinois.

VI. EXECUTIVE SESSION – Personnel Matters

VII. MISCELLANEOUS AND ANNOUNCEMENTS

VIII. ADJOURNMENT

Sharon K. Williams, District 1  
Junior Watkins, District 2  
Betty Duncan, District 3  
Chairperson-Andrew A. Rand, District 4  
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6:00 PM**

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**CALL TO ORDER  
MOMENT OF SILENCE  
PLEDGE OF ALLEGIANCE  
ROLL CALL BY THE COUNTY CLERK**

Attendance was taken with the Roll Call-Pro voting system, and the following members of the Board were present: Members Blair, Daley, Dillon, Duncan, Elsasser (Via teleconference), Fennell, Groves Allison, Pastucha, Rand, Reliford (Via teleconference), Reneau, Rieker, Salzer, Watkins, Williams, and Windish, with Member Bryant absent.

**I. APPROVAL OF MINUTES**

- Approval of January 13, 2022 County Board Regular Session Minutes
- Approval of January 13, 2022 County Board Executive Session Minutes

Member Groves Allison moved for approval of the minutes and Member Reliford seconded. The minutes were approved by a unanimous roll call vote of 16 ayes.

**II. CITIZENS' REMARKS**

There were no citizens' remarks.

**III. CONSENT AGENDA (including reports to be filed)**

- C1.** The Treasurer report consisting of the Bank and CD's Portfolio for the month of December 2021 and Revenue & Expenditure Reports for the month of November 2021.
- C2.** The Auditor's report of expenditures from Accounts Payable system is accessible at [www.peoriacounty.org/auditor/transparency](http://www.peoriacounty.org/auditor/transparency).
- C3.** A resolution from your County Operations Committee recommending acceptance of grant monies in the amount of \$5,000.00 awarded from the Sally Lorraine Sedlak Vaughan Irrevocable Trust for the purchase of microchips, and to appropriate those funds into the PCAPS Fund.



**C4.** A resolution from your County Operations Committee recommending approval of an Intergovernmental Agreement between the County of Peoria and the Village of Princeville to provide impound only animal control services for the term January 1, 2022 through December 31, 2024.

**C5.** A resolution from your Infrastructure Committee recommending approval of a Local Agency Agreement for Federal Participation with the State of Illinois for reconstruction of Peoria County's section of Glen Avenue from Sheridan Road to Knoxville Avenue.

**C6.** Chairman Appointments.

Member Daley moved to approve the Consent Agenda and Member Williams seconded. The Consent Agenda was approved by a unanimous roll call vote of 16 ayes.

#### **IV. ZONING ORDINANCE AND RESOLUTIONS**

- 1.** Case #ZBA-2021-000001, Petition of Robert and Carol Meischner. A Special Use request from Section 20-6.2.1.1.b of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 40-acre minimum lot size in the "A-1" Agricultural Preservation Zoning District. The petitioner proposes to divide 1.5 acres from an existing 19.19-acre parcel in order to separate and sell two (2) existing buildings from the remaining agricultural use. The parcel is located in Limestone Township. The Zoning Board of Appeals recommends approval. The Land Use Committee concurs.

Member Dillon moved to approve the ordinance and Member Blair seconded. Member Elsasser thanked the Planning & Zoning department for their work.

Member Rosenbohm entered the meeting via teleconference.

The ordinance passed by a unanimous roll call vote of 17 ayes.

- 2.** Case #ZBA-2021-000005, Petition of Peoria County. A Text Amendment to amend Chapter 20, Article 3, Section 3.5 ("Special Use Permits") and Article 11, Section 11.1 ("Definitions") of the Peoria County Code. The Zoning Board of Appeals recommends approval. The Land Use Committee concurs.

Member Dillon moved to approve the ordinance and Member Blair seconded. Andrew Braun, Assistant Planning & Zoning Administrator, explained that the amendment was coming before the Board to be prepared for upcoming wind farm projects. Mr. Braun commented that the amendment to Appendix A was not correctly published, so it will come before the Board during the next meeting. He presented the amendments to the Code and clarified the language set forth. He summarized the new definitions being added to the Code. He highlighted the review process stating staff collaborated with 23 Illinois counties containing wind farms.

Member Dillon thanked Chairman Rand for allowing the Planning & Zoning Department to give their presentation. Member Blair recognized Kathi Urban and Andrew Braun for being proactive in bringing this to the Board. She clarified these amendments apply to applications for wind farms, not to wind farms themselves. Member Elsasser questioned whether the funds for possible fees would be set aside along with fees from decommissioning. Chairman Rand conveyed that the



County would be reimbursed the fees for professional engineering work done during the application process and decommissioning. Mr. Braun confirmed that statement. Member Rosenbohm asked Mr. Braun if wind farm applicants in other counties were consulted as well. Mr. Braun remarked applicants were consulted and they found the rules and regulations equitable to others in the industry.

Chairman Rand asked how much this amendment adds to the cost of a single application. Mr. Braun commented he could not quantify it. He said they aren't adding any new requirements but are changing the timeline in which the submittals are being asked. Chairman Rand brought up farmers who have ground suitable for a wind farm and asked if this might be a disadvantage for them. Mr. Braun discussed the process for selecting the sites. He contended that after speaking with all involved parties he does not believe the requirements will hinder the ability to find adequate sites or deter participants. Chairman Rand questioned whether the amendments to the Code will be applied retroactively. Mr. Braun stated that Planning & Zoning has not received any applications for wind farms, only solar farms, therefore these amendments are proactive. Member Dillon stressed the requirements set forth are similar to other counties, except more information is required up front instead of later in the application process. He remarked that Peoria County was not an ideal location for wind farms in the past, but that technology has advanced for it to be possible in some regions of the County. He reiterated that the Board was not approving a wind farm but approving amendments to the Code to be proactive. The ordinance passed by a unanimous roll call vote of 17 ayes.

### **3. SUSPENSION OF RULES**

Member Groves Allison moved to suspend the rules and Member Pastucha seconded. The motion passed by a roll call vote of 16 ayes and 1 nay, with Member Windish voting nay.

### **4. A Proclamation extending the Declaration of Emergency due to COVID-19 in Peoria County, Illinois.**

Member Williams moved to approve the resolution and Member Pastucha seconded. The resolution passed by a roll call vote of 13 ayes and 4 nays, with Members Elsasser, Reliford, Rosenbohm, and Windish voting nay.

## **V. MISCELLANEOUS AND ANNOUNCEMENTS**

Member Salzer commented that the Greater Peoria Sports Hall of Fame released the names of the individuals and teams that will be inducted on March 19<sup>th</sup> at the Peoria Civic Center. He congratulated Member Elsasser on being inducted with the 1975 Princeville Football Team.

Member Elsasser thanked Member Salzer and the Board for their congratulatory remarks. He said he is honored to be recognized.

Member Fennell invited the Board to the Eagle Days breakfast at Shore Acres in Chillicothe.

Member Pastucha updated the Board of the timeline to discuss the County Administrator's evaluation. She said the Board will still vote on compensation at the meeting in March, and discussions will occur during the Executive Committee meeting on March 1<sup>st</sup>. She reminded the Board that the packets in front of them contain confidential information and should not be



photocopied or discussed with anyone. Member Fennell inquired when they would be receiving evaluation sheets. Member Pastucha stated that the information was in the packet and that Gretchen Pearsall would also be sending an email.

## **VI. ADJOURNMENT**

There being no further business before the Board, the Chairman announced the meeting was adjourned.





## **PROCLAMATION**

**WHEREAS**, the Peoria County Board wishes to thank Leonard Unes for his service to the Peoria County Zoning Board of Appeals; and

**WHEREAS**, Mr. Unes has served on the Zoning Board of Appeals since his appointment in January of 2018; and

**WHEREAS**, Mr. Unes is a lifelong resident of Peoria County who supported his community first through serving in the United States Army and United States Army Reserve; and

**WHEREAS**, Mr. Unes continued to serve residents through his extensive work on the Peoria City Council, where he held office for 20 years, from 1979-1999; and

**WHEREAS**, throughout this time, he owned and operated Leonard A. Unes Printing Company for more than 40 years; and

**WHEREAS**, Mr. Unes has been an active member of St. Philomena Parish, the Knights of Columbus, American Legion Post 2, the Itoo Society, and the International Typographical Union Local 177.

**NOW THEREFORE I**, Andrew A. Rand, Chairman of the Peoria County Board, on behalf of the County Board, do hereby recognize the contributions of Leonard Unes to our Peoria County Zoning Board of Appeals and the entire Peoria County community.

Dated this 10th day of March, A.D., 2022

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Andrew A. Rand  
PEORIA COUNTY BOARD CHAIRMAN

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Rachael Parker  
PEORIA COUNTY CLERK



NATIONAL  
PUBLIC  
HEALTH  
WEEK

AN INITIATIVE OF THE AMERICAN PUBLIC HEALTH ASSOCIATION

## **PROCLAMATION**

**WHEREAS**, the week of April 4-10, 2022, is National Public Health Week, and the theme of “Public Health is Where You Are” encourages us to observe this week by helping our families, friends, neighbors, co-workers and leaders to better understand the value of public health; and

**WHEREAS**, Peoria City/County Health Department has educated the public, policymakers, and public health professionals about issues important to improving the public’s health; and

**WHEREAS**, health risks across Peoria County, including obesity, tobacco use, substance use, and social emotional health issues, contribute to poor health outcomes; and

**WHEREAS**, in Peoria County there is a significant difference in health status from food insecurity, unsafe neighborhoods, lack of social connectedness, and poor mental health among people living in disparate neighborhoods, and this variance increases because residents are often more likely to face social determinants that negatively impact health, such as poverty, transportation barriers, and lack of economic opportunity; and

**WHEREAS**, the COVID-19 pandemic has illuminated and exacerbated racial inequities, and a growing number of local governments and public health leaders have declared racism a public health crisis; and

**WHEREAS**, local public health professionals help communities prevent, prepare for, withstand, and recover from the impact of a full range of health threats and natural disasters, including climate change and disease outbreaks such as the COVID-19 pandemic, hepatitis A, and HIV/AIDs; and

**WHEREAS**, public health action, together with scientific and technological advances, has played a major role in reducing and, in some cases, eliminating the spread of infectious disease, and in establishing today’s disease surveillance and control systems.

**NOW THEREFORE I**, Andrew A. Rand, Chairman of the Peoria County Board, on behalf of the County Board, do hereby proclaim the week of April 4-10, 2022, as National Public Health Week in Peoria County.

Dated this 10th day of March, A.D., 2022

Andrew A. Rand  
PEORIA COUNTY BOARD CHAIRMAN

Rachael Parker  
PEORIA COUNTY CLERK

**County of Peoria, Illinois**  
**Bank Account Portfolio**  
As of January 31, 2022

Account Name	Account Balance		Variance		Interest	Notes
	Current Month	Prior Month	Amount	Percent	Amount	
<b><u>Accounts at Illinois National Bank</u></b>						
Payroll	0	140,624	-140,624	-100.00%	0	S,C
Juror's Payroll	0	46,352	-46,352	-100.00%	0	C
Peoria County Employee Benefit Plan	0	344,110	-344,110	-100.00%	0	C
Peoria County Flex Spending Acct	0	80,827	-80,827	-100.00%	0	C
County Collector	2,612,883	2,682,996	-70,113	-2.61%	23	S
Operating	16,337,538	15,138,466	1,199,073	7.92%	7,317	S
Peoria County Forfeiture - State	410,647	410,643	3	0.00%	3	S
Peoria County Forfeiture - Federal	17,948	17,948	0	0.00%	0	C
Emergency Telephone System-E911	5,201,895	5,232,431	-30,536	-0.58%	44	S
Trust & Condemnation	37,480	37,480	0	0.00%	0	D
County Motor Fuel	8,522,427	8,232,728	289,699	3.52%	72	S
Township Bridge	534,028	534,023	5	0.00%	5	S
Township Motor Fuel	2,397,706	2,305,329	92,377	4.01%	20	S
CDAP	716,874	716,868	6	0.00%	6	S
VSP - HRA	0	668,612	-668,612	-100.00%	0	C
Clearing Account	0	0	0	-100.00%	0	C
Abandoned Property Program	3,100	3,100	0	0.00%	0	C
Rural Transportation	13,069	13,067	2	0.01%	2	C
<b>Total Accounts at Illinois National Bank</b>	<b>36,805,594</b>	<b>36,605,604</b>	<b>199,990</b>	<b>0.55%</b>	<b>7,492</b>	
<b><u>Accounts at Morton Community Bank</u></b>						
Capital Improvement	246,115	246,109	6	0.00%	6	M
Operating - Investment	42,223,354	42,217,783	5,571	0.01%	5,571	ICS
County Motor Fuel - Investment	4,321,363	4,320,790	573	0.01%	573	ICS
ARPA	17,407,890	17,405,872	2,017	0.01%	2,017	SPF
<b>Total Accounts at Morton Community Bank</b>	<b>64,198,721</b>	<b>64,190,554</b>	<b>8,167</b>	<b>0.01%</b>	<b>8,167</b>	
<b><u>Accounts at Commerce Bank</u></b>						
General Investment Acct	5,202,524	5,254,159	-51,635	-0.98%	-51,635	MI

Notes C = Clearing Account Only  
S = Sweep Account  
D = Disbursed via Court Orders  
N/A = Current month information not yet rec'd  
M = Money Market Account  
ICS = Insured Cash Sweep  
MI = Mixed Investment Acct  
SPF = Snow Public Funds

**County of Peoria, Illinois**  
**Certificate of Deposit Portfolio**  
As of January 31, 2022

	Investment Amount	Purchased Date	Maturity Date	Term (Months)	Interest Rate
<b><u>Morton Community Bank</u></b>					
030 Employee Health Fund	400,000	1/5/22	1/5/23	12	0.47%
<b>Total for Bank</b>	<b>400,000</b>				
<b><u>Busey Bank</u></b>					
081 County Health-TB Fund	202,913	7/7/21	*Pending		
<b>Total for Bank</b>	<b>202,913</b>				
<b><u>Princeville State Bank</u></b>					
030 Employee Health Fund	400,000	7/1/21	7/1/22	12	0.25%
081 County Health Fund	500,000	7/1/21	7/1/22	12	0.25%
030 Employee Health Fund	1,000,000	8/13/21	2/13/23	18	0.30%
<b>Total for Bank</b>	<b>1,900,000</b>				
<b><u>Integrity Bank : Bank of Farmington</u></b>					
030 Employee Health Fund	1,000,000	11/12/21	5/12/23	18	0.45%
030 Employee Health Fund	400,000	1/13/22	1/13/23	12	0.35%
<b>Total for Bank</b>	<b>1,400,000</b>				
<b><u>Recap by Fund:</u></b>					
030 County Health & TB Fund	702,913				
081 Employee Health Fund	3,200,000				
11010 <b>Total Certificate of Deposits</b>	<b>3,902,913</b>				
Total Banks	3,902,913				
Difference	0				

DATE: 03/03/2022  
 TIME: 12:04:39

PEORIA COUNTY, IL  
 REVENUE STATUS REPORT

PAGE NUMBER: 1  
 REVSTA11

SELECTION CRITERIA: ALL  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND TYPE,2ND SUBTOTAL  
 TOTALED ON: FUND TYPE  
 PAGE BREAKS ON: FUND TYPE

FUND TYPE-1 GENERAL

2ND SUBT-	TITLE	BUDGET	PERIOD RECEIPTS	RECEIVABLES	YEAR TO DATE RECEIPTS	AVAILABLE BALANCE	YTD/BUD
31001	PROPERTY TAXES	7,942,750.00	146.46	.00	8,005,310.70	-62,560.70	100.79
31401	OTHER TAXES	700,000.00	.00	.00	774,508.00	-74,508.00	110.64
32209	BUILDING/ZONING PERMITS	300,000.00	1,410.00	.00	403,597.21	-103,597.21	134.53
32219	MARRIAGE LICENSES	84,000.00	.00	.00	72,310.00	11,690.00	86.08
32221	LICENSES/PERMITS	965,700.00	-2,268.00	.00	1,050,811.24	-85,111.24	108.81
33110	FEDERAL GRANT	5,000.00	.00	.00	.00	5,000.00	.00
33350	STATE REVENUE	2,380,963.00	115,961.64	.00	1,761,163.26	619,799.74	73.97
33509	INCOME TAX	6,159,740.00	101,017.79	.00	10,295,713.30	-4,135,973.30	167.15
33529	STATE REIMBURSEMENT-SALA	1,668,830.00	126,921.53	.00	1,875,845.12	-207,015.12	112.40
33540	INTERGOVERNMENTAL REVENU	265,464.00	16,698.56	.00	247,532.99	17,931.01	93.25
33900	SALES TAXES	12,367,155.00	518,130.20	.00	15,642,308.68	-3,275,153.68	126.48
34050	POLICE PROTECTION CTRCT	1,749,875.00	.00	.00	1,676,044.31	73,830.69	95.78
34060	ANIMAL PROTECT CONTRACT	327,795.00	.00	.00	333,248.87	-5,453.87	101.66
34110	FEES AND CHARGES	3,177,000.00	28,487.40	.00	3,275,019.67	-98,019.67	103.09
34150	REVENUE STAMPS	335,000.00	.00	.00	576,927.50	-241,927.50	172.22
34171	WARRANTS SERVICE	140,000.00	.00	.00	162,968.76	-22,968.76	116.41
34190	DETENTION CHARGE FEDERAL	901,550.00	-780.00	.00	1,013,945.00	-112,395.00	112.47
34194	RENT-BUILDING	173,370.00	.00	.00	173,819.76	-449.76	100.26
34240	COURT SECURITY FEES	280,000.00	.00	.00	252,983.06	27,016.94	90.35
34400	IMPOUND	4,800.00	.00	.00	5,224.00	-424.00	108.83
34401	ADOPTION	50,000.00	.00	.00	51,245.85	-1,245.85	102.49
34650	CHARGES FOR SERVICES	2,031,900.00	9,032.46	.00	2,088,552.70	-56,652.70	102.79
35110	COURT FINES	407,000.00	.00	.00	405,742.86	1,257.14	99.69
35120	FINES FOR COURT USAGE	112,400.00	.00	.00	145,908.21	-33,508.21	129.81
35125	RESTITUTION	.00	.00	.00	715.00	-715.00	.00
35140	REDEMPTION	26,000.00	.00	.00	39,302.00	-13,302.00	151.16
35910	INTEREST	32,700.00	.00	.00	38,480.64	-5,780.64	117.68
36001	MISCELLANEOUS REVENUES	1,359,990.00	45,341.50	.00	1,523,045.90	-163,055.90	111.99
37500	ASSET DISPOSAL PROCEEDS	18,000.00	411.00	.00	34,576.00	-16,576.00	192.09
42000	TRANSFER IN	74,915.00	.00	.00	74,561.45	353.55	99.53
TOTAL GENERAL		44,041,897.00	960,510.54	.00	52,001,412.04	-7,959,515.04	118.07

DATE: 03/03/2022  
 TIME: 12:06:07

PEORIA COUNTY, IL  
 EXPENDITURE STATUS REPORT

PAGE NUMBER: 1  
 EXPSTALL

SELECTION CRITERIA: ALL  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND TYPE,2ND SUBTOTAL  
 TOTALED ON: FUND TYPE  
 PAGE BREAKS ON: FUND TYPE

FUND TYPE-1 GENERAL

2ND SUBTOTAL	TITLE	BUDGET	PERIOD EXPENDITURES	ENCUMBRANCES OUTSTANDING	YEAR TO DATE EXP	AVAILABLE BALANCE	YTD/ BUD
51030	FULL-TIME EMPLOYEES	21,788,011.00	387,749.40	.00	20,845,296.89	942,714.11	95.67
51032	PERSONAL SERVICES	3,867,087.00	42,263.18	.00	4,193,508.28	-326,421.28	108.44
51240	MEDICAL/HEALTH BENEFITS	3,306,210.00	.00	.00	2,710,383.88	595,826.12	81.98
51500	IMRF\FICA	45,900.00	14,781.76	.00	56,947.64	-11,047.64	124.07
52000	COMMODITIES EXPENSES	58,620.00	.00	.00	.00	58,620.00	.00
52040	FOOD	415,218.00	58,535.22	.00	408,894.84	6,323.16	98.48
52090	MAINTENANCE SUPPLIES	100,563.00	4,410.54	.00	83,019.88	17,543.12	82.56
52200	COMMODITIES	1,053,802.00	57,956.14	.00	840,781.04	213,020.96	79.79
53018	AUDITING ACCTG COSTS	103,650.00	750.00	.00	103,050.00	600.00	99.42
53020	POSTAGE	16,657.00	6.90	.00	11,404.47	5,252.53	68.47
53046	LIABILITY CLAIMS	995.00	600.00	.00	991.73	3.27	99.67
53050	MEDICAL SERVICES	1,397,274.00	20,040.00	.00	1,387,720.00	9,554.00	99.32
53068	FLEET MAINTENANCE EXPENS	578,130.00	.00	.00	578,130.00	.00	100.00
53070	CONSULTANT SERVICES	1,363,021.00	43,870.76	.00	826,884.82	536,136.18	60.67
53080	ELECTION RELATED COSTS	25,320.00	1,380.90	.00	25,348.86	-28.86	100.11
53085	RECYCLING HAUL/PROCESS	1,560.00	.00	.00	1,559.55	.45	99.97
53124	PUBLIC DEFENDER SERVICES	998,000.00	.00	.00	985,523.88	12,476.12	98.75
53350	CONTRIBUTIONS & GRANTS	93,425.00	.00	.00	87,300.50	6,124.50	93.44
53360	MICROFILMING/FILM DEVELO	8,502.00	.00	.00	4,001.55	4,500.45	47.07
53599	UTILITIES GAS/ELECTRIC	650,147.00	86,395.61	.00	663,582.04	-13,435.04	102.07
53790	COMPUTER EQUIP MAINT	117,455.00	10,358.86	.00	102,363.49	15,091.51	87.15
53999	CONFERENCES & SEMINARS	55,926.00	3,036.49	.00	35,359.06	20,566.94	63.22
54001	CONTRACTUAL SERVICES	6,918,648.00	168,928.91	.00	6,519,843.90	398,804.10	94.24
55080	VEHICLES	335,893.00	-11,488.50	.00	274,750.96	61,142.04	81.80
61000	TRANSFERS OUT	6,633,585.00	11,000.00	.00	6,644,581.61	-10,996.61	100.17
	TOTAL GENERAL	49,933,599.00	900,576.17	.00	47,391,228.87	2,542,370.13	94.91

DATE: 03/03/2022  
 TIME: 12:04:39

PEORIA COUNTY, IL  
 REVENUE STATUS REPORT

PAGE NUMBER: 2  
 REVSTAIL

SELECTION CRITERIA: ALL  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND TYPE,2ND SUBTOTAL  
 TOTALED ON: FUND TYPE  
 PAGE BREAKS ON: FUND TYPE

FUND TYPE-2 SPECIAL REVENUE

2ND SUBT-	TITLE	BUDGET	PERIOD RECEIPTS	RECEIVABLES	YEAR TO DATE RECEIPTS	AVAILABLE BALANCE	YTD/BUD
31001	PROPERTY TAXES	15,494,060.00	280.89	.00	15,368,479.06	125,580.94	99.19
32129	FOOD LICENSES	545,000.00	-386,090.00	.00	590,226.00	-45,226.00	108.30
32221	LICENSES/PERMITS	27,500.00	825.00	.00	28,635.00	-1,135.00	104.13
33110	FEDERAL GRANT	876,000.00	129,280.77	.00	981,616.09	-105,616.09	112.06
33350	STATE REVENUE	7,911,681.00	198,810.37	.00	7,272,518.97	639,162.03	91.92
33509	INCOME TAX	1,188,525.00	.00	.00	2,474,060.99	-1,285,535.99	208.16
33525	MOTOR FUEL TAX ALLOTMENT	4,930,000.00	.00	.00	5,128,831.20	-198,831.20	104.03
33529	STATE REIMBURSEMENT-SALA	2,225,750.00	154,843.19	.00	1,895,680.77	330,069.23	85.17
33540	INTERGOVERNMENTAL REVENU	449,600.00	2,082.76	.00	308,010.91	141,589.09	68.51
34110	FEES AND CHARGES	262,100.00	9,484.00	.00	200,588.85	61,511.15	76.53
34194	RENT-BUILDING	10,000.00	.00	.00	13,500.00	-3,500.00	135.00
34220	FLEET MAINTENANCE FEES	600,750.00	.00	.00	600,750.00	.00	100.00
34230	BIRTH AND DEATH FEES	265,000.00	13,836.75	.00	304,035.75	-39,035.75	114.73
34260	WASTE DISPOSAL SURCHARGE	200,000.00	18,468.39	.00	198,715.31	1,284.69	99.36
34620	PATIENT INCOME-PUBLIC AI	465,000.00	17,707.10	.00	445,001.01	19,998.99	95.70
34630	PATIENT INCOME-PRIVATE	62,500.00	1,134.96	.00	27,822.23	34,677.77	44.52
34650	CHARGES FOR SERVICES	4,866,685.00	438,965.24	.00	5,221,618.43	-354,933.43	107.29
35125	RESTITUTION	.00	.00	.00	270.00	-270.00	.00
35910	INTEREST	282,725.00	-11,570.40	.00	4,596.51	278,128.49	1.63
36001	MISCELLANEOUS REVENUES	573,510.00	100,236.70	.00	644,720.80	-71,210.80	112.42
37500	ASSET DISPOSAL PROCEEDS	.00	7,200.00	.00	19,100.00	-19,100.00	.00
42000	TRANSFER IN	3,667,300.00	11,000.00	.00	3,284,297.42	383,002.58	89.56
TOTAL	SPECIAL REVENUE	44,903,686.00	706,495.72	.00	45,013,075.30	-109,389.30	100.24

DATE: 03/03/2022  
 TIME: 12:06:07

PEORIA COUNTY, IL  
 EXPENDITURE STATUS REPORT

PAGE NUMBER: 2  
 EXPSTALL

SELECTION CRITERIA: ALL  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND TYPE,2ND SUBTOTAL  
 TOTALED ON: FUND TYPE  
 PAGE BREAKS ON: FUND TYPE

FUND TYPE-2 SPECIAL REVENUE

2ND SUBTOTAL	TITLE	BUDGET	PERIOD EXPENDITURES	ENCUMBRANCES OUTSTANDING	YEAR TO DATE EXP	AVAILABLE BALANCE	YTD/ BUD
51030	FULL-TIME EMPLOYEES	9,387,590.00	161,518.98	.00	8,969,590.56	417,999.44	95.55
51032	PERSONAL SERVICES	1,480,883.00	12,660.22	.00	1,318,826.84	162,056.16	89.06
51240	MEDICAL/HEALTH BENEFITS	1,838,680.00	.00	.00	1,363,590.66	475,089.34	74.16
51500	IMRF\FICA	7,812,635.00	-14,758.85	.00	7,678,871.95	133,763.05	98.29
52040	FOOD	94,050.00	8,974.08	.00	90,593.77	3,456.23	96.33
52090	MAINTENANCE SUPPLIES	621,460.00	52,320.58	.00	596,242.95	25,217.05	95.94
52100	GAS AND OIL PRODUCTS	564,520.00	23,675.86	.00	528,654.72	35,865.28	93.65
52120	EMERGENCY RELIEF	25,000.00	.00	.00	4,055.54	20,944.46	16.22
52200	COMMODITIES	4,829,034.00	43,774.32	.00	3,978,864.68	850,169.32	82.39
53018	AUDITING ACCTG COSTS	1,675.00	.00	.00	1,325.00	350.00	79.10
53020	POSTAGE	25,915.00	24.55	.00	18,805.59	7,109.41	72.57
53040	DEPENDENT CHILD CARE	327,900.00	.00	.00	10,848.40	317,051.60	3.31
53050	MEDICAL SERVICES	422,990.00	75.00	.00	361,592.89	61,397.11	85.48
53068	FLEET MAINTENANCE EXPENS	22,620.00	.00	.00	22,620.00	.00	100.00
53070	CONSULTANT SERVICES	401,340.00	1,525.17	.00	215,850.43	185,489.57	53.78
53085	RECYCLING HAUL/PROCESS	74,500.00	544.44	.00	19,486.37	55,013.63	26.16
53279	PROGRAM DEVELOP/COORDINA	969,020.00	230,455.00	.00	869,005.68	100,014.32	89.68
53300	AUTO REPAIR/MAINTENANCE	82,840.00	7,821.02	.00	81,602.19	1,237.81	98.51
53320	BRIDGE REPAIR	856,500.00	.00	.00	666,228.90	190,271.10	77.79
53340	HIGHWAY REPAIR	494,720.00	5,228.76	.00	195,514.06	299,205.94	39.52
53350	CONTRIBUTIONS & GRANTS	540,985.00	.00	.00	358,165.17	182,819.83	66.21
53360	MICROFILMING/FILM DEVELO	86,598.00	.00	.00	19,308.09	67,289.91	22.30
53599	UTILITIES GAS/ELECTRIC	249,790.00	25,681.96	.00	236,595.92	13,194.08	94.72
53999	CONFERENCES & SEMINARS	145,355.00	1,018.46	.00	87,111.78	58,243.22	59.93
54001	CONTRACTUAL SERVICES	8,459,766.00	154,804.95	.00	6,495,577.78	1,964,188.22	76.78
55080	VEHICLES	119,165.00	.00	.00	161,478.09	-42,313.09	135.51
55100	CAPITAL OUTLAY	5,101,600.00	-269,698.17	.00	3,151,592.04	1,950,007.96	61.78
57001	DEBT SERVICE PAYMENTS	317,890.00	.00	.00	315,577.51	2,312.49	99.27
61000	TRANSFERS OUT	325,415.00	.00	.00	74,561.45	250,853.55	22.91
	TOTAL SPECIAL REVENUE	45,680,436.00	445,646.33	.00	37,892,139.01	7,788,296.99	82.95



DATE: 03/03/2022  
 TIME: 12:04:39

PEORIA COUNTY, IL  
 REVENUE STATUS REPORT

PAGE NUMBER: 3  
 REVSTA11

SELECTION CRITERIA: ALL  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND TYPE,2ND SUBTOTAL  
 TOTALED ON: FUND TYPE  
 PAGE BREAKS ON: FUND TYPE

FUND TYPE-3 DEBT SERVICE

2ND SUBT- - - - -	TITLE - - - - -	BUDGET	PERIOD RECEIPTS	RECEIVABLES	YEAR TO DATE RECEIPTS	AVAILABLE BALANCE	YTD/ BUD
31001	PROPERTY TAXES	420,045.00	7.63	.00	416,907.48	3,137.52	99.25
35910	INTEREST	5,000.00	.00	.00	4,742.61	257.39	94.85
36000	MISCELLANEOUS REVENUES	16,230.00	.00	.00	16,231.38	-1.38	100.01
42000	TRANSFER IN	3,641,675.00	.00	.00	3,641,675.66	-.66	100.00
	TOTAL DEBT SERVICE	4,082,950.00	7.63	.00	4,079,557.13	3,392.87	99.92

DATE: 03/03/2022  
 TIME: 12:06:07

PEORIA COUNTY, IL  
 EXPENDITURE STATUS REPORT

PAGE NUMBER: 3  
 EXPSTALL

SELECTION CRITERIA: ALL  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND TYPE,2ND SUBTOTAL  
 TOTALED ON: FUND TYPE  
 PAGE BREAKS ON: FUND TYPE

FUND TYPE-3 DEBT SERVICE

2ND SUBTOTA-	TITLE	BUDGET	PERIOD EXPENDITURES	ENCUMBRANCES OUTSTANDING	YEAR TO DATE EXP	AVAILABLE BALANCE	YTD/ BUD
54001	CONTRACTUAL SERVICES	4,550.00	.00	.00	2,892.70	1,657.30	63.58
57001	DEBT SERVICE PAYMENTS	4,077,950.00	.00	.00	4,077,950.00	.00	100.00
	TOTAL DEBT SERVICE	4,082,500.00	.00	.00	4,080,842.70	1,657.30	99.96

DATE: 03/03/2022  
TIME: 12:04:39

PEORIA COUNTY, IL  
REVENUE STATUS REPORT

PAGE NUMBER: 4  
REVSTALL

SELECTION CRITERIA: ALL  
ACCOUNTING PERIOD: 13/21

SORTED BY: FUND TYPE,2ND SUBTOTAL  
TOTALED ON: FUND TYPE  
PAGE BREAKS ON: FUND TYPE

FUND TYPE-4 CAPITAL PROJECTS

2ND SUBT- - - - -	TITLE - - - - -	BUDGET	PERIOD RECEIPTS	RECEIVABLES	YEAR TO DATE RECEIPTS	AVAILABLE BALANCE	YTD/ BUD
33900	SALES TAXES	4,455,155.00	214,490.51	.00	5,112,643.38	-657,488.38	114.76
35910	INTEREST	55,320.00	.00	.00	14,524.48	40,795.52	26.26
42000	TRANSFER IN	3,663,270.00	.00	.00	3,663,270.00	.00	100.00
	TOTAL CAPITAL PROJECTS	8,173,745.00	214,490.51	.00	8,790,437.86	-616,692.86	107.54

DATE: 03/03/2022  
 TIME: 12:06:07

PEORIA COUNTY, IL  
 EXPENDITURE STATUS REPORT

PAGE NUMBER: 4  
 EXPSTAI1

SELECTION CRITERIA: ALL  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND TYPE,2ND SUBTOTAL  
 TOTALED ON: FUND TYPE  
 PAGE BREAKS ON: FUND TYPE

FUND TYPE-4 CAPITAL PROJECTS

2ND SUBTOTAL	TITLE	BUDGET	PERIOD EXPENDITURES	ENCUMBRANCES OUTSTANDING	YEAR TO DATE EXP	AVAILABLE BALANCE	YTD/ BUD
52040	FOOD	2,500.00	.00	.00	.00	2,500.00	.00
52200	COMMODITIES	24,000.00	.00	.00	.00	24,000.00	.00
53008	CONTINGENCIES	100,000.00	.00	.00	.00	100,000.00	.00
53070	CONSULTANT SERVICES	1,033,795.00	56,780.00	.00	130,552.50	903,242.50	12.63
54001	CONTRACTUAL SERVICES	900,213.00	174,963.00	.00	322,312.81	577,900.19	35.80
55100	CAPITAL OUTLAY	1,299,005.00	525.00	.00	57,424.37	1,241,580.63	4.42
61000	TRANSFERS OUT	4,430,930.00	.00	.00	4,447,305.46	-16,375.46	100.37
	TOTAL CAPITAL PROJECTS	7,790,443.00	232,268.00	.00	4,957,595.14	2,832,847.86	63.64

DATE: 03/03/2022  
 TIME: 12:04:39

PEORIA COUNTY, IL  
 REVENUE STATUS REPORT

PAGE NUMBER: 5  
 REVSTAIL

SELECTION CRITERIA: ALL  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND TYPE,2ND SUBTOTAL  
 TOTALED ON: FUND TYPE  
 PAGE BREAKS ON: FUND TYPE

FUND TYPE-5 INTERNAL SERVICE

2ND SUBT-	TITLE	BUDGET	PERIOD RECEIPTS	RECEIVABLES	YEAR TO DATE RECEIPTS	AVAILABLE BALANCE	YTD/ BUD
31001	PROPERTY TAXES	1,696,905.00	30.77	.00	1,683,312.05	13,592.95	99.20
33350	STATE REVENUE	90,000.00	.00	.00	64,572.36	25,427.64	71.75
34110	FEES AND CHARGES	4,479,570.00	.00	.00	4,479,570.00	.00	100.00
34300	HEALTH FEES-EMPLOYEE	2,320,950.00	18,061.10	.00	1,714,718.88	606,231.12	73.88
34310	HEALTH FEES-EMPLOYER	6,189,200.00	.00	.00	4,245,967.20	1,943,232.80	68.60
34650	CHARGES FOR SERVICES	500,000.00	20.00	.00	598,631.00	-98,631.00	119.73
35910	INTEREST	136,070.00	3,242.46	.00	32,317.89	103,752.11	23.75
36001	MISCELLANEOUS REVENUES	1,873,680.00	81,895.37	.00	2,080,026.67	-206,346.67	111.01
42000	TRANSFER IN	1,070,000.00	.00	.00	1,070,000.00	.00	100.00
	TOTAL INTERNAL SERVICE	18,356,375.00	103,249.70	.00	15,969,116.05	2,387,258.95	86.99

DATE: 03/03/2022  
 TIME: 12:06:07

PEORIA COUNTY, IL  
 EXPENDITURE STATUS REPORT

PAGE NUMBER: 5  
 EXPSTAIL

SELECTION CRITERIA: ALL  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND TYPE,2ND SUBTOTAL  
 TOTALED ON: FUND TYPE  
 PAGE BREAKS ON: FUND TYPE

FUND TYPE-5 INTERNAL SERVICE

2ND SUBTOTAL	TITLE	BUDGET	PERIOD EXPENDITURES	ENCUMBRANCES OUTSTANDING	YEAR TO DATE EXP	AVAILABLE BALANCE	YTD/ BUD
51030	FULL-TIME EMPLOYEES	1,605,583.00	30,058.04	.00	1,608,035.51	-2,452.51	100.15
51032	PERSONAL SERVICES	544,637.00	8,132.00	.00	410,840.61	133,796.39	75.43
51240	MEDICAL/HEALTH BENEFITS	275,030.00	.00	.00	202,607.02	72,422.98	73.67
51750	MEDICAL CLAIMS	7,459,000.00	.00	.00	5,758,128.09	1,700,871.91	77.20
51760	PRESCRIPTION DRUGS	1,613,000.00	.00	.00	1,055,190.60	557,809.40	65.42
51800	UNEMPLOYMENT CLAIMS	55,000.00	.00	.00	72,451.38	-17,451.38	131.73
51810	WORKER'S COMP CLAIMS	450,000.00	.00	.00	380,689.87	69,310.13	84.60
52040	FOOD	750.00	.00	.00	237.02	512.98	31.60
52200	COMMODITIES	349,501.00	4,676.31	.00	242,643.96	106,857.04	69.43
53020	POSTAGE	283,000.00	582.59	.00	225,594.18	57,405.82	79.72
53046	LIABILITY CLAIMS	459,205.00	19,515.50	.00	459,204.12	.88	100.00
53050	MEDICAL SERVICES	13,913.00	125.00	.00	10,415.50	3,497.50	74.86
53054	EXCESS INSURANCE	1,766,393.00	.00	.00	1,610,125.96	156,267.04	91.15
53070	CONSULTANT SERVICES	364,422.00	687.50	.00	161,036.00	203,386.00	44.19
53085	RECYCLING HAUL/PROCESS	2,067.00	.00	.00	2,067.00	.00	100.00
53999	CONFERENCES & SEMINARS	21,610.00	.00	.00	.00	21,610.00	.00
54001	CONTRACTUAL SERVICES	3,443,375.00	20,237.02	.00	2,967,165.20	476,209.80	86.17
55100	CAPITAL OUTLAY	337,346.00	.00	.00	111,161.77	226,184.23	32.95
61000	TRANSFERS OUT	2,197,150.00	.00	.00	2,197,150.00	.00	100.00
	TOTAL INTERNAL SERVICE	21,240,982.00	84,013.96	.00	17,474,743.79	3,766,238.21	82.27

DATE: 03/03/2022  
 TIME: 12:03:03

PEORIA COUNTY, IL  
 REVENUE STATUS REPORT

PAGE NUMBER: 1  
 REVSTA11

SELECTION CRITERIA: orgn.fund='076'  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND,2ND SUBTOTAL  
 TOTALED ON: FUND  
 PAGE BREAKS ON: FUND

FUND-076 PEORIA COUNTY PARKING FAC

2ND SUBT- - - - - TITLE - - - - -	BUDGET	PERIOD RECEIPTS	RECEIVABLES	YEAR TO DATE RECEIPTS	AVAILABLE BALANCE	YTD/ BUD
34196 RENT-PARKING	210,000.00	556.00	.00	229,445.26	-19,445.26	109.26
35910 INTEREST	20,000.00	.00	.00	4,631.13	15,368.87	23.16
TOTAL PEORIA COUNTY PARKING F	230,000.00	556.00	.00	234,076.39	-4,076.39	101.77
TOTAL REPORT	230,000.00	556.00	.00	234,076.39	-4,076.39	101.77

DATE: 03/03/2022  
 TIME: 12:05:40

PEORIA COUNTY, IL  
 EXPENDITURE STATUS REPORT

PAGE NUMBER: 1  
 EXPSTA11

SELECTION CRITERIA: orgn.fund='076'  
 ACCOUNTING PERIOD: 13/21

SORTED BY: FUND,2ND SUBTOTAL  
 TOTALED ON: FUND  
 PAGE BREAKS ON: FUND

FUND-076 PEORIA COUNTY PARKING FAC

2ND SUBTOTAL - - - - TITLE - - - -	BUDGET	PERIOD EXPENDITURES	ENCUMBRANCES OUTSTANDING	YEAR TO DATE EXP	AVAILABLE BALANCE	YTD/ BUD
51030 FULL-TIME EMPLOYEES	15,500.00	301.37	.00	16,031.83	-531.83	103.43
51032 PERSONAL SERVICES	30.00	.00	.00	30.00	.00	100.00
51240 MEDICAL/HEALTH BENEFITS	875.00	.00	.00	870.48	4.52	99.48
52090 MAINTENANCE SUPPLIES	400.00	.00	.00	.00	400.00	.00
52200 COMMODITIES	4,000.00	.00	.00	.00	4,000.00	.00
53070 CONSULTANT SERVICES	94,110.00	9,057.36	.00	94,109.73	.27	100.00
53599 UTILITIES GAS/ELECTRIC	8,500.00	.00	.00	4,143.09	4,356.91	48.74
54001 CONTRACTUAL SERVICES	46,610.00	1,139.88	.00	30,009.47	16,600.53	64.38
56001 BUILDING DEPRECIATION	.00	3,569.39	.00	116,895.02	-116,895.02	.00
TOTAL PEORIA COUNTY PARKING F	170,025.00	14,068.00	.00	262,089.62	-92,064.62	154.15
TOTAL REPORT	170,025.00	14,068.00	.00	262,089.62	-92,064.62	154.15



RES#	Account	Type	Account Name	Parcel#	Total Collected	County Clerk	Auctioneer	Recorder/ Sec of State	Agent	Misc/ Overpmt	Treasurer
02-22-001	0821183	SAL	SCOTT ANDERSON	17-24-351-003	817.00	101.00	0.00	134.00	450.00	0.00	132.00
02-22-002	0821587	SAL	DARVEZ A. SCROGGINS	18-18-233-040	817.00	101.00	0.00	134.00	450.00	0.00	132.00
02-22-003	201701532	SUR	TIFFANY HAWKINS & TASHANA DRUMMOND	18-07-479-041	2,940.17	101.00	0.00	0.00	922.43	134.00	1,782.74
<b>Totals</b>					<b>\$4,574.17</b>	<b>\$303.00</b>	<b>\$0.00</b>	<b>\$268.00</b>	<b>\$1,822.43</b>	<b>\$134.00</b>	<b>\$2,046.74</b>

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Committee Members

Clerk Fees	<b>\$303.00</b>
Recorder/Sec of State Fees	<b>\$268.00</b>
<b>Total to County</b>	<b>\$2,617.74</b>

Approved via Poll Vote (Per Rules of Order, Article V, Section 18C)

**AGENDA BRIEFING**

**COMMITTEE:** Executive Committee  
**MEETING DATE:** March 1, 2022

**LINE ITEM:**  
**AMOUNT:**

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**ISSUE:**

For RESOLUTION: Amendments to the By-Laws of the Peoria Riverfront Museum

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**BACKGROUND/DISCUSSION:**

Article 7, Section 7.03(b) of the Capital Facility Development, Lease and Operating Agreement between the County and the Peoria Riverfront Museum stipulates that the PRM cannot amend its by-laws without the express written consent of the County.

Attached to the Resolution is the Amendment No. 2 to the PRM By-laws. Amendment No. 1 was adopted in 2014. Amendment No. 2 makes wholesale changes to the PRM Board and structure to reflect the stable nature of the current financial condition of the PRM.

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**COUNTY BOARD GOALS:**

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**STAFF RECOMMENDATION:**

**APPROVAL**

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**COMMITTEE ACTION:**

Approved 3/1/22 (14-0 votes) Mr. Rosenbohm voted aye via teleconference; Mr. Rieker absent

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**PREPARED BY:** Scott A. Sorrel, County Administrator  
**DEPARTMENT:** County Administration

**DATE:** February 22, 2022

**BYLAWS OF THE  
PEORIA RIVERFRONT MUSEUM**

As Amended June 18, 2014, 2022

**ARTICLE I**

**Offices**

The Board of Directors (the “**Board**”) of Peoria Riverfront Museum, an Illinois not-for-profit corporation (the “**Corporation**”), shall cause the Corporation to have and continuously maintain in the State of Illinois a registered office and a registered agent who is a resident of the State of Illinois and whose office is identical with such registered office. The Corporation shall report any change in such registered office or such registered agent to the Secretary of State of the State of Illinois as required by law.

**ARTICLE II**

**Purposes and Mission**

**Section 1. Purposes.** The purposes of the Corporation are as set forth in the Articles of Incorporation, as amended from time to time (the “**Articles of Incorporation**”).

**Section 2. Mission.** The mission of the Corporation is to inspire lifelong learning for ALL, connecting art, history, science and achievement through collections, exhibitions and programs.

**ARTICLE III**

**Members**

The Corporation shall have no members.

**ARTICLE IV**

**Board of Directors**

**Section 1. Powers and Duties.** The Board shall be the governing and policy-making body of the Corporation and shall manage its property, business and affairs. It shall define the purposes, mission and policies of, and establish guidelines to foster the achievement of the purposes of, the Corporation. It shall establish financial and reporting procedures and criteria to coordinate the activities of, properly safeguard the assets of, and oversee the expenditures of, the Corporation. It shall adopt, periodically review and assess, and implement both short- and long-term business plans for the orderly development, acquisition and use of the programs, services, assets and physical facilities of the Corporation. Individual members of the Board (sometimes singularly referred to as a “**Board Member**” and collectively as the “**Board Members**”) shall

not have the authority of the Board, and shall not have the power to act on behalf of or to bind the Corporation unless expressly authorized by the Board in writing.

## **Section 2. Composition.**

A. The Board shall be comprised solely of “**Designated Board Members**” and “**At-Large Board Members**”, each as defined in this Article IV, Section 2. ~~As provided in this Article IV, Section 2, between and including the date on which the Corporation organizes (the “**Organization Date**”) and the date on which the Corporation opens to the public (the “**Opening Date**”) a regional not-for-profit museum to be known as “**Peoria Riverfront Museum**” (the “**Museum**”), Effective \_\_\_\_\_, 2022, the Board shall will consist of (i) ~~eleven (11)~~ two (2) Designated Board Members (unless, as provided herein, a Designated Entity ~~(as defined below)~~ loses its right hereunder to select and name its allocated number of Designated Board Members) and (ii) ~~twelve (12)~~ nineteen (19) At-Large Board Members. ~~Further, as provided in this Article IV, Section 2, on and after the date immediately following the Opening Date, the Board will consist of (i) six (6) Designated Board Members (unless, as provided herein, a Designated Entity loses its right hereunder to select and name its allocated number of Designated Board Members) and (ii) fifteen (15) At Large Board Members. “Designated Entities”, as used herein, means Caterpillar, Inc., an Illinois corporation (“**Caterpillar**”); African American Hall of Fame, an Illinois not-for-profit corporation (“**AAHF**”); and Peoria Historical Society, an Illinois not-for-profit corporation (“**PHS**”); Peoria Regional Museum Society, an Illinois not-for-profit corporation (“**PRMS**”); and Illinois High School Association, an Illinois not-for-profit corporation (“**IHSA**”)-allocated as follows: AAHS and PHS shall have the right and authority to select and name one (1) Designated Board Member. A Designated Entity will lose its right hereunder to select and name the number of Designated Board Member positions allocated to it hereunder if (as determined by the Board) it dissolves, it is no longer active operationally, or it voluntarily elects not to exercise its right to select Designated Board Members. Effective January 1, 2014, the PRMS has lost its right as previously described to continue as a Designated Entity. For the PRMS Designated Board Member position only, the position shall remain on the Board as an At Large Board Member position, which will be filled using the Nominating Committee and the nominating/election process used to fill all other At Large Board Member positions.~~~~

~~B. The Articles of Incorporation identify by name the initial members of the Board (the “**Initial Board Members**”). As provided in the Articles of Incorporation, the Initial Board Members consist of (i) eleven (11) Designated Board Members, of whom Lakeview Museum of Arts and Sciences, an Illinois not-for-profit corporation (“**Lakeview**”), selected five (5), Caterpillar selected two (2), and AAHF, PHS, PRMS, and IHSA each selected one (1); and (ii) twelve (12) At Large Board Members, all of whom the County of Peoria, (the “**County**”), selected from a list of nominees pre-approved by the County and the Museum Collaboration Group (“**MCG**”).~~

~~From and after the Organization Date, the~~

C.B. The Board shall have the sole and exclusive right and authority to elect At-Large Board Members. The Board shall elect At-Large Board Members from nominations submitted to it by the Nominating Committee. The Board shall have the right to reject a nomination submitted to it (in which event the Nominating Committee shall submit to the Board

a new nomination if the Nominating Committee previously submitted for the position only the name of the rejected nominee) but the Board shall not have the right to elect an individual as a Board Member who the Nominating Committee did not nominate.

The Board shall elect as a Board Member ~~the~~ person ~~whose name was selected and from the slate of names~~ submitted to the Nominating Committee by the Designating Entity.

~~Between and including the Organization Date and the Opening Date, unless the Designated Entity loses its right hereunder to select and name Designated Board Members, the Designated Entities shall have the right and authority to select eleven (11) Designated Board Members, allocated as follows: Lakeview shall have the right and authority to select and name five (5) Designated Board Members, Caterpillar shall have the right and authority to select and name two (2) Designated Board Members, and AAHF, PHS, PRMS and IHSA each shall have the right and authority to select and name one (1) Designated Board Member; thereafter, after the Opening Date, the Designated Entities shall have the right and authority to select six (6) Designated Board Members, allocated as follows: Caterpillar shall have the right and authority to select and name two (2) Designated Board Members, and AAHF, PHS, PRMS and IHSA each shall have the right and authority to select and name one (1) Designated Board Member.~~

The Nominating Committee shall submit to the Board as nominations for each board position to be held by an At Large Board Member the names it selects. The Nominating Committee may submit to the Board more than one name for each At Large Board Member position to be filled. The Nominating Committee, at its sole discretion, may solicit recommendations for nominations from the Board and from individual Board Members.

Board Members must at all times be individuals of high moral and ethical standards who are committed to fulfilling the fiduciary duties of membership on the board of directors of a not-for-profit corporation, including the duties of loyalty, care, confidentiality and obedience to charitable mission, demonstrate a commitment to the charitable purposes and mission of the Corporation, possess a genuine interest in the Corporation unrelated to personal gain or influence, and embody the knowledge, skills and/or experience that will enable them to materially contribute to the Corporation's mission, including, but not limited to, experience or expertise in business.

### **Section 3. Term of Office.**

A. The Board shall divide the ~~Initial~~ Board Members into three (3) classes, designated as Class I, Class II and Class III, respectively, with each class consisting approximately of one-third of the total number of ~~Designated Board Members and one-third of the total number of At Large~~ Board Members. If the number of Designated Board Members or the number of At Large Board Members changes, the Board may apportion the resulting increase or decrease in positions among the classes so as to maintain the number of Designated Board Members and of At Large Board Members in each class as nearly as equal as possible, but in no case shall a decrease in the number of Board Members shorten the term of any incumbent Board Member.

~~B. The Board shall stagger the terms of office of the three (3) classes, so that the term of office of Board Members in Class I shall expire at the end of the first annual meeting of the Board, the term of office of Board Members in Class II shall expire at the end of the second annual meeting of the Board, and the term of office of Board Members in Class III shall expire at the end of the third annual meeting of the Board.~~

~~C.B. Board Members shall hold office until the end of the annual meeting of the Board~~Except when a Board Member resigns, Board Members shall hold office until June 30 in the year in which his or her term of office expires or until his or her successor is elected or qualified.

~~D.C. Subject to Article IV, Sections 3A and B,~~ Board Members elected at an annual meeting of the Board will take office effective July 1 immediately following the annual meeting and shall hold office for a term of three (3) years or until their successors are elected and qualified.

~~E.D. No Board Member may serve more than two (2) three (3) consecutive three (3) year terms on the Board. A Board Member who has served two (2) three (3) consecutive three (3) year terms on the Board shall be eligible to serve on the Board for an additional two (2) consecutive three (3) year terms if he or she is not on the Board for one full year. The terms of office of Board Members who serve initial staggered terms ending on the first or second annual meeting of the Board shall not be counted in determining the number of consecutive years they have served on the Board. The terms of office of Board Members who serve initial staggered terms ending on the third annual meeting of the Board shall be counted in determining the number of consecutive years they have served on the Board.~~ A Board Member elected to fill a vacancy in the position of a Board Member shall serve the remainder of the term of the Board Member he or she replaces and upon completion of that term shall be eligible to serve ~~two (2) three (3)~~ consecutive three (3) year terms.

**Section 4. Enumerated Powers.** In managing the affairs of the Corporation, the Board (among other things) shall:

A. Elect the members of the Board ~~and the Associate Board, the officers of the Corporation, other than the vice presidents of the Corporation,~~ the Board Officers (as defined below) and Directors Emeritus;

B. Appoint the At Large Board Members on the Executive Committee;

C. Remove (as deemed appropriate or as required in these ~~By-laws~~Bylaws) the members of the Board ~~and, the Associate Board, the officers of the Corporation,~~ Officers and Directors Emeritus;

D. Ratify (as deemed appropriate) the ~~appointment~~appointments of the Chair of the Board (the “**Board Chair**”) of all chairpersons and members of all standing committees of the Board (the “**Standing Committees**”), other than the Executive Committee and the Nominating Committee, and all special committees of the Board (the “**Special Committees**”);

E. Employ and dismiss the President and CEO of the Corporation (the “President”) who shall be responsible for the day-to-day management of the business of the Corporation; ~~and~~

F. Provide policy level direction to the President, either directly or through delegation of authority to Standing Committees or Special Committees of the Board;

G. Hold an annual meeting as the sole member of the Peoria Riverfront Museum Foundation (“Foundation”), at which the Foundation’s directors are elected and to regularly monitor the actions of the Foundation’s Board, including making recommendations to the Foundation’s board regarding the Foundation’s investment policy statement.

**Section 5. Vacancies.** The Board shall fill from nominations submitted to it by the Nominating Committee vacancies on the Board at a regular or special meeting of the Board, whether such vacancies occur by death, resignation, removal or an increase in the number of Board Members.

~~**Section 6. Resignation.**~~

~~**A. Section 6.**~~ A Board Member may resign at any time by submitting a written resignation to the Board or to the Board Chair. Unless made effective on a future date, the resignation shall be effective upon its delivery to the Board or to the Board Chair, and, unless otherwise specified in the resignation, need not be accepted to be effective.

~~**B.** On or before the Opening Date, Lakeview shall direct and cause its five (5) Designated Board Members who sit on the Board by reason of Lakeview’s selection to submit to the Board or to the Board Chair their written resignations, to be effective on the Opening Date. These resigning Board Members may be re-elected to an At Large Board position.~~

**Section 7. Removal.**

A. The Board alone shall have the right to remove, with or without cause, a Board Member.

B. The Board shall promptly remove a Board Member if the Peoria County Board causes to be delivered to the Board a written demand for his or her removal in which the County Board includes reliable and substantiating evidence that the Board Member willfully engaged in conduct demonstrably and materially injurious to the Corporation or to the achievement of its purposes or mission; committed an illegal, unethical or dishonest act in connection with his or her position as a Board Member; or willfully and repeatedly failed to fulfill his or her fiduciary duties of care, loyalty, confidentiality or obedience to mission to the Corporation. For purposes of clarity and the avoidance of doubt, “Board”, as used herein, means the Board of Directors of the Corporation and “County Board”, as used herein, means the Board of the County of Peoria.

C. The Board shall promptly remove the Designated Board Members selected by a Designated Entity if during the term of their office, the Designated Entity that selected them

loses its right and authority hereunder to select and name its allocated number of Designated Board Members.

**Section 8. Meetings of the Board.**

A. **Annual Meeting.** The Board shall hold an annual meeting in June of each year at a time and place designated by the Board Chair or, in the Board Chair's absence, by the Vice Chair of the Board (the "**Vice Chair**") for the purpose of electing Board Members and Board Officers (as defined herein), electing the At Large Board Members of the Executive Committee, ratifying the Board Chair's appointment of the chairs and members of the Standing Committee(s) and Special Committees, if any, setting the schedule for the next year's regular board meetings and conducting such other business as may properly come before it.

B. **Regular Meetings.** The Board shall meet at those times set at the annual meeting, or if modified at a subsequent Board meeting, at such times as set by a Board meeting. The Board shall meet at those places as are designated by the Board Chair or, in the Board Chair's absence, by the Vice Chair.

C. **Special Meetings.** The Board Chair may call a special meeting of the Board at such time and place as may be designated by the Board Chair. Notice of time and place of special meetings shall be given ~~by mail or~~ electronically at least four (4) days or by telephone at least forty-eight (48) hours prior to such meetings. The notice periods set forth in this paragraph do not apply for action taken exclusively by electronic voting as permitted in Article IV, Section 8F(4) below.

D. **Attendance.** Members shall attend Board and committee meetings regularly. Absence from three (3) consecutive Board meetings shall be equivalent to an offer to resign from the Board, which the Board may accept or reject in its sole discretion.

E. **Quorum and Manner of Action.** ~~The Board may hold meetings~~ Acting. Quorum shall be established when a majority of the Board Board Members then holding office attend a meeting, including attendance by telephone, video conference or other communications equipment by ~~means of~~ which all Board Members participating in the meeting can communicate with each other. Board Members that are in attendance of a duly held meeting may vote on all matters presented to the Board.

F. **Board Action.**

(1) The Board shall be deemed to have acted when a majority of the Board Members who are entitled to vote and who are present at a duly convened meeting of the Board at which ~~a majority of the Board Members then in office are present~~ quorum is established vote in favor of the action.

(2) ~~However, notwithstanding~~ Notwithstanding the provisions of Article IV, Section ~~8F(1)~~, the Board shall not have the right or authority to (i) ~~amend or restate the Articles of Incorporation or these Bylaws or adopt new Bylaws unless (a) the Board approves the action at a duly convened meeting of the Board by a vote of at least 75% of the Board Members then in office and (b) the County~~ Board approves the action; (ii) ~~remove a~~



Board Member from office pursuant to Article IV, Section 7, unless the Board approves the action at a duly convened meeting of the Board by a vote of at least 75% of the Board Members then in office; or (iii) elect or replace Board Members unless the Board elects or replaces the Board Member at a duly convened meeting of the Board by a vote of at least 75% of the Board Members then in office.

(3) At a Board meeting where quorum is established, the Board may defer voting on a measure at the meeting and instead vote by reasonable electronic methods, including but not limited to e-mail, and/or secure web portal, when the vote at the meeting is deemed to be impractical. The Board shall be deemed to approve such a measure when not less than a majority of the members of the Board approve the measure in writing by reasonable electronic methods.

(4) The Board may act via reasonable electronic methods without a Board meeting in accordance with this paragraph without complying with the notice provisions of Article IV, Section 8C. Board Members must receive copies of any records reasonably necessary to be considered related to the vote. For the action to be approved, at least two-thirds of the Board Members must via reasonable electronic means in writing vote to: (a) confirm that holding a special Board meeting is impractical; and (b) approve the action.

**Section 9. Periodic Reviews.** To ensure the Corporation operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, the Board shall conduct or cause to be conducted periodic reviews. The periodic reviews shall, at a minimum, whether partnerships, joint ventures, and arrangements with management organizations conform to the Corporation's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

**Section 10. Use of Outside Experts.** When conducting the periodic reviews as provided for in Article IV, Section 9, the Corporation may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring that periodic reviews are conducted.

## ARTICLE V

### Executive Committee

**Section 1. Composition.** The Board, at its sole election, may organize and appoint an Executive Committee. The Executive Committee, if organized, shall be comprised of the Board Chair, the Vice-Chair, the Secretary of the Board, (the "Secretary"), the Treasurer of the Board (the "Treasurer") of the Board and three (3) Board Members appointed by the Board; ~~provided, however, at least four (4) members of the Executive Committee shall be At Large Board Members.~~ The President shall serve as a non-voting member of the Executive Committee, provided however, that the President may be excused by the Executive Committee from any discussion of issues concerning the President's tenure or performance. The Board Chair shall be the chairperson of the Executive Committee. The Board shall fill vacancies on the

Executive Committee. All Committee Chairs may attend Executive Committee meetings, however, ~~they~~Committee Chairs that are not on the Executive Committee shall have no vote.

**Section 2. Enumerated Powers.** The Executive Committee shall conduct all necessary or timely business, ~~including expenditures not to exceed \$35,000 in value,~~ between meetings of the Board, subject in each instance to ratification by the Board at its next meeting. The Board shall not unreasonably withhold ratification. The Executive Committee shall also be responsible for developing the long-range and short-range plans for the Corporation including facility planning.

**Section 3. Limitations.** Notwithstanding anything to the contrary in these Bylaws, the Executive Committee may not adopt a plan for the distribution of the assets of the Corporation, or for dissolution; fill vacancies on the Board or any of its committees; elect, appoint or remove any officer, Board Member or, member of any committee, or fix the compensation of any member of a committee; amend or restate the Articles of Incorporation or these Bylaws or adopt new Bylaws; adopt a plan of merger or adopt a plan of consolidation with another corporation, or authorize the sale, lease, exchange or mortgage of all or substantially all of the property or assets of the Corporation; amend, alter, repeal or take action inconsistent with any resolutions or actions of the Board when the resolution or action of the Board provides by its terms that it shall not be amended, altered or repealed by action of a committee; sue another entity; change a Board-approved budget; or adopt or eliminate major programs.

**Section 4. Actions—Quorum and Actions.** Quorum shall be established when a majority of the Executive Committee then holding office attend a meeting, including attendance by telephone, video conference or other communications equipment by which all Executive Committee members participating in the meeting can communicate with each other. The Executive Committee shall be deemed to have acted when a majority of the members of the Executive Committee who are entitled to vote and who are present in attendance at a duly convened meeting of the Executive Committee at which ~~a majority of the members of the Executive Committee then in office are present~~quorum is established vote in favor of the action. ~~The Executive Committee may allow its members to attend meetings of the Executive Committee by telephone or other communications equipment by which all Executive Committee members participating in the meeting can communicate with each other. Committee Members attending by telephone or other communications equipment permitted hereunder count towards the existence of a quorum and may vote on all matters presented to the Committee.~~

**Section 5. Bylaw Changes.** The Executive Committee shall monitor the continuing appropriateness of these Bylaws and make recommendations to the Board for changes as necessary.

**Section 6. Meetings and Reports.** The chairperson of the Executive Committee shall report the actions of the Executive Committee to the Board at its next meeting. ~~The~~ Executive Committee shall meet at the call of the Board Chair as necessary to transact business.

**Section 7. Personnel Oversight.** The Executive Committee shall review salary structure and benefits package to determine whether they are reasonable based on competent survey information and the result of arm's length bargaining, develop a philosophy and strategy

on volunteer involvement, review complaints arising under the Corporation's Whistleblower Policy and draft, revise, and monitor personnel policies and procedures for the Corporation.

## ARTICLE VI

### Officers

#### Section 1. Officers.

A. The Board officers of the Corporation (the “**Board Officers**”) shall be the Board Chair, the Vice-Chair, the Secretary, and the Treasurer, and such other officers as the Board may elect from time to time to carry out the business affairs of the Corporation. The Board, at ~~the organizational meeting of the Board and at~~ each annual meeting of the Board thereafter, shall elect the Board Officers from among Board Members.- The Board, at its sole election, may request the Nominating Committee to submit to the Board the names of candidates for one or more Board Officer positions. An individual shall be eligible to serve as a Board Officer only if and for so long as he or she is a Board Member. The Board alone shall have the right to remove, with or without cause, a Board Officer.

B. The corporate officers of the Corporation (the “**Corporate Officers**”) shall be the President and one or more vice presidents as the President may from time to time deem necessary for the proper and effective management of the business and operations of the Corporation. The Board shall elect the President, who shall serve at the pleasure of the Board. The Board, at its sole election, may request the Nominating Committee to submit to the Board the names of candidates for the position of President. An individual shall not be eligible to serve as the President if he or she is a Board Member. The Board alone shall have the right to remove the President, with or without cause, provided his or her removal shall not affect any rights the President may have under contract with the Corporation.

The President, with the advice of the Board, may appoint and hire one or more vice-presidents as he or she may from time to time deem necessary for the proper and efficient management of the business and operations of the Corporation. The President shall present such candidates for the position of vice president to the Board. The President shall annually review the performance of his or her direct reports with the Board. The President shall have the right to remove a vice-president, with or without cause, provided his or her removal shall not affect any rights the vice president may have under contract with the Corporation.

#### ~~Section 2.~~ Term of Office.

~~A.—Board Officers elected at the organizational meeting of the Board shall hold office until the end of the first annual meeting of the Board or until their successors are elected and qualified.~~

~~B.—Board Officers elected at an annual meeting of the Board shall hold office for a term of one (1) year or until their successors are elected and qualified, which term of office shall begin at the end on July 1 of the annual meeting of the Board year at which they are he or she is elected.~~

~~**C. Section 2.** No Board Officer may serve more than three (3) consecutive one (1) year terms in the same office. However, upon recommendation of the Nominating Committee and approval by the Board, the term of the Board Chair may be extended for a single additional one (1) year term. The term of office of Board Officers who serve initial terms ending on the first annual meeting of the Board shall not be counted in determining the number of consecutive years they have served. A Board Officer elected to fill a vacancy shall serve the remainder of the term of the Board Officer he or she replaces and upon completion of that term shall be eligible to serve three (3) consecutive one (1) year terms in the same office.~~

**Section 3. Vacancies.** The Board shall promptly fill vacancies in officer positions at a regular or special meeting of the Board, whether such vacancies occur by death, resignation or removal. The Board, at its sole election, may request the Nominating Committee to submit to the Board the names of candidates for a vacated officer position. The individual elected shall serve the remainder of the term of the individual he or she replace(s). The individual elected shall assume all duties immediately upon being elected by the Board.

**Section 4. Duties and Powers.** Officers shall perform the duties and exercise the powers described in these Bylaws and ~~incidents~~ such other powers reasonably related to the offices they hold. These duties and powers shall include, but not be limited to, the following:

A. President shall:

- (1) Be the principal officer of the Corporation; and
- (2) Be an ex-officio non-voting member of every committee except the Nominating Committee;

B. The Board Chair shall:

- (1) Preside at all meetings of the Board; and the Executive Committee; ~~and the Associate Board;~~
- (2) Serve as the chair of the Executive Committee;
- (3) Appoint Standing Committee chairs (except the Executive Committee and the Finance Committee) and members, and create ~~special committees~~ Special Committees and appoint the chairs and members of each, in ~~each instance subject to ratification by the Board~~ accordance with Article VIII of these Bylaws;
- (4) Implement procedures for evaluation and remuneration of the President;
- (5) Appoint legal counsel, subject to ratification by the Board, and require legal counsel to attend meetings of the Board as necessary.

C. The Vice Chair shall:

(1) Assume such duties as may be assigned by the Board, the Executive Committee, or the Board Chair; and

(2) In the absence of the Board Chair, preside at all meetings of the Board, ~~and the~~ Executive Committee, ~~and Associate Board~~.

**D.** The Secretary shall:

(1) Supervise the recording of all proceedings of all meetings of the Board;

(2) ~~Cause~~ Supervise the provision of notice to be given of meetings as provided in these Bylaws;

(3) When required, certify the Bylaws and resolutions of the Board and committees thereof and other documents of the Corporation as true and correct copies thereof; and

(4) Perform such duties as assigned by the Board, Executive Committee, or Board Chair.

**E.** The Treasurer shall:

(1) ~~Be custodian~~ Regularly monitor the Vice President of Finance and Chief Financial Officer regarding the custody of all the Corporation's funds and cause such, including making recommendations to the Board as to how the Corporation's funds to be properly kept and invested;

(2) ~~Supervise~~ Regularly monitor the method of all record keeping, showing receipts, disbursements, and balances on hand;

(3) Make a financial report at each meeting of the Board;

(4) Serve as chairperson of the Finance Committee; ~~and~~

~~(5)~~ Coordinate at least one meeting with the chair of the Board of Directors of the Peoria Riverfront Museum Foundation ("Foundation") to discuss the Foundation's endowment and the Foundation's investment policy; and

(6) Perform such duties as assigned by the Board, Executive Committee, or Board Chair.

## ARTICLE VII

### Director(s) Emeritus

The Board may elect from time-to-time non-voting honorary Director(s) Emeritus. Directors Emeritus shall not be counted in determining a quorum of the Board, but will be sent

notices of Board meetings and minutes of Board meetings and events, and will be invited to attend and participate in Board meetings and events unless the Board by resolution decides to the contrary. The Board alone shall have the right to remove, with or without cause, a Director Emeritus.

## ~~ARTICLE VIII~~

### ~~Associate Board~~

~~**Section 1. — Composition.** The Associate Board shall consist of no more than one hundred (100) non-voting honorary Associate Directors nominated by the Nominating Committee and elected by the Board. The Board Chair, or his or her designate, shall serve as chairperson for the Associate Board. Associate Board members shall be comprised of individuals who support the mission of the Corporation and may include past chairs, major donors, community officials, and others. Associate Board members shall not be Board Members and shall not be entitled to (i) receive notice of Board meetings, (ii) attend Board meetings, or (iii) review minutes of Board meetings. The Board alone shall have the right to remove, with or without cause, an Associate Director.~~

~~**Section 2. — Term of Office.** The term of office of an Associate Board member shall be three (3) years. Associate Board members may be re-elected for any number of additional terms.~~

~~**Section 3. — Functions.** The members of the Associate Board shall:~~

- ~~A. — Be eligible to serve as voting members on Standing Committees;~~
- ~~B. — Serve as ambassadors at Corporation functions;~~
- ~~C. — Serve as advocates for the Corporation in the community.~~

~~**Section 4. — Meetings.** The Associate Board shall hold two (2) regular meetings per year: one immediately after the annual meeting of the Board in June and a report and update meeting at a mutually agreed upon date during the course of the Corporation's fiscal year.~~

## ~~ARTICLE IX~~ARTICLE VIII

### Other Committees

**Section 1. Standing and Special Committees.** In addition to the Executive Committee, the Standing Committees shall be as follows:

- A. Collections
- B. Development
- C. Education and Exhibitions
- D. Finance

- E. Nominating
- ~~F. Building and Grounds~~
- ~~G. Marketing and Communication~~
- ~~H. Human Resources~~
- I.F. Audit/Compliance

The Board may organize additional Standing Committees from time to time, and may also organize one or more Special Committees. Other than the Executive Committee ~~and the Nominating Committee~~, all committees shall be advisory.

**Section 2. Characteristics of Standing and Special Committees.**

A. The Board shall determine from time to time the size of each committee, other than the Nominating Committee ~~and the Executive Committee~~. Each committee (other than the Nominating Committee, Executive Committee and the Audit/Compliance Committee) shall consist of at least three (3) Board Members, each of whom shall be a voting member of the committee. ~~Each committee (other than the Nominating Committee and the Audit/Compliance Committee) may also include one (1) or more Associate Board Members, each of whom shall be a voting member, and one (1) or more individuals who are not Board Members or Associate Board Members, each of whom shall be a voting member; provided that a majority of the committee members of any such committee shall be Board Members-, provided, however, that a member of a Special Committee may continue to serve on the committee even though he or she is no longer a Board Member until the Special Committee has finished its work or been dissolved by the Board.~~ All committee members shall serve at the pleasure of the Board. The Nominating Committee shall consist of four (4) Board Members.

B. The Board shall annually appoint the members of the Nominating Committee, which shall at all times consist of ~~one (two~~ (2) Board ~~Member selected by Caterpillar, one (1) Board Member~~Members selected by the Board Chair, and two (2) Board Members selected by the County Board chair.

C. The Board Chair shall annually appoint the ~~chair and~~ members of each committee (other than the Nominating Committee). The Board Chair's appointments shall become effective upon their ratification by the Board.

D. The Board shall have the right and authority to remove and replace a member of the Nominating Committee, with or without cause. If the Board removes a member of the Nominating Committee, it shall appoint as a replacement a Board Member selected by ~~Caterpillar (if Caterpillar selected the removed member), a Board Member selected by~~ the Board Chair (if the Board Chair selected the removed member), or a Board Member selected by the County Board chair (if the County Board chair selected the removed member.)

E. The Board Chair shall have the right and authority to recommend removal and replacement of a member of any committee (other than the Nominating Committee), subject to Board ratification.

F. The Board Chair shall appoint the chairperson of each committee, including the Nominating Committee, from among the Board Members who are members of the committee.

G. Each committee ~~(other than the Nominating Committee)~~ shall be deemed to have acted when a majority of the voting members of the committee who are entitled to vote and who are present in attendance at a duly convened meeting of the committee at which a majority of the voting members of the committee then in office are present in attendance vote in favor of the action.

~~H. The Nominating Committee shall be deemed to have acted when all four (4) members of the committee vote in favor of the action at a duly convened meeting of the committees at which all four (4) members are present.~~

~~I. Committee members elected at the organizational meeting of the Board shall hold office until the first annual meeting of the Board or until their successors are elected and qualified.~~

J.H. Unless removed or replaced, committee members elected at an annual meeting of the Board shall hold office for a term of one (1) year or until their successors are elected and qualified. Committee members may serve any number of terms as determined by the Board from time to time. A committee member elected to fill a vacancy shall serve the remainder of the term of the committee member he or she replaces and upon completion of that term shall be eligible to be re-elected for any number of additional terms.

I. A committee may solicit the opinion of outside experts in fulfilling the committee's purposes, provided that any paid engagement shall be approved by the Board.

### **Section 3. Functions.**

A. Collections Committee: The Collections Committee shall ~~work with and advise~~ monitor the methods of which the professional staff use:

(1) In acquiring high-quality works of art, scientific materials, historical items, and items of significant achievement for use in exhibitions, education, and research; and

(2) In documenting, curating, conserving, and making accessible collections which fulfill the purposes and mission of the Corporation.

The Collections Committee shall review all accessions and deaccessions and shall submit to the Board its ~~comments~~ recommendations on the same.

B. Development Committee: The Development Committee shall support staff to raise monies from diverse sources to support the purposes, mission and operations of the Corporation.



C. Education and Exhibitions Committee: The Education and Exhibitions Committee shall evaluate, adapt, and improve the arts, sciences, history and achievement of educational programming of the Corporation and review the form and content of the Corporation's permanent exhibitions with the President and professional staff. The Committee shall also review annually the proposed exhibition schedule presented by the President.

D. Finance Committee: The Finance Committee shall provide general supervision of the financial affairs of the Corporation. Its duties shall include the examination and consideration of the annual budget as initially prepared by the President; and designated vice presidents. The Finance Committee shall present the budget for final approval to the Board.

E. Nominating Committee: The Nominating Committee shall:

(1) At least thirty (30) days prior to the date of the annual meeting of the Board, present to the Board a slate of candidates prepared by it to fill the offices of At Large Board Members whose terms are scheduled to expire;

(2) At least thirty (30) days prior to the date of the annual meeting of the Board, present to the Board a slate of candidates prepared by the Designated Entities to fill the offices of the Designated Board Members whose terms of office are scheduled to expire;

~~(3) At least thirty (30) days prior to the date of the annual meeting of the Board, present to the Board a slate of candidates for positions on the Associate Board;~~

~~(4)~~(3) Within thirty (30) days after the date on which the office of an At Large Board Member becomes vacant, present to the Board a slate of candidates prepared by it to fill the vacancy;

~~(5)~~(4) Within thirty (30) days after the date on which the office of a Designated Board Member becomes vacant, present to the Board a slate of candidates prepared by the Designated Entity;

~~(6)~~(5) Within thirty (30) days after the date on which it receives the request of the Board, present to the Board a slate of candidates to fill the office of a Board Officer whose term of office is scheduled to expire or whose office has become vacant; and

~~(7)~~(6) Within ninety (90) days after the date on which it receives the request of the Board, present to the Board a slate of candidates to fill the office of the President.

Notwithstanding anything to the contrary in these Bylaws, the Nominating Committee shall not place in nomination for any position the name of any individual who has not consented.

~~F. Building and Grounds Committee: The Building and Grounds Committee shall oversee all new construction, rehabilitation and repairs of the Corporation's facilities.~~

~~G. Marketing and Communications Committee: The Marketing and Communications Committee shall support the mission of the Corporation through marketing strategies and policies;~~

~~H. Human Resources Committee: The responsibilities of the Human Resources Committee are to review job descriptions for management staff, establish and annually review a salary structure, review the benefits package, develop a philosophy and strategy on volunteer involvement, and draft, revise, and monitor personnel policies and procedures for the Corporation.~~

**IF.** Audit/Compliance Committee: The Audit/Compliance Committee consists of no more than five persons, all of whom serve on the Board and none of whom are on the Finance Committee or are staff. -The role of the Audit/Compliance Committee is to interview auditors, to recommend to the Board the selection of an auditor, to review the auditor's yearly financial audit, letters, and reports and make any recommendations deemed appropriate, to meet with the auditor and respond to the auditor's recommendations, to review on a regular basis any issues involving compliance with legal or financial requirements or standards involving the Museum, ~~to review complaints arising under the Museum's Whistleblower Policy,~~ and to make recommendations for the resolution thereof to the Board of Directors.

**JG.** Special Committees: The Board shall determine the functions of Special Committees when it organizes them.

**Section 4. Meetings.** ~~Unless otherwise determined by the Board, the Finance Committee and the Building and Grounds Committee shall meet monthly; the Education & Exhibitions Committee and the Collections Committees shall meet bi-monthly; and the Development Committee, the Nominating Committee, the Marketing and Communications Committee and all other committees shall meet~~ as necessary as determined by the Board or the chairperson of the ~~Committee~~committee. Committees may allow committee members to attend committee meetings by telephone, video conference or other communications equipment by which all committee members participating in the meeting can communicate with each other. Committee ~~Members~~members attending by telephone, video conference or other communications equipment permitted hereunder count towards the existence of a quorum and may vote on all matters presented to the ~~Committee~~committee.

## ~~ARTICLE X~~ARTICLE IX

### Conflict of Interest Policy

**Section 1. Purpose.** The purpose of this conflict of interest policy is to protect the Corporation when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or Board Member of the Corporation or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflicts of interest applicable to the Corporation.

**Section 2. Definitions.**

**A. Interested Person.** Any Board Member, principal officer, or member of a committee, who has a direct or indirect financial interest, as defined below, is an interested person.

**B. Financial Interest.** A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

(1) An ownership or investment interest in any entity with which the Corporation has a transaction or arrangement;

(2) A compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement; or

(3) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Section 3, Subparagraph B, a person who has a financial interest may have a conflict of interest only if the Board or a committee decides that a conflict of interest exists.

### **Section 3. Procedures.**

**A. Duty to Disclose.** In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Board Members and members of the committees considering the proposed transaction or arrangement.

**B. Determining Whether a Conflict of Interest Exists.** After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he or she shall leave the Board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board Members or committee members shall decide if a conflict of interest exists.

**C. Procedures for Addressing the Conflict of Interest.**

(1) An interested person may make a presentation at the Board or committee meeting, but after the presentation, he or she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

(2) The Board Chair or the chairperson of the committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

(3) After exercising due diligence, the Board or committee shall determine whether the Corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

(4) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Corporation's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

**D. Violations of the Conflicts of Interest Policy.**

(1) If the Board or committee has reasonable cause to believe a Board Member or a committee member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

(2) If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action, including, but not limited to, removal of the member.

**Section 4. Records of Proceedings.** The minutes of the Board and all committees shall contain:

A. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board's or committee's decision as to whether a conflict of interest in fact existed.

B. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

**Section 5. Compensation.**

A. A Board Member who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

B. A committee member whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

C. A Board Member or committee member whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

**Section 6. Annual Statements.** Each Board Member, principal officer and committee member shall annually sign a statement which affirms such person:

- A. Has received a copy of the conflicts of interest policy;
- B. Has read and understands the policy;
- C. Has agreed to comply with the policy; and
- D. Understands the Corporation is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

~~**Section 7. Periodic Reviews.** To ensure the Corporation operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, the Board shall conduct or cause to be conducted periodic reviews. The periodic reviews shall, at a minimum, include the following subjects:~~

~~A. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.~~

~~**Section 1. Whether** partnerships, joint ventures, and arrangements with management organizations conform to the Corporation's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.~~

~~**Section 8. Section 1. Use of Outside Experts.** When conducting the periodic reviews as provided for in Article X, Section 7, the Corporation may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring that periodic reviews are conducted.~~

## ARTICLE XIARTICLE X

### Contributions and Depositories

**Section 1. Contributions.** The Board may accept any contribution, gift, bequest or devise on behalf of the Corporation. Any contribution, bequest, gift or devise made to the Corporation shall be accepted or collected and deposited only in such a manner ~~as shall be designated~~that is consistent with the contribution policy adopted by the Board and shall be used only as legally appropriate.

**Section 2. Depositories.** The Board shall be made aware of what depositories have been selected by the Finance Committee for use by the Corporation. Such depositories shall be located and authorized to transact business in the State of Illinois.

**Section 3. Checks and Drafts.** All checks, drafts or other orders concerning the payment of money, notes, or other evidence of indebtedness issued in the name of the Corporation must be signed by such officer or other agent of the Corporation and in such manner as ~~may~~ shall be ~~periodically~~ determined by ~~resolution of an annually approved policy adopted by~~ the Board. In the absence of such a determination by the Board, such instruments will be signed by the Treasurer and countersigned by the Board Chair.

## ~~ARTICLE XI~~ ARTICLE XI

### **Contracts and Debts**

All contracts may be executed only as directed by the Board: pursuant to an annually approved policy. In the absence of such a ~~determination~~ policy by the Board, the President shall be authorized to execute, in the name of the Corporation, all contracts or other instruments so approved by the Board and the Secretary shall attest to the same.

## ~~ARTICLE XII~~ ARTICLE XII

### **Financial Examination**

Annual examination of the financial accounts of the Corporation shall be made by an independent auditor appointed by the Board.

## ~~ARTICLE XIII~~ ARTICLE XIII

### **Fiscal Year**

The Company shall operate on a fiscal year ~~determined by the Board from time to time~~ with the last day of the fiscal year being June 30.

## ~~ARTICLE XIV~~ ARTICLE XIV

### **Corporate Seal**

~~The Corporate Seal shall have inscribed thereon the name of the Corporation, "Peoria Riverfront Museum," and the words, "Corporate Seal, Illinois."~~

The Corporation shall not have a corporate seal.

~~ARTICLE XVI~~ARTICLE XV

**Amendments and Suspension of ~~By-laws~~Bylaws**

The Board shall have the sole right and authority to amend or restate the Articles of Incorporation or these Bylaws, or adopt new Bylaws; provided, however, it may not amend or restate the Articles of Incorporation or these Bylaws, or adopt new Bylaws, unless (i) the Board approves the amendment or restatement of the Articles of Incorporation or these Bylaws, or the adoption of new Bylaws, by a vote of at least 75% of the Board Members then in office at a duly convened meeting of the Board held at least thirty (30) days after the date the Board mailed or provided electronically to all Board Members a copy of the proposed amendment to or restatement of the Articles of Incorporation or these Bylaws or a copy of the proposed new Bylaws and (ii) the County Board approves the proposed amendment to or restatement of the Articles of Incorporation or these Bylaws or the proposed new Bylaws.

The Board may not vote to suspend the ~~By-laws~~Bylaws.

~~ARTICLE XVII~~ARTICLE XVI

**Waiver of Notice**

Whenever any notice is required to be delivered under the *General Not-For-Profit Corporation Act of 1986 of the State of Illinois*, the Articles of Incorporation, or these Bylaws, a waiver thereof, in writing, signed by the person entitled to such a notice, whether prior or subsequent to the time stated therein, will be deemed equivalent to the delivery of such notice.

~~ARTICLE XVIII~~ARTICLE XVII

**Indemnification**

**Section 1. Indemnification.** The Corporation shall indemnify each officer, Board Member, employee or agent of the Corporation to the full extent permitted under the *General Not-For-Profit Corporation Act of 1986 of the State of Illinois* as may be in effect from time to time.

**Section 2. Insurance.** The Corporation shall purchase and maintain insurance covering the liability of its officers, Board Members, employees, and agents to the extent permitted under the *General Not-For-Profit Corporation Act of 1986 of the State of Illinois*, or other applicable statutes of the State of Illinois as may be in effect from time to time.

**ARTICLE XIX**

**Membership Requirement**

~~All members of the Board, Associate Board, and any of the Corporation's committees,~~  
All Board Members shall at all times be a member (at any level) of the Peoria Riverfront

Museum. Failure of a Board Member, ~~Associate Board Member, or committee member~~ to be a member (at any level) of the Peoria Riverfront Museum shall be a basis for removal.



TO THE HONORABLE COUNTY BOARD )  
 )  
COUNTY OF PEORIA, ILLINOIS )

Your Executive Committee does hereby recommend passage of the following Resolution.

Re: Amendment No. 2 to the By-laws of the Peoria Riverfront Museum Board of Directors

**RESOLUTION**

**WHEREAS**, the Capital Facility Development, Lease and Operating Agreement ("Agreement") between the County of Peoria ("County") and the Peoria Riverfront Museum ("PRM") became effective September 30, 2010; and

**WHEREAS**, the Agreement, as amended, governs the relationship between the County as owner and the PRM as tenant of the museum property; and

**WHEREAS**, the PRM Board, as stipulated in Article 7, Section 7.03(b) of the Agreement, cannot amend its by-laws without prior written consent of the Peoria County Board; and

**WHEREAS**, the PRM Board desires to amend their by-laws as described in the attached, Amendment No. 2; and

**WHEREAS**, your Committee recommends approval of Amendment No. 2 to PRM Board of Directors By-laws.

**NOW, THEREFORE, BE IT RESOLVED** that the Peoria County Board hereby approves and gives written consent by adoption of this Resolution for the PRM Board of Directors to amend their By-laws as shown in the attached, Amendment No. 2.

RESPECTFULLY SUBMITTED,  
EXECUTIVE COMMITTEE

## AGENDA BRIEFING

COMMITTEE: Executive Committee  
MEETING DATE: March 1, 2022

LINE ITEM: 082-5-082-7-734-53047  
AMOUNT: \$200,000

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ISSUE: Proposed civil litigation settlement

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### BACKGROUND/DISCUSSION:

Circuit Court civil case number 17-L-14 is a piece of civil court litigation involving alleged violations of the Nursing Home Care Act arising out of an incident with a resident at Heddington Oaks. The parties have reached an agreement to settle for \$200,000 pending Board approval.

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### COUNTY BOARD GOALS:



**HIGH PERFORMING PUBLIC ORGANIZATION**

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### STAFF RECOMMENDATION:

Approve the settlement authority requested.

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### COMMITTEE ACTION:

APPROVED 3/1/21 (14-0 VOTES) MR. ROSENBOHM VOTED AYE VIA TELECONFERENCE; MR. RIEKER ABSENT

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PREPARED BY: Jennie Cordis Boswell, Assistant State's Attorney

DEPARTMENT: State's Attorney's Office

DATE: February 25, 2022



## AGENDA BRIEFING

<b>COMMITTEE:</b>	Finance, Audit, and Legislative Affairs Committee	<b>LINE ITEM:</b>	n/a
<b>MEETING DATE:</b>	March 1, 2022	<b>AMOUNT:</b>	n/a

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**ISSUE:** Approval of an Ordinance authorizing the sale of refunding bonds to refund the outstanding portion of the County's 2011 bonds as tax exempt

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**BACKGROUND:** In September 2011, Peoria County issued \$42,000,000 of general obligation bonds (alternate revenue source) to finance a new Peoria County nursing home and related facilities, improvements, and costs. The bonds will mature on December 1, 2042. A total of \$2,050,000 of principal has been paid off to date. A total of \$19,263,228.85 of interest has been paid on these bonds to date.

The Peoria County Board and Administration has been dedicated to the success of Heddington Oaks and taken proactive measures to re-establish financial solvency. However, after multiple failed attempts to gain financial solvency through innovative and diverse measures, the County Board made the tough decision to close the facility and take steps towards selling the building in the spring of 2020. The County had all residents moved out by August 2020, officially closing its doors thereafter.

The debt for Heddington Oaks has been callable since December 2020 and will provide opportunity to restructure the debt service payment to match the \$0.06 pennies per \$100 assessed value that the Peoria County residents voted for in 2003 to support the nursing home services. Peoria County voters had approved four prior referenda related to nursing home services and voter approval was again needed to “sell or dispose of” the assets of Heddington Oaks. The County Board presented the voters with this question on the ballot for the November 3, 2020 general election. Voter approval was granted, and thus, the Board is seeking to sell the facility. Since the passing of the referendum at the 2020 general election, the County Board and staff has put forth effort to sell the building. It is the County Board’s intent to use the proceeds of any sale to decrease the amount of the principal refunded.

The series 2011 coupons range from 3 to 4.5%. The County qualified under the IRS guidelines to issue tax-exempt bonds for the original purpose of the building. However, in order to refund the bonds as tax-exempt, the buyer of the building would also have to qualify under the IRS guidelines for tax-exempt status, most commonly known as a qualified 501(c)(3) status. The County adopted an authorizing ordinance on July 9, 2020, authorizing the County to refund the bonds as taxable; this ordinance is good for three years. The County previously did not have high confidence that a buyer with tax-exempt status would be identified. Staff is recommending the County Board pass this additional authorizing ordinance to allow the refunding of tax-exempt bonds. This ordinance authorizes the County to sell to a buyer that would qualify as tax-exempt under the IRS guidelines. Selling the bonds as tax exempt would allow the County to refund the bonds at lower interest rates than a taxable refunding.

The levy for the nursing home bonds is set at \$0.06 pennies per \$100 of assessed value. The annual revenue for property tax in the nursing home fund was \$1,990,216 in 2021 and \$2,014,064 in 2020, a decrease of \$23,848 or 1.2%. With the trend of rising prices in the real estate industry, this negative decline in EAV is now positive; however, the increase in property tax revenues will not be high enough to cover the annual debt service payment. The annual debt service payment for 2021 was \$2,458,581 and in 2020, it was \$2,373,581. The revenue shortfall from property taxes was covered by a transfer from the Public Facilities Sales tax fund in the amount of \$359,517 for 2020, \$468,365 in 2021, and is budgeted at \$576,920 in 2022. A total of \$917,439 has been transferred to date from the Public Safety Facilities sales tax fund to make up for the shortfalls in property taxes

to cover the annual debt service payments. With the decrease in property values, it is estimated that the property tax revenue to pay these bonds will slowly erode, whereas the annual debt service requirement will increase by another \$507,337 by 2023. Any revenue shortfall in property taxes will be covered first by the Public Facilities Sales Tax, and then the General fund. The Public Facilities Sales tax not used for debt service repayment is used to fund pay –as-you-go capital.

In order to keep the refinanced debt within the \$0.06 penny limit, the County will need to restructure the debt. The buyer of the facility will impact the debt restructuring requirements based on whether or not we can refund the debt as tax-exempt or taxable. Due to several unknown factors, it is not responsible to provide an estimated savings or costs of restructuring and refinancing of the 2011 nursing home bonds. Factors that come into play in how the debt will be restructured vary by the current market rates, taxable versus tax-exempt status, the County’s bond rating, the proceeds from the sale, the amount the County pays down in additional principal, as well as the timing of the closing. Staff is committed to finding the best solution to stay within the \$0.06 penny limit.

As time has passed since the last authorizing ordinance, staff has been in routine communication with our financial advisors as to what the best course of action would be. The County Board will continue to be informed as decisions are needed regarding calling the debt and restructuring the bonds which will best suit the county.

Attached is the ordinance permitting the County to refinance the bonds as tax-exempt. This ordinance will be valid for 3 years from the date of adoption. This will provide the County time to close a sale and strategically refinance the debt with the best solution to match the \$0.06 tax levy. Once the County accepts an offer and selects a closing date, an additional ordinance will be submitted to the County Board to authorize the refunding of the debt. At that time, the County Board will be informed as to the financial impact of that decision, and the County’s options to keep the debt under the \$0.06 tax levy threshold.

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**COUNTY BOARD GOALS:**



**HIGH PERFORMING PUBLIC ORGANIZATION**

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**STAFF RECOMMENDATION:**

**APPROVAL**

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**COMMITTEE ACTION:**

Approved 3/1/22 (14-0 votes) Mr. Rosenbohm voted aye via teleconference; Mr. Rieker absent

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**PREPARED BY:** Heather McCord, Chief Financial Officer and Julie Kusturin, Assistant Chief Financial Officer  
**DEPARTMENT:** Finance  
**DATE:** February 16, 2022

MINUTES of a regular public meeting of the County Board of The County of Peoria, Illinois, held at the Peoria County Courthouse, County Board Room 403, 324 Main Street, Peoria, Illinois, in said County at 6:00 o'clock P.M., on the 10th day of March, 2022.

\* \* \*

The Chairman called the meeting to order and directed the County Clerk to call the roll.

Upon the roll being called, Andrew A. Rand, the Chairman of the County Board, and the following County Board Members answered present: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following County Board Members were allowed by a majority of the members of the County Board in accordance with and to the extent allowed by rules adopted by the County Board to attend the meeting by video or audio conference: \_\_\_\_\_

\_\_\_\_\_

No County Board Member was not permitted to attend the meeting by video or audio conference.

The following County Board Members were absent and did not participate in the meeting in any manner or to any extent whatsoever: \_\_\_\_\_

\_\_\_\_\_

The Chairman announced that the next item of business before the Board was consideration of the authorization of general obligation alternate revenue source refunding bonds in order to refinance bonds previously issued by the County to finance a new senior care facility, and related improvements, facilities and costs in the County, pursuant to the Local Government Debt Reform Act, and directing the publication of a notice setting forth the determination of the County Board to issue such bonds.

Whereupon County Board Member \_\_\_\_\_ presented and the County Clerk read by title an ordinance as follows, copies of which were provided to everyone in attendance at said meeting who requested a copy:

**ORDINANCE NO. \_\_\_\_**

AN ORDINANCE authorizing the issuance by The County of Peoria, Illinois, of General Obligation Refunding Bonds (Alternate Revenue Source) in an aggregate principal amount not to exceed \$42,000,000 for the purpose of refunding bonds heretofore issued to finance a new senior care facility, and related improvements, facilities and costs in said County.

\* \* \*

WHEREAS, The County of Peoria, Illinois (the "*County*"), is a duly organized and existing unit of local government created and existing under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Counties Code of the State of Illinois, as amended (the "*Counties Code*"); and

WHEREAS, the County has heretofore issued and now has outstanding General Obligation Bonds (Alternate Revenue Source), Series 2011 (the "*Outstanding Bonds*"), in accordance with the Local Government Debt Reform Act of the State of Illinois, as amended (the "*Act*"), that were issued to finance a new senior care facility, and related improvements, facilities and costs in the County; and

WHEREAS, the County Board of the County (the "*County Board*") has determined that it is advisable, necessary and in the best interests of the County to refund all or a portion of the Outstanding Bonds at an estimated cost of not more than \$42,000,000 (the "*Refunding*"); and

WHEREAS, the estimated cost of the Refunding, as aforesaid, including, legal, financial, bond discount, printing and publication costs and other expenses is expected to be paid for from the proceeds of alternate bonds authorized to be issued at this time pursuant to the Act; and

WHEREAS, it is necessary and for the best interests of the County that the Refunding be undertaken and in order to raise the funds required for such purpose it will be necessary for the County to borrow an amount not to exceed \$42,000,000, and in evidence thereof to issue



alternate bonds in an aggregate principal amount not to exceed \$42,000,000, all in accordance with the Act; and

WHEREAS, said alternate bonds shall be general obligation bonds of the County with the revenue source to be used to pay the principal of and interest on such alternate bonds being receipts from a referendum approved county nursing home property tax (together, the “*Pledged Revenues*”); and

WHEREAS, if the Pledged Revenues are insufficient to pay the alternate bonds, ad valorem property taxes upon all taxable property in the County without limitation as to rate or amount are authorized to be extended to pay the principal of and interest on the alternate bonds:

NOW, THEREFORE, Be It and It Is Hereby Ordained by the County Board of The County of Peoria, Illinois, as follows:

*Section 1. Incorporation of Preambles.* The County Board hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

*Section 2. Determination To Issue Bonds.* It is necessary and in the best interests of the County to undertake the Refunding, as described in the preambles, and for the purpose of paying the cost thereof alternate bonds of the County are hereby authorized to be issued and sold in an aggregate principal amount not to exceed \$42,000,000, to be known as General Obligation Refunding Bonds (Alternate Revenue Source) (the “*Bonds*”) and bearing such series designation as may be appropriate.

*Section 3. Publication.* This Ordinance, together with a notice in the statutory form, shall be published in a newspaper of general circulation in the County. If no petition, signed by electors numbering 7.5% of the registered voters in the County (*i.e.*, \_\_\_\_\_ electors) asking that the issuance of the Bonds be submitted to referendum, is filed with County Clerk within thirty

(30) days after the date of the publication of this Ordinance and said notice, then the Bonds shall be authorized to be issued.

*Section 4. Additional Ordinances.* If no petition meeting the requirements of applicable law is filed during the petition period hereinabove referred to, then the County Board may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Bonds, and prescribing all the details of the Bonds, so long as the maximum aggregate principal amount of the Bonds as set forth in this Ordinance is not exceeded and there is no material change in the Refunding or purposes described herein. Such additional ordinances or proceedings shall in all instances become effective immediately without publication or posting or any further act or requirement. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the County to issue the Bonds in accordance with applicable law.

*Section 5. Severability.* If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

*Section 6. Repealer and Effective Date.* All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed and this Ordinance shall be in full force and effect forthwith upon its adoption.

ADOPTED by the County Board of The County of Peoria, Illinois, this 10th day of March,  
2022.

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Chairman of the County Board of  
The County of Peoria, Illinois

ATTEST:

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County Clerk and ex-officio  
Clerk of the County Board of  
The County of Peoria, Illinois

**NOTICE OF INTENT TO ISSUE BONDS  
AND RIGHT TO FILE PETITION**

NOTICE IS HEREBY GIVEN that pursuant to Ordinance No. \_\_\_\_\_ (the “*Ordinance*”), adopted by the County Board (the “*Board*”) of The County of Peoria, Illinois (the “*County*”), on the 10th day of March, 2022, the County intends to issue its General Obligation Refunding Bonds (Alternate Revenue Source) in an aggregate principal amount not to exceed \$42,000,000 (the “*Bonds*”) for the purpose of refunding all or a portion of the outstanding General Obligation Bonds (Alternate Revenue Source), Series 2011, heretofore issued by the County to finance a new senior care facility, and related improvements, facilities and costs in the County. The revenue source that will be used to pay the principal of and interest on the Bonds is receipts from a referendum approved county nursing home property tax. If this revenue source is insufficient to pay the Bonds, ad valorem property taxes upon all taxable property in the County without limitation as to rate or amount are authorized to be extended to pay the principal of and interest on the Bonds. A complete copy of the Ordinance follows this notice.

NOTICE IS HEREBY FURTHER GIVEN that if a petition signed by \_\_\_\_\_ or more electors of the County (being equal to 7.5% of the registered voters in the County) asking that the issuance of the Bonds be submitted to referendum is filed with the County Clerk within 30 days after the date of publication of the Ordinance and this notice. If such petition is filed with the County Clerk within thirty (30) days after said date of publication and on or before the 21st day of March, 2022, an election on the proposition to issue said bonds shall be held on the 28th day of June, 2022. If such petition is filed with the County Clerk within thirty (30) days after the date of such publication and after the 21st day of March, 2022, an election on the proposition to issue said bonds shall be held on 8th day of November, 2022. The Circuit Court may declare that an emergency referendum should be held prior to either of said election dates pursuant to the provisions of Section 2A-1.4 of the Election Code of the State of Illinois, as amended. If no petition is filed with the County Clerk with regard to the Bonds within said 30-day period, then the Bonds shall be authorized to be issued. A form of petition is available to any individual requesting one at the office of the County Clerk.

By order of the County Board of The County of Peoria, Illinois, this 10th day of March,  
2022.

/s/ Rachael Parker  
County Clerk and ex-officio Clerk of the  
County Board of The County of  
Peoria, Illinois

STATE OF ILLINOIS        )  
                                  ) SS  
COUNTY OF PEORIA        )

**PETITION**

To the County Clerk of The County of Peoria, Illinois:

We, the undersigned, being registered voters of The County of Peoria, Illinois, do hereby petition you to cause the following question to be submitted to the voters of said County: "Shall The County of Peoria, Illinois, issue General Obligation Refunding Bonds (Alternate Revenue Source) of said County in an aggregate principal amount not to exceed \$42,000,000 for the purpose of refunding all or a portion of the outstanding General Obligation Bonds (Alternate Revenue Source), Series 2011, heretofore issued to finance a new senior care facility, and related improvements, facilities and costs in said County, the revenue source to be used to pay the principal of and interest on such alternate bonds being receipts from a referendum approved county nursing home property tax, unless said revenue source is insufficient to pay said bonds, in which case ad valorem property taxes levied upon all taxable property in said County without limitation as to rate or amount are authorized to be extended for such purpose?"; and we do hereby further request that said question be certified to the Peoria County Board of Election Commissioners and submitted to the electors of said County at the next election at which such proposition may lawfully be submitted:

SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, COUNTY OR TOWN
_____	_____, _____	Peoria County, Illinois
_____	_____, _____	Peoria County, Illinois
_____	_____, _____	Peoria County, Illinois
_____	_____, _____	Peoria County, Illinois
_____	_____, _____	Peoria County, Illinois
_____	_____, _____	Peoria County, Illinois
_____	_____, _____	Peoria County, Illinois

\* \* \*

The undersigned, being first duly sworn, deposes and certifies that he or she is at least 18 years of age, his or her residence address is \_\_\_\_\_ (Street Address), \_\_\_\_\_ (City, County or Town), Peoria County, Illinois, that he or she is a citizen of the United States of America, that the signatures on the foregoing petition were signed in his or her presence and are genuine, that to the best of his or her knowledge and belief the persons so signing were at the time of signing said petition registered voters of said County and that their respective residences are correctly stated therein.

Signed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
CIRCULATOR SIGNATURE

\_\_\_\_\_  
Illinois Notary Public  
My commission expires \_\_\_\_\_  
(NOTARY SEAL)

County Board Member \_\_\_\_\_ moved and County Board Member \_\_\_\_\_ seconded the motion that said ordinance as presented and read by title be adopted.

After a full discussion thereof, the Chairman directed that the roll be called for a vote upon the motion to adopt said ordinance as read.

Upon the roll being called, the following County Board Members voted AYE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and the following County Board Members voted NAY: \_\_\_\_\_  
\_\_\_\_\_

Whereupon the Chairman declared the motion carried and said ordinance adopted, approved and signed the same in open meeting and directed the County Clerk to record the same in the records of the County Board of The County of Peoria, Illinois, which was done.

Other business not pertinent to the adoption of said ordinance was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

\_\_\_\_\_  
County Clerk and ex-officio Clerk of the  
County Board

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF PEORIA         )

**CERTIFICATION OF ORDINANCE AND MINUTES**

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of Peoria, Illinois (the “*County*”), and ex-officio Clerk of the County Board of the County (the “*Board*”), and as such official am the keeper of the records and files of the Board.

I further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the Board held on the 10th day of March, 2022, insofar as the same relates to the adoption of Ordinance No. \_\_\_\_\_ entitled:

AN ORDINANCE authorizing the issuance by The County of Peoria, Illinois, of General Obligation Refunding Bonds (Alternate Revenue Source) in an aggregate principal amount not to exceed \$42,000,000 for the purpose of refunding bonds heretofore issued to finance a new senior care facility, and related improvements, facilities and costs in said County.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 48 hours in advance of the holding of said meeting, that said agenda contained a separate specific item concerning said ordinance, a true, correct and complete copy of the agenda as so posted being attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, the Counties Code of the State of Illinois, as amended, and the Local Government Debt Reform Act of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Acts and said Code and with all of the procedural rules of the Board.



IN WITNESS WHEREOF, I hereunto affix my official signature and seal of the County, this 10th day of March, 2022.

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County Clerk and ex-officio Clerk of the  
County Board

## AGENDA BRIEFING

**COMMITTEE:** Public Safety and Justice Committee  
**MEETING DATE:** March 1, 2022

<b>LINE ITEM:</b>	091-2-091-3-346-52352	\$17,530.00
	091-2-091-3-346-33120	\$10,810.00

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**FOR RESOLUTION:** Rollover Appropriation of Unspent FY 2020 JAG Funds and Unreserved Fund Balance into the FY 2022 C.O.P.S. budget

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### BACKGROUND/DISCUSSION:

The County Board at the July 8, 2021, meeting approved the intergovernmental agreement with the City of Peoria for the FY 2020 Justice Assistance Grant (JAG). FY 2020 JAG funding was appropriated into the C.O.P.S. Fund for this grant for the purchase of in-car radars and ballistic vests for officers. The in-car radars and some of the vests were unable to be purchased in FY 2021 so the Sheriff's Office is asking for these unspent FY 2020 JAG funds of \$10,810.00 to be appropriated into FY 2022 C.O.P.S. Fund budget to complete the purchase of this equipment.

In addition, there is an unreserved fund balance of approximately \$6,720 in the C.O.P.S. fund at the end of FY 2021. The Sheriff's Office is asking for this unspent fund balance to also be appropriated in the FY 2022 budget of the C.O.P.S. fund to cover cost of equipment purchased that is more than will be covered by existing JAG funds.

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### COUNTY BOARD GOALS:



*Collaboration*



*Financial Stability*

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### STAFF RECOMMENDATION:

Approval

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### COMMITTEE ACTION:

**Approved 3/1/22 (7-0 votes)** Mr. Elsasser and Mr. Rosenbohm voted aye via teleconference;  
Mr. Rieker absent

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**PREPARED BY:** Randy Brunner, Finance Director  
**DEPARTMENT:** Peoria County Sheriff's Office  
**DATE:** 01/26/2022

TO THE HONORABLE COUNTY BOARD)  
COUNTY OF PEORIA, ILLINOIS )

Your Public Safety and Justice Committee does hereby recommend passage of the following Resolution:

RE: Rollover Appropriation of Unspent FY 2020 JAG Funds and Unreserved Fund Balance into the FY 2022 C.O.P.S. budget

**RESOLUTION**

**WHEREAS**, the County of Peoria and the City of Peoria were awarded funds under the FY 2020 Edward Byrne Justice Assistance Grant (JAG) program that was approved at the July 8, 2021 County Board meeting; and

**WHEREAS**, some of the funds under the grant agreement were not able to be expended in FY 2021; and

**WHEREAS**, additionally there is an amount of unreserved fund balance in the C.O.P.S. fund that the Sheriff's Office is also requesting to be appropriated into the C.O.P.S. Fund FY 2022 budget, and

**WHEREAS**, to expend the remaining funds from this agreement and the unreserved fund balance in the C.O.P.S fund, an additional appropriation for FY 2022 is requested; and

**NOW THEREFORE BE IT RESOLVED**, by the County Board of Peoria County, that Ten Thousand Eight Hundred Ten Dollars (\$10,810.00) be appropriated to revenue line item 091-2-091-3-346-33120 and Seventeen Thousand Five Hundred Thirty Dollars (\$17,530) be appropriated into expense line item 091-2-092-3-346-52352 to complete the purchase of the equipment under the FY 2020 JAG grant in FY 2022 and additional equipment not funded by the FY 2020 JAG grant.

RESPECTFULLY SUBMITTED,  
PUBLIC SAFETY AND JUSTICE COMMITTEE

# AGENDA BRIEFING

COMMITTEE: Public Safety and Justice Committee

MEETING DATE: March 1, 2022

LINE ITEM: Revenue: 001-1-009-1-194-33550 \$175,402.00  
Expense: 001-1-009-1-194-55112 \$104,399.00  
001-1-009-1-194-52351 \$ 71,003.00

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ISSUE: **Courts'** Request a **FY'22** Budget Appropriation for Illinois Court Technology Modernization Program

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## BACKGROUND/DISCUSSION:

In August 2021, the Illinois Supreme Court was appropriated \$10 million from the flexible funding dollars allocated to Illinois through H.R. 1319 *American Rescue Plan Act of 2021 (ARPA)* to continue providing statewide technology enhancements, upgrades, and installations by implementing a plan for Illinois courts technology modernization. The Administrative Office of Illinois Courts (AOIC) hired a consultant to perform statewide courthouse technology assessments and provide recommendations for use of this funding.

Peoria County Court Administration evaluated all 14 courtrooms against the **AOIC's** Minimum Courtroom Technology Standards and met with the consultant in November 2021 to discuss the results. On December 29, 2021, the consultants released their recommendations for **the use of the state's ARPA funding in Peoria County**. Quotes were obtained and a funding request was submitted **to AOIC's consultant on January 18, 2022**. On February 11, 2022, the full request was approved.

The procurement, installation and payment for this technology needs to occur by the end **of the state's fiscal year (June 30, 2022)**. Similar to the AOIC Rapid Relief Funding Program in December 2020, Peoria County will receive the funding in one installment, procure the approved technology items, and then send AOIC proof of payment once the equipment has been received. It is expected this advance payment will be received within the next four to six weeks and already appears as a pending payment in the **Comptroller's Vendor Payment System**. Quotes have been obtained and a purchase order has been issued. Below is a detailed list of the funding request:

Upgrades for judges' bench <b>PC's</b>	\$ 15,988.00
AV system for Courtroom 201	53,899.00
AV system for Courtroom 203	50,500.00
Jury Room AV systems	15,744.00
AV electrical work	4,460.00
Assisted Listening Systems	11,955.00
Jury Box Sound Masking Systems	<u>22,856.00</u>
	<u>\$175,402.00</u>

Therefore, we are **requesting a FY'22** budget appropriation as shown above so we can record the advance payment and make the necessary purchases.

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## COUNTY BOARD GOALS:



HIGH PERFORMANCE PUBLIC ORGANIZATION

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STAFF RECOMMENDATION:

Approve **the FY'22** Budget Appropriation for the Courts

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COMMITTEE ACTION:

Approved 3/1/22 (7-0 votes) Mr. Elsasser and Mr. Rosenbohm voted aye via teleconference; Mr. Rieker absent

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PREPARED BY: Jennifer Shadid, CFO-Court Administration

DEPARTMENT: Court Administration

DATE: March 1, 2022



## AGENDA BRIEFING

COMMITTEE: County Operations Committee  
MEETING DATE: February 28, 2022

LINE ITEM: 082-5-082-7-736-51811  
AMOUNT: \$60,000

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ISSUE: Proposed worker's compensation settlement.

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### BACKGROUND/DISCUSSION:

Case number 010015-006265-WC-01 is a worker's compensation case involving an employee injured on March 18, 2021. The County's attorney is requesting settlement authority not to exceed \$60,000.

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### COUNTY BOARD GOALS:



**HIGH PERFORMING PUBLIC ORGANIZATION**

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### STAFF RECOMMENDATION:

Approve the settlement authority requested.

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### COMMITTEE ACTION:

Approved 2/28/22 (4-0 votes) Ms. Pastucha and Mr. Rieker absent

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PREPARED BY: Shauna Musselman, Asst. County Administrator

DEPARTMENT: County Administration

DATE: February 18, 2022





## AGENDA BRIEFING

**COMMITTEE:** Infrastructure

**LINE ITEM:** 036-2-036-5-526-54383

**MEETING DATE:** February 28, 2022

**AMOUNT:** \$26,000.00

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**ISSUE: Resolution for Cooperative Research Agreement with Bradley University**

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### **BACKGROUND/DISCUSSION:**

The objective of the agreement is for the Highway Department to maintain the County's Pavement Management Program through a partnership with Bradley University's Civil Engineering Department.

The Pavement Management Program was created with the assistance of Bradley University in 2008-2009. During that time, the entire County Highway network was inventoried and evaluated. Due to the wear and tear the roads receive, as well as the preventative maintenance methods that have been applied, it is necessary to periodically update the pavement conditions in the program. This contract will update one half of the County Highway network.

A Pavement Management Program has been defined as “a set of tools or methods that assist decision-makers in finding optimum strategies for providing, evaluating and maintaining pavements in a serviceable condition over a period of time”. The benefits of a Pavement Management Program are substantial and can help an agency “employ more cost-effective treatment strategies, allocate funds to the pavement sections that will give the best performance for the funds allocated, and improve the quality of the agency pavement network”. Specifically, the implementation of a Pavement Management Program provides a systematic procedure to search, organize, and save pavement information and allows agencies to understand the consequences of deferred maintenance. In addition, a Pavement Management Program seeks to minimize costs of individual projects, use available resources more efficiently, and support agency decision-making.

Data received from previous surveys are used to prioritize the annual seal coating program on Peoria County Highways. Additionally, this information is used each year to populate the Highway Department's report for the International City / County Management Association. The data has also been used for the financial analysis of the County's infrastructure.

In summary, this partnership with Bradley will obtain field data of the County roadway system, update the system database, and assist in pavement management related decisions

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### **COUNTY BOARD GOALS:**



**INFRASTRUCTURE STEWARDSHIP**

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**STAFF RECOMMENDATION: Approve the Cooperative Research Agreement with Bradley University**

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**COMMITTEE ACTION: Approved 2/28/22 (4-0 votes) Ms. Pastucha absent**

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**PREPARED BY:** Jeffrey D. Gilles

**DEPARTMENT:** Highway

**DATE:** February 7, 2022

COOPERATIVE RESEARCH AGREEMENT  
BETWEEN  
BRADLEY UNIVERSITY  
AND  
PEORIA COUNTY

This AGREEMENT (“AGREEMENT”) dated as of \_\_\_\_\_ (the “Effective Date”), is between Peoria County (“DEPARTMENT”) having offices at 6915 West Plank Road, Peoria Illinois, 61604-5246 and Bradley University (“UNIVERSITY”) having offices at 1501 West Bradley Avenue, Peoria, Illinois 61625, and sets forth the terms and conditions on which the UNIVERSITY will conduct research Agreements funded by DEPARTMENT and is in force upon the date of signature. The term UNIVERSITY includes the UNIVERSITY and all its satellite campuses.

No commitment is made by DEPARTMENT to contract and pay for research or other services, or for the UNIVERSITY to conduct research or provide other services, other than the work specified in this AGREEMENT, by the execution of this AGREEMENT alone. Commitments for research Agreements or other services can be made only by the issuance of specified research AGREEMENT by DEPARTMENT.

This Contract sets forth the terms for the performance and administration of work as appended.

**Exhibit A - Statement of Work**

**Exhibit B - AGREEMENT Budget**

**1. TERMS OF AGREEMENT**

**1.1 EXECUTION AND MODIFICATION:**

- 1.1.1 **Term:** This AGREEMENT shall become effective upon signature by duly authorized representatives of the DEPARTMENT and the UNIVERSITY.
- 1.1.2 **Modification:** Modifications to this AGREEMENT including the Statement of Work (Exhibit A) and/or the Budget (Exhibit B) shall occur only by written AGREEMENT of the authorized representatives of the DEPARTMENT and the UNIVERSITY
- 1.1.3 **Termination:** Notwithstanding anything to the contrary here, DEPARTMENT may terminate, with or without cause, all or part of the services under the AGREEMENT by giving at least thirty (30) days’ prior written notice to the UNIVERSITY, which notice shall specify the services to be terminated and the effective date of the termination.

1.2 **PERIOD OF PERFORMANCE:** The period of performance of this AGREEMENT shall begin on the date in which the last party signs the contract and conclude 12 months later unless an extension is agreed to in writing by authorized representatives of the DEPARTMENT and the UNIVERSITY

1.3 **SCOPE OF WORK:** The scope of work as specified in Exhibit A expresses fully that work which is to be accomplished under the terms of this AGREEMENT.

1.4 **REPORTS:** The Principal Investigator/Project Director shall be available by telephone or in person, to discuss the progress and results of an Agreement, as well as ongoing plans or proposed changes.

**1.5 ESTIMATED PROJECT COST:**

The DEPARTMENT shall reimburse the UNIVERSITY for all costs related to the Scope of Work described in Exhibit A in an amount not to exceed Twenty-Six Thousand Dollars (\$26,000.00).

- 1.5.1 In the event DEPARTMENT terminates all or part of this AGREEMENT, DEPARTMENT shall pay the UNIVERSITY compensation pursuant to AGREEMENT for the actual costs and non-cancelable obligations incurred by the UNIVERSITY for all services completed by the termination date, provided that DEPARTMENT did not terminate all or part of the AGREEMENT because of the UNIVERSITY'S breach of this AGREEMENT.

- 1.5.2 **Payment:** Two (2) copies of all invoices shall be submitted monthly. These shall detail all charges current to the date of the invoice and all current charges. Invoices shall be sent to

**County Engineer  
Peoria County Highway Department  
6915 West Plank Road  
Peoria, IL 61604-5246**

- 1.5.2.1 Each invoice shall include a unique identifying number  
1.5.2.2 The Final invoice shall be marked clearly as FINAL  
1.5.2.3. Payments under this contract shall be governed by the “Local Government Prompt Payment Act” 50 ILCS 550/1 et seq.

**1.5.3 Allowable Costs:**

- 1.5.3.1 The UNIVERSITY'S usual policies governing salaries and wages and fringe benefits shall apply to all UNIVERSITY employees working under the terms of this AGREEMENT.  
1.5.3.2 The UNIVERSITY'S standard policy on travel and travel reimbursement shall apply to all costs for travel and transportation directly related to and charged to this AGREEMENT

- 1.5.4 The UNIVERSITY'S budget as attached hereto as Exhibit B is only an estimate of direct and indirect costs required to complete the Scope of Work defined in Exhibit A and there may be need to depart from line item estimations within this budget to cover as yet unanticipated requirements to fulfill the Scope of Work. However, the total amount to be paid under this AGREEMENT shall not exceed Twenty-Six Thousand Dollars (\$26,000.00).

- 1.5.4.1 The UNIVERSITY is hereby authorized to reallocate budget funds that do not require prior approval in accordance with the DEPARTMENT'S policies.  
1.5.4.2 Reallocation of line item budget funds requiring prior approval in accordance with the DEPARTMENT'S policies must have prior written approval of the UNIVERSITY's designated official prior to submitting the request to the DEPARTMENT.

**1.5.5 Contract-related Income:**

- 1.5.5.1 The UNIVERSITY shall maintain such records as may be necessary to comply with the requirements of this provision  
1.5.5.2 Any Contract-related Income generated under the terms of this AGREEMENT shall be used to reduce expenditures chargeable to the AGREEMENT

**1.5.6 Accounts, Audits and Records:**

- 1.5.6.1 The UNIVERSITY shall use standard accounting procedures and practices in the execution of this AGREEMENT  
1.5.6.2 The UNIVERSITY shall maintain all records, documents and other evidence sufficient to reflect properly all direct and indirect costs of whatever nature it claims to have been incurred for the performance of this AGREEMENT. The foregoing constitutes "records" for the purpose of this AGREEMENT  
1.5.6.3 **Audit.** The UNIVERSITY grants to DEPARTMENT reasonable access to all pertinent ledgers, payroll data, books, records, correspondence, written instructions, drawings, receipts, vouchers, and other documents for audit purposes. The UNIVERSITY must segregate such documents and records in such a manner as to facilitate a complete audit and agrees that the audit may be

used as a basis for settlement of any charges. DEPARTMENT or its agents shall have the right, upon reasonable notice, to audit the UNIVERSITY'S documents and records during the UNIVERSITY'S normal business hours. Such documents and records shall be retained for two (2) years after the payment of the applicable invoice.

#### 1.6 PRINCIPAL INVESTIGATOR/PROJECT DIRECTOR:

1.6.1 The Principal Investigator/Project Director for this AGREEMENT shall be

**Dr. Kerrie Schattler, Professor  
Department of Civil Engineering and Construction  
Bradley University  
1501 West Bradley Avenue  
Peoria, IL 61625**

1.6.2 The Principal Investigator/Project Director or her designee shall be responsible for the technical, scientific and programmatic aspects of the scope of work defined in Exhibit A.

#### 1.7 INDEMNITY

1.7.1 The UNIVERSITY will save, indemnify, defend and hold harmless the DEPARTMENT, its agents, directors, and employees from any and all liability that may arise as a result of the negligent actions and/or omissions of the UNIVERSITY, its agents, and employees under performance of this AGREEMENT

1.7.2 The DEPARTMENT will save, indemnify, defend and hold harmless the UNIVERSITY, its agents and employees from any and all liability that may arise as a result of the negligent actions or omissions of the DEPARTMENT, its agents and employees under performance of this AGREEMENT, to the extent allowed under Illinois Law.

#### 1.8 NON DISCRIMINATION

1.8.1 The UNIVERSITY shall not discriminate against any employee or applicant for employment because of race, color, religion, gender, age, marital status, sexual orientation, ancestry, place of birth, status as a disabled veteran or Vietnam Era veteran or because of handicap, except where a *bona fide* occupational qualification exists.

UNIVERSITY will take affirmative action to comply with the provisions of Section 6.5-51 of the Peoria County Purchasing Ordinance as appended in Exhibit C.

UNIVERSITY will distribute copies of its commitment not to discriminate to all persons who participate in recruitment, screening, referral and selection of job applicants, and prospective job applicants.

UNIVERSITY agrees that the provisions of Section 6.5-51 of the Peoria County Purchasing Ordinance are hereby incorporated into this Agreement by reference, as if they were set out verbatim. UNIVERSITY further agrees that the provisions of the Illinois Human Rights Act (775 ILCS 5/1-101 et. seq.) as hereinafter amended, are hereby incorporated into this Agreement by reference and made a part hereof.

In addition to remedies and notwithstanding any other remedies the parties may have under this Agreement or at law, the DEPARTMENT may recover from UNIVERSITY by set-off against the unpaid portion of the contract price the sum of Five Hundred Dollars (\$500.00) per day as liquidated damages and not as a penalty, for each day that UNIVERSITY fails

to comply with the affirmative action provisions of this Agreement as determined by the Director and the Peoria County Affirmative Action Committee. This said sum being fixed and agreed upon by and between the DEPARTMENT and UNIVERSITY because of the impracticability and extreme difficulty of affixing and ascertaining the actual damages which the DEPARTMENT would sustain in the event of such a breach of contract and said amount is agreed to be the amount of damages which the DEPARTMENT would sustain.

- 1.8.2 The UNIVERSITY shall comply with all provisions of Executive Order No. 11246 of September 24, 1965, and the rules, regulations and relevant orders of the Secretary of Labor.
- 1.8.3 In the event of the UNIVERSITY'S noncompliance with this Provision, this contract may be cancelled, terminated, or suspended in whole or in part as deemed appropriate by the DEPARTMENT.

## **1.9 INTELLECTUAL PROPERTY RIGHTS**

- 1.9.1 **DEPARTMENT INVENTIONS** Rights to any invention, improvement, discovery, or work of authorship, whether or not patentable or copyrightable, which relates to this AGREEMENT and which was made solely by employees of DEPARTMENT without the use of the UNIVERSITY facilities, shall belong to DEPARTMENT ("DEPARTMENT INVENTIONS"). DEPARTMENT INVENTIONS shall not be subject to the terms and conditions of this Agreement.
- 1.9.2 **UNIVERSITY INVENTIONS.** Rights to any invention, improvement, discovery, or work of authorship, whether or not patentable, copyrightable, or held as a trade secret (other than those considered to be "Scholarly Works" or "Works for Hire") which relates to this AGREEMENT and which was made solely by employees and/or agents of the UNIVERISTY shall belong to the UNIVERSITY (UNIVERSITY INVENTIONS). "Scholarly Works" are defined as materials produced by Bradley University faculty members as part of their usual teaching, service, and research activities, in tangible or electronic form, such as textbooks and other curricular materials, reference works, journal articles, novels, music, and photographs, which do not result directly as a specified deliverable from Agreements funded in whole or in part by the UNIVERSITY or under a sponsored activity agreement. Works for Hire are defined as per 17 USC § 101: definitions "work for hire" and apply to databases created under the scope of the Statement of Work appended as Exhibit A.
- 1.9.3 If the DEPARTMENT requests the UNIVERSITY to patent a UNIVERSITY INVENTION, the UNIVERSITY will do so, and DEPARTMENT will pay for, or reimburse the UNIVERISTY for, reasonable out-of-pocket costs associated with the filing, prosecution, and maintenance of the patent application associated with protecting a UNIVERSITY Invention. In consideration of DEPARTMENT'S sponsorship and payment of monies due, the UNIVERSITY hereby grants to DEPARTMENT, an irrevocable, worldwide, non-exclusive, paid-up license and right to make, have made, reproduce, use, have used, sell, offer to sell, and import all UNIVERSITY INVENTIONS directly resulting from work associated with this AGREEMENT without additional royalty or payment within DEPARTMENT'S Field of Use. The license does not include the right to sublicense a UNIVERSITY INVENTION to unaffiliated third parties without the UNIVERSITY'S consent.
- 1.9.4 **JOINT INVENTIONS.** Rights to any invention, improvement, discovery, or work of authorship, whether or not patentable or copyrightable, which relates to the Research Agreement and which was made jointly by one or more DEPARTMENT employees and one or more employees and/or agents of the UNIVERISTY or which

are made solely by employees of DEPARTMENT utilizing UNIVERSITY facilities, shall belong to DEPARTMENT, and the UNIVERSITY jointly (JOINT INVENTIONS) DEPARTMENT or UNIVERSITY can freely practice the claims of any resulting patent within its Field of Use without consultation with or accounting to the other owner. Before either party negotiates a license with a third party, in such a patent, however, the parties shall confer to determine whether their mutual cooperation in such licensing effort is desirable

**1.9.5 EXCLUSIVE LICENSE.** The UNIVERSITY grants DEPARTMENT the first option to negotiate in good faith for an exclusive royalty-bearing license to make, have made, reproduce, use, have used, sell, offer to sell, and import any UNIVERSITY INVENTION and any JOINT INVENTION made in the course of work under this Agreement. Once a patent application filed by the UNIVERSITY is published under U.S. Patent Code and becomes public information, DEPARTMENT'S option to negotiate for an exclusive license shall extend for a period of one hundred eighty (180) days from the date DEPARTMENT receives notification of the publication. If the UNIVERSITY and DEPARTMENT are unable to negotiate agreeable terms, the UNIVERSITY will not, thereafter, enter into an exclusive license with anyone else under terms which are more favorable than those offered to DEPARTMENT without first offering DEPARTMENT'S designee, DEPARTMENT the opportunity to obtain the exclusive license under such terms. In the event DEPARTMENT obtains an exclusive license to practice the claims of the JOINT INVENTION, the UNIVERSITY retains a non-exclusive, royalty free right to practice the claims of the Joint Invention for research and teaching.

**1.9.6. INFRINGEMENT** The University represents that to the best of its knowledge; Department's stated use of the Deliverables will not violate or infringe any intellectual property rights of a third party, including patent, copyright, trademark, and mask work, or constitute misappropriation of a trade secret. The UNIVERSITY will promptly notify Department, in writing, if it has reason to believe that any allegation of violation, infringement, misuse, or misappropriation will result from Department's stated use of the Deliverables.

## **2.0 CONFIDENTIALITY**

2.1 The UNIVERSITY agrees not to use or disclose DEPARTMENT Information (as defined below) to any employee or agent or to any third party unless (i) the employee, agent, or third party has a need to know DEPARTMENT Information in order for the UNIVERSITY to perform its obligations under this Agreement or any Purchase Order, and (ii) the employee, agent, or third party is bound by UNIVERSITY policies requiring nondisclosure and/or has executed and delivered to the UNIVERSITY an agreement similar to this paragraph restricting his, her, or its use and disclosure of DEPARTMENT INFORMATION. DEPARTMENT INFORMATION includes documents, books, manuals, computer reports, software, data files, or information furnished by DEPARTMENT and designated proprietary by DEPARTMENT in writing, as well as those aspects of a Research Agreement agreed to by the parties to be confidential to DEPARTMENT. The obligations set forth in this paragraph shall remain in effect for a period of two (2) years after the end of a Research Agreement and shall apply only to DEPARTMENT INFORMATION that is not in the public domain, is not already known by the UNIVERSITY has not been independently developed or furnished to the UNIVERSITY, or is not required to be disclosed pursuant to law or court order. DEPARTMENT INFORMATION shall be clearly marked and identified on each document provided to the UNIVERSITY.

2.2 DEPARTMENT: DEPARTMENT agrees not to use or disclose UNIVERSITY INFORMATION (as defined below) to any employee or agent or to any third party. UNIVERSITY INFORMATION includes documents, books, manuals, computer reports, software, data files, or information designated proprietary by UNIVERSITY in writing, as well as those aspects of a Research Agreement agreed to by the parties to be confidential to UNIVERSITY. The obligations set forth in this paragraph shall remain in effect for a period of two (2) years after the end of a Research Agreement and shall apply only to UNIVERSITY Information that is not in the public domain, is not already known by DEPARTMENT, has not been independently developed or furnished to the DEPARTMENT, or is not required to be disclosed pursuant to law or court order. Aspects of the Research Agreement identified as UNIVERSITY INFORMATION in the Research Agreement may be used by the DEPARTMENT for its own internal research purposes, subject to these confidentiality provisions. "University" information shall be clearly marked and identified on each document provided to DEPARTMENT as Confidential or Proprietary.

### **3.0. PUBLICATIONS**

DEPARTMENT recognizes that under UNIVERSITY'S policy, the results of a Research Agreement must be publishable and agrees that researchers engaged in a Research Agreement shall be permitted to present the methods and results of that Research Agreement at symposia or at national or regional professional meetings and to publish them in journals, theses, dissertations, or otherwise at the option of the researchers; provided, however, that DEPARTMENT will have been given a copy of any proposed publication at least sixty (60) days in advance of submission to a publication. Where practical, materials for proposed presentations must be submitted to DEPARTMENT sufficiently in advance of the scheduled or proposed presentation to allow DEPARTMENT a reasonable opportunity to review those materials for patentable subject matter in need of protection or for the inadvertent disclosure of DEPARTMENT INFORMATION. During the review period, DEPARTMENT may object to the proposed presentation or publication either because there is patentable subject matter that needs protection or because there is an inadvertent disclosure of DEPARTMENT INFORMATION. If DEPARTMENT objects due to the potential for patentable subject matter, the UNIVERSITY agrees to delay publication for an additional period to allow filing for protection of the invention; however, this period may not exceed one hundred-twenty days (120) unless negotiated between DEPARTMENT and the UNIVERSITY. If DEPARTMENT objects to publication due to an inadvertent disclosure of DEPARTMENT INFORMATION the UNIVERSITY agrees to remove the DEPARTMENT INFORMATION. The UNIVERSITY hereby grants to DEPARTMENT the right, without further consideration, to duplicate, publish, or reprint any report produced by the UNIVERSITY but only for the internal use of DEPARTMENT, or as required by the Illinois Freedom of Information Act, as determined by the DEPARTMENT.

### **4.0 GENERAL**

#### **4.2 BAILED PROPERTY.**

Unless otherwise agreed in the Research Agreement Specification, all supplies, materials, equipment or other items and that DEPARTMENT furnished, either directly or indirectly, to the UNIVERSITY to perform any Research Agreement are and shall remain the property of DEPARTMENT. The UNIVERSITY shall bear the risks of loss and damage to DEPARTMENT'S property.

#### **4.3 ADVERTISING.**

Except with respect to internal business communications, communications with governmental agencies, or communications required by law, the UNIVERSITY and "Department" shall not use

each other's names or trademarks in publicity or advertising without first receiving written consent from the other.

**4.4 FORCE MAJEURE.**

Any delay or failure of either party to perform its obligations shall be excused if, and to the extent, caused by an event or occurrence beyond the reasonable control of that party and without its fault or negligence, such as acts of God, actions by any governmental authority (whether valid or invalid), fires, floods, windstorms, explosions, riots, natural disasters, wars, sabotage, labor problems (including lockouts, strikes and slowdowns), inability to obtain power, material, labor, equipment or transportation, or court injunction or order.

**4.5 GOVERNMENTAL COMPLIANCE.**

DEPARTMENT and the UNIVERSITY agree to comply with all federal, state and local laws, executive orders, rules, regulations, and ordinances that may be applicable to the party's performance of its obligations under this Agreement.

**4.6 NO IMPLIED WAIVER.**

The failure of either party at any time to require the performance of any provision of this Agreement or any Purchase Order issued under this Agreement shall in no way affect its right to require the performance at any time thereafter. Nor shall the waiver by either party of any provision constitute a waiver of any succeeding breach of the same or any other provision.

**4.7 NON-ASSIGNMENT.**

Neither party may assign or delegate its obligations under this Agreement without the other party's prior written consent.

**4.8 RELATIONSHIP OF PARTIES.**

The UNIVERSITY and DEPARTMENT are independent contracting parties, and nothing in this Agreement shall make either party the agent or legal representative of the other for any purpose whatsoever. This Agreement does not grant either party any authority to assume or to create any obligation on behalf of or in the name of the other. The employees, students or agents of the DEPARTMENT are not now nor shall they be deemed to be employees of the DEPARTMENT and the employees of the DEPARTMENT are not now nor shall they be deemed to be employees of the UNIVERSITY.

**4.9 SEVERABILITY.**

If any term of this Agreement is invalid or unenforceable under any statute, regulation, ordinance, executive order, or other rule of law, that term shall be deemed reformed or deleted, but only to the extent necessary to comply with such statute, regulation, ordinance, executive order, or rule, and the remaining provisions of this Agreement shall remain in full force and effect.

**4.10 INTEGRATION:**

This Agreement, together with any attachments, exhibits, or supplements specifically referenced in it, constitutes the final and entire agreement between the UNIVERSITY and DEPARTMENT with respect to its subject matter and supersedes all prior or contemporaneous, oral or written representations and agreements. Any modification, alteration, or amendment to this Agreement must be in writing and signed by both parties.

**4.11 STATE OF GOVERNING LAW**

The validity and interpretation of this AGREEMENT, the legal relations of the parties to it, and the settlement of all disputes arising therefrom shall be governed by laws of the State of Illinois



**4.12 TERMINATION FOR LACK OF FUNDING**

The DEPARTMENT'S payment of funds for purposes of executing this agreement is subject to and conditioned upon the availability of funds for such purposes. The DEPARTMENT may terminate this AGREEMENT upon written notice to the UNIVERSITY at any time prior to the termination of this AGREEMENT if, in the sole discretion of the DEPARTMENT, funding becomes unavailable for this AGREEMENT or such funds are restricted. The UNIVERSITY shall be reimbursed for obligations which cannot be cancelled properly incurred prior to the date of notice of the termination

**IN WITNESS WHEREOF**, the parties have caused this AGREEMENT to be effective as of \_\_\_\_\_ with signatory approval of their duly authorized representatives.

**PEORIA COUNTY**

By: \_\_\_\_\_  
Scott Sorrel  
County Administrator

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Rachael Parker  
Peoria County Clerk

Date: \_\_\_\_\_

**BRADLEY UNIVERSITY**

By: Dennis Koch  
Dennis Koch  
Assistant Vice President of Financial Services

Date: 1/31/2022

Attest: Kerrie L. Schattler  
Kerrie L. Schattler  
Professor, Civil Engr. & Construction

Date: 1/31/2022

**EXHIBIT A – Statement of Work**

**PROPOSAL FOR:**  
**MAINTENANCE OF PEORIA COUNTY'S**  
**PAVEMENT MANAGEMENT SYSTEM:**  
**SUMMER 2022 DATA COLLECTION**

**Submitted to:**        **Peoria County Highway Department**  
6915 West Plank Road  
Peoria, IL 61604-5246

**Prepared by:**        **Bradley University**  
Department of Civil Engineering and Construction  
1501 W. Bradley Avenue  
Peoria, IL 61625

**Contact Person:**    **Kerrie Schattler, Ph.D. – Principal Investigator**  
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**Date:**                **January 25, 2022**

# Table of Contents

Table of Contents.....	i
List of Figures.....	ii
1.0 INTRODUCTION.....	1
1.1 Overview and Benefits of Pavement Management Systems .....	1
1.2 Objectives and Scope.....	1
2.0 WORK PLAN.....	2
Task 1: Host a project kick-off meeting .....	2
Task 2: Collect pavement condition data via detailed walking surveys .....	2
Task 3: Update the PMS databases.....	9
Task 4: Provide technical assistance to PHCD staff .....	9
3.0 TIME SCHEDULE.....	10
4.0 BUDGET .....	11
5.0 QUALIFICATIONS.....	12
6.0 REFERENCES .....	12

## List of Figures

Figure 1. Sample Segmentation Sheet for Rohmann Avenue in Peoria Township .....	3
Figure 2. Field Data Collection Form for Asphalt-Surfaced Pavements (Front Page).....	5
Field Data Collection Form for Asphalt-Surfaced Pavements (Back Page).....	6
Figure 3. Field Data Collection Form for Jointed Concrete Pavements (Front Page).....	7
Field Data Collection Form for Jointed Concrete Pavements (Back Page).....	8
Figure 4. Sample Photograph of an Inspection Unit and Equipment Layout.....	9

## 1.0 Introduction

### 1.1 Overview and Benefits of Pavement Management Systems

Pavement management systems (PMS) provide a systematic, objective and consistent procedure to evaluate existing and future pavement condition. They are used by agencies to assist in identifying cost-effective strategies for preserving their pavements and determining funding needs to achieve desired levels of service. Various analysis scenarios are efficiently managed through the use of computerized PMS such as PAVER, which rely on the critical input of pavement inventory and condition/distress information stored in their databases. Using current distress data collected from routine condition surveys, pavement analyses can then be performed based on pavement deterioration models, treatment rules, and cost models. An agency can use its pavement management system to evaluate various pavement rehabilitation, maintenance, and preservation strategies and estimate the impact of those strategies on the future condition of the pavement network for various budget levels.

The benefits of pavement management systems have long been documented, many of which include (1):

- More efficient use of available resources
- Ability to adjust and secure more funding for pavement maintenance and rehabilitation
- More accurate and accessible information on road systems
- Quantified condition of network
- Ability to track the performance of selected treatments
- Supportable needs analysis
- Ability to show impact of funding decisions
- Selection of more effective maintenance and rehabilitation strategies
- Improved communication between different groups working with pavements in the organization and with the public
- Ability to answer pavement questions from management, elected officials and the public
- Better coordination of work with utility agencies
- Improved credibility when dealing with management, elected officials and the public
- A sense of satisfaction knowing that the agency is doing the best possible job with available funds

The Peoria County Highway Department (PCHD) realized the benefits of PMS in maintaining county roads and partnered with faculty and students from Bradley University (BU) to develop and implement the initial PMS system. The PCHD's fully functional PMS was delivered in 2008 and included populated databases of pavement inventory, condition/distress data, extensive photologs and analysis capabilities in PAVER (formerly known as MicroPAVER). Since then, the County has continued to maintain and update the pavement management system and had contracted the BU Project Team each year from 2011 to 2021 to collect and enter updated pavement distress data on half of the County's road system per year. In order to sustain the County's PMS and benefits of the system, it is critical that pavement condition/distress data be routinely collected and updated in databases. This will allow the PCHD to make continued decisions regarding pavement needs as well as to improve the analysis and prediction capabilities of the PMS history.

### 1.2 Objectives and Scope

The objective of this proposed project is to update the Peoria County Highway Department's pavement management system by surveying the condition of the roads and populating the PMS databases in PAVER 7.0. The activities proposed to meet this objective are as follows:

- Obtain any details from the County on pavement maintenance activities conducted since the roads were surveyed in 2021.
- Collect and quantify the pavement condition data for half of the County's roads including the asphalt-surfaced and jointed concrete roads via detailed walking surveys for the same sample of inspection units previously surveyed.
- Update the PMS databases in PAVER and deliver the updated system to the PCHD.
- Provide support and training to the PCHD staff on the PMS as needed.

## 2.0 Work Plan

### Task 1: Host a project kick-off meeting

Upon successful award of the project, the BU Project Team can schedule a kick-off meeting with the Peoria County Highway Department engineers, as needed. The purpose would be to review the project scope, discuss the proposed work plan, obtain road and/or pavement related data, as needed, schedule the Flagger Safety training for the pavement inspectors and obtain safety equipment needed to conduct the surveys.

The BU Project Team will follow-up with County staff to obtain maintenance activity and treatment data, as available.

### Task 2: Collect pavement condition data via detailed walking surveys

Prior to collecting field data on Peoria County roads, the inspectors must attend the Flagger Safety Training course and obtain certification in order to safely conduct pavement inspections on the County's roads. It is expected the PMS inspectors will receive training during the first week of June 2022 at the PCHD's office, during the County's scheduled safety training program.

Trained two-person teams will be assigned to inspect the County road segments for quantification of pavement distresses according to the Pavement Condition Index (PCI) rating for the following townships and pavement types for the 2022-2023 project year:

1. Akron Township (Asphalt Concrete pavement)
2. Chillicothe Township (Asphalt Concrete pavement)
3. Elmwood Township (Asphalt Concrete pavement)
4. Hallock Township (Asphalt Concrete pavement)
5. Medina Township (Asphalt Concrete and Portland Cement Concrete pavements)
6. Millbrook Township (Asphalt Concrete pavement)
7. Peoria Township (Asphalt Concrete pavement)
8. Princeville Township (Asphalt Concrete pavement)
9. Richwoods Township (Asphalt Concrete and Portland Cement Concrete pavements)
10. Rosefield Township (Asphalt Concrete pavement)
11. Timber Township (Asphalt Concrete pavement)
12. Limestone Township (Portland Cement Concrete pavement only)
13. Kickapoo Township (Portland Cement Concrete pavement only)

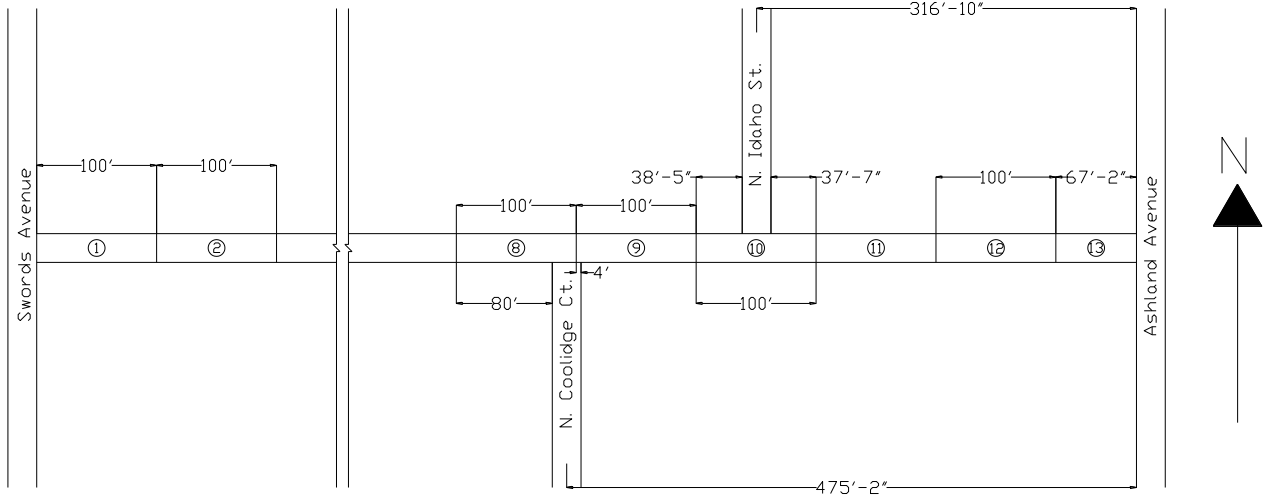
Before the inspectors leave for the field, they will be instructed to obtain the segmentation sheet (a sample is shown in Figure 1), review the location of the segments assigned and obtain additional directions/maps if necessary, make copies of the data collection form(s) needed for the assigned road, and load the safety and measuring equipment into their vehicles.

In addition to following the specific flagging instruction, one member of the two-person team will be instructed to focus on traffic to ensure safety of the team by adhering to the following precautions:

- Be aware of your surroundings; listen and watch for approaching vehicles
- When an approaching vehicle is detected, make sure you and the inspector move to the shoulder
- ALWAYS wear your safety vest
- Set-up the cones and warning signs to provide advance warning to motorists
- Position the work vehicle in a manner to protect the survey team - upstream of the inspection area to serve as a buffer

Road: Rohmann Avenue  
 From: Swords Avenue  
 To: Ashland Avenue  
 Lanes: 2  
 Length: 0.24 Miles (1,267 ft)  
 Township: Peoria

Total Number of Sample Units	13
Minimum Number of Inspection Units	7
Interval	1
Random Start	1



○ = Denotes Inspection Unit

Inspection Units:  
 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13

Length of inspection unit = 100'

Walking interval between consecutive inspection units = 0'

Inspection Unit # 1 starts at Swords Avenue

**Figure 1. Sample Segmentation Sheet for Rohmann Avenue in Peoria Township**



Despite the safety precautions taken, the team must focus on safety, first and foremost. The BU Project Team may borrow warning signs, and flagger poles from the County during the pavement inspection periods. Safety vests will be purchased and worn by the Inspectors at all times in the field.

To begin the inspection, the inspectors will walk over each sample unit, measure each distress type and severity, and record the data on the data collection form for asphalt-surfaced pavements and/or jointed concrete pavements, which are shown Figures 2 and 3, respectively. One form is used for each inspection unit. Details on what measurements to take for specific distresses are included in the *Asphalt Surfaced Roads & Parking Lots Distress Identification Manual (3)* and the *Concrete Surfaced Roads & Parking Lots Distress Identification Manual (4)*, which will be available to the teams at all times and referenced while performing the inspections in the field. They are specially designed for use during inspection and are indexed by distress type for user convenience. *Descriptions* of each distress type are summarized, as well as measurement criteria for each *Severity Level* being High, Medium or Low, instructions on *How to Count* them, and photographs for each of the severity levels to illustrate the various conditions and distresses. The specific distress types are listed below (3,4).

*Distress Types for Asphalt-Surfaced Roads*

1. Alligator/Fatigue Cracking
2. Bleeding
3. Block Cracking
4. Bumps and Sags
5. Corrugation
6. Depression
7. Edge Cracking
8. Joint Reflection Cracking
9. Lane/Shoulder Drop Off
10. Longitudinal & Transverse Cracking
11. Patching & Utility Cut Patching
12. Polished Aggregate
13. Potholes (number of potholes)
14. Railroad Crossing
15. Rutting
16. Shoving
17. Slippage Cracking
18. Swell
19. Raveling
20. Weathering

*Distress Types for Jointed-Concrete Roads*

21. Blowup/Buckling
22. Corner Break
23. Divided Slab
24. Durability (“D”) Cracking
25. Faulting
26. Joint Seal Damage
27. Lane/Shoulder Drop-Off
28. Linear Cracking
29. Patching & Utility Cuts, Large
30. Patching, Small
31. Polished Aggregate
32. Popouts
33. Pumping
34. Punchouts
35. Railroad Crossing
36. Scaling, Map Cracking & Crazing
37. Shrinkage Cracks
38. Corner Spalling
39. Joint Spalling

**PAVEMENT MANAGEMENT SYSTEM FOR PEORIA COUNTY HIGHWAY DEPARTMENT  
FIELD DATA COLLECTION FORM FOR ASPHALT-SURFACED PAVEMENTS**

<b>Inspector Information</b>				
Pavement Inspected by: _____ and _____ Date: _____				
<b>Section Information</b>				
Street: _____		Township: _____		
From: _____		To: _____		
Section Length: _____		No. Lanes: _____		
<b>Inspection Unit Information</b>				
<i>Inspection Unit No:</i> _____, <i>in format: sequential #, (inspection unit #)</i>				
<i>Inspection Unit Length:</i> _____		<i>Inspection Unit Width:</i> _____		
<i>Inspection Unit Area:</i> _____		<i>Special?            Y / N</i>		
<i>Photo No. of overall inspection unit:</i> _____		<i>Camera No:</i> _____		
<b>Distress Type</b>	<b>Severity</b>			<b>Photo No(s). Of Unusual Distresses (high severity)</b>
	<b>Low</b>	<b>Medium</b>	<b>High</b>	
1. Alligator/Fatigue Cracking	sq. ft.	sq. ft.	sq. ft.	
2. Bleeding	sq. ft.	sq. ft.	sq. ft.	
3. Block Cracking	sq. ft.	sq. ft.	sq. ft.	
4. Bumps and Sags	ft.	ft.	ft.	
5. Corrugation	sq. ft.	sq. ft.	sq. ft.	
6. Depression	sq. ft.	sq. ft.	sq. ft.	
7. Edge Cracking	ft.	ft.	ft.	
8. Joint Reflection Cracking	ft.	ft.	ft.	
9. Lane/Shoulder Drop Off	ft.	ft.	ft.	
10. Longitudinal & Transverse Cracking	ft.	ft.	ft.	
11. Patching & Utility Cut Patching	sq. ft.	sq. ft.	sq. ft.	
12. Polished Aggregate	sq. ft.	sq. ft.	sq. ft.	
13. Potholes (number of potholes)	#	#	#	
14. Railroad Crossing	sq. ft.	sq. ft.	sq. ft.	
15. Rutting	sq. ft.	sq. ft.	sq. ft.	
16. Shoving	sq. ft.	sq. ft.	sq. ft.	
17. Slippage Cracking	sq. ft.	sq. ft.	sq. ft.	
18. Swell	sq. ft.	sq. ft.	sq. ft.	
19. Raveling	sq. ft.	sq. ft.	sq. ft.	
20. Weathering	sq. ft.	sq. ft.	sq. ft.	

**Figure 2. Field Data Collection Form for Asphalt-Surfaced Pavements (Front Page)**

**Notes/Calculations:**

**Sketch:**

**Figure 2. Field Data Collection Form for Asphalt-Surfaced Pavements (Back Page)**

**PAVEMENT MANAGEMENT SYSTEM FOR PEORIA COUNTY HIGHWAY DEPARTMENT  
FIELD DATA COLLECTION FORM FOR JOINTED CONCRETE PAVEMENTS**

<b>Inspector Information</b>				
Pavement Inspected by: _____		and _____		Date: _____
<b>Section Information</b>				
Street: _____		Township: _____		
From: _____		To: _____		
Section Length: _____		No. Lanes: _____		
<b>Inspection Unit Information</b>				
Inspection Unit No: _____, in format: sequential #, (inspection unit #)				
Inspection Unit Length: _____				
Inspection Unit Width: _____		Special?            Y / N		
Photo No. of overall inspection unit: _____		Camera No: _____		
<b>Slab Information</b>				
Slab Length: _____		Slab Width: _____		No. Slabs in Inspection Unit: _____
Distress Type (Refer to Pavement Distress Identification Guide for Details on "How to Count")	Number of Slabs in Inspection Unit with Distress Type by Severity			Photo No(s). of Unusual Distresses (high severity)
	Low	Medium	High	
21. Blowup/Buckling				
22. Corner Break				
23. Divided Slab				
24. Durability ("D") Cracking				
25. Faulting				
26. Joint Seal Damage (overall condition of sealant)*				
27. Lane/Shoulder Drop-Off				
28. Linear Cracking (longitudinal/transverse/diagonal)				
29. Patching, Large (> 5.5 ft <sup>2</sup> ) & Utility Cuts				
30. Patching, Small				
31. Polished Aggregate				
32. Popouts				
33. Pumping				
34. Punchouts				
35. Railroad Crossing				
36. Scaling, Map Cracking & Cracking				
37. Shrinkage Cracks				
38. Corner Spalling				
39. Joint Spalling				

\*Joint Seal Damage is not counted on a slab-by slab basis, but is rated based on the overall condition of the sealant over the entire inspection unit.

**Figure 3. Field Data Collection Form for Jointed Concrete Pavements (Front Page)**

**Notes:**

---

**Sketch:** Draw the layout of the inspection unit including the number of slabs, slab length, slab width and distress types and severities. Recall that all distresses are counted on a slab by slab basis except for Distress 26 – Joint Seal Damage, which is rated for the entire inspection unit.

*Overall Assessment of Joint Seal Damage (26):    None    Low    Medium    High*  
*Circle One*

**Figure 3. Field Data Collection Form for Jointed Concrete Pavements (Back Page)**

The survey teams will be instructed to note if roadway characteristics of the section are different from the characteristics depicted on the segmentation sheet (i.e. number of lanes, surface type, major pavement improvement, etc.). If so, detailed notes and measurements will be taken so that it can be re-segmented and corrected. If possible, the inspection teams may re-segment the section in the field, correct the segmentation sheet and then continue the inspection. They will be required to make notes on the segmentation sheets and take photographs of all the inspected segments. In addition, detailed notes and photographs will be taken of unusual or unexpected pavement distresses observed on County roads.

Traffic cones will be used to delineate the length of the inspection unit nearest to the shoulder. A tape measure will be laid out on the side of the road to aid in extracting measurements of the pavement distresses. To update the County's photo-log of the inspection data, photographs will be taken of each inspection unit, as well as of any high severity distresses observed in the field. A sample photograph is depicted in Figure 4.



**Figure 4. Sample Photograph of an Inspection Unit and Equipment Layout**

### **Task 3: Update the PMS databases**

The data collected in the field will be summarized and converted into the proper form in the database and entered into the PCHD's PMS software program, PAVER 7.0. Current data will be added to the various databases in PAVER, while preserving the historic data collected. This data will include:

- Current traffic volume data – to be obtained from IDOT's website
- Current pavement inspection data with updated photolog of inspected segments
- Treatment data may be added to the PAVER databases (based on availability of data from PCHD)

Upon completion of the data collection and entry, the PAVER 7.0 software program will be installed on the PCHD's computer. The updated PMS databases and digital photologs will be saved onto the PCHD's computer, with electronic back-up files.

### **Task 4: Provide technical assistance to PCHD staff, as needed**

The BU Project Team will provide technical assistance to PCHD staff as needed throughout the duration of the project. This may include assisting the PCHD staff in performing analyses to determine maintenance needs and planning, as well as on-site training for the PAVER 7.0.

### 3.0 Time Schedule

In terms of the data collection efforts for pavement condition/distress data, the majority of the pavement inspections will be conducted during summer/fall months. The surveys for the PCHD entire road system will be conducted over a two-year period, with the County road system divided into two subsystems. The surveys for the first half of the system would be conducted during summer/fall of an odd year, and the second half of the system would be surveyed in an even year.

Proposed Time Schedule for Maintenance of Peoria County's PMS													
TASK		2022										2023	
No.	Description	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
1	Host a project kick-off meeting*	█											
2	Collect pavement condition data via detailed walking surveys			**	█								
3	Update the PMS databases							█					
4	Provide technical assistance to County Staff, as needed	█											

\* Assuming last party signs contract by April 1, 2022  
 \*\* Inspectors complete Flagger Certification Training

## 4.0 BUDGET

The total project budget detailing the salaries and wages, fringe benefits, supplies and travel costs for this proposal are shown in the table below.

<b>Maintenance of Peoria County Highway Department's Pavement Management System</b>	<b>Funds Requested</b>
	50% County Road System per year  2-year cycle
<b>SALARIES AND WAGES</b>	
<b>Principal Investigator (PI)</b> Kerrie Schattler, Ph.D., Professor 20 hours (Summer 2022) at \$70.00 per hour	\$1,400
<b>Co- PI</b> Fahmidah Ashraf, Ph.D. Assistant Professor 50 hours (Summer 2022) at \$48.00 per hour	\$2,400
<b>Undergraduate Students</b> 1,000 hours at \$12.00 per hour	\$12,000
<b>Total Salaries and Wages</b>	<b>\$15,800</b>
<b>FRINGE BENEFITS</b>	
Kerrie Schattler 10% of summer salary	\$140
Fahmidah Ashraf 10.0% of summer salary	\$240
<b>Total Fringe Benefits</b>	<b>\$380</b>
<b>TRAVEL</b>	
2471 miles at \$0.585 per mile	\$1,446
<b>Total Travel</b>	<b>\$1,446</b>
<b>SUPPLIES</b>	
N/A	0
<b>Total Supplies</b>	<b>\$0</b>
<b>TOTAL DIRECT COST</b>	<b>\$18,426</b>
<b>INDIRECT COSTS</b>	
53% of direct labor costs	\$8,374
<b>Total Indirect Costs</b>	<b>\$8,374</b>
<b>TOTAL COSTS</b>	<b>\$26,000</b>



## 5.0 QUALIFICATIONS

Dr. Kerrie L. Schattler is designated as the Principal Investigator (PI) of the project. She joined the Department of Civil Engineering and Construction at Bradley University in 2005 as an Assistant Professor, was promoted to Associate Professor in 2011 and to full Professor in 2015. She was the PI on the grant with the Peoria County Highway Department to develop and implement the County's initial Pavement Management System. This two-year project was completed in December 2008. She was also the Technical Advisor on the Maintenance of PCHD's PMS project in 2011. For the 2012 and 2013 PCHD projects, Dr. Schattler provided opportunities for other CEC colleagues to get involved and eventually lead the PCHD pavement management system project. Starting in 2014, she resumed taking the lead on PCHD's pavement management system data collection project.

Over the past 17 years at Bradley, Dr. Schattler has secured as PI over \$1,400,000 in external research grants funded directly to Bradley which were/are being used to push the envelope in cutting edge research with the help of 95 graduate/undergraduate students and other CEC colleagues, under her direction. Some of these grants also involved collaborations with partnering universities and consulting firms – Wayne State University and Applied Pavement Technology – and as a result, the total amount of collaborative grants Dr. Schattler was involved in over \$1,918,000. Sponsoring agencies of these grants include the Peoria County Highway Department (PCHD), Federal Highway Administration, and the Illinois Department of Transportation (IDOT)/ Illinois Center for Transportation.

Dr. Fahmidah Ashraf is designated as the Co-PI on this project. She received her doctorate from Penn State University in 2015, specializing in risk data analysis and bridge hydraulics. Her Ph.D. work dealt with the data collection and analysis for assessing bridge conditions across different districts of the Ohio DOT. The work includes collecting field data and sharing the data with the district managers focusing on how operations and governance can use data to great advantage, leading to the identification of best practices for combining data management capabilities. Her corresponding work on data-based prioritization and resource allocation was published in ASCE Journal of Bridge Engineering. Her M.Sc. work was completed in collaboration with Texas A&M and was sponsored by the Texas DOT (TxDOT). The collaborative work provided a new GIS database for TxDOT containing geographical characteristics of identified unstable stream sections. In the project, new data analysis procedures and design guidelines for structures in unstable streams were proposed, and the work is to readily replace the relevant section in the current TxDOT Hydraulic Design Manual. She is currently serving as a PI for a project funded by Illinois Space Grant, which focuses on satellite data management for stream restoration projects. She is also working on building a unified data infrastructure for bridge collapse events across the United States. She published a journal and presented her current works on data management at multiple conferences.

## 6.0 REFERENCES

1. *Pavement Management Guide*, Executive Summary Report, American Association of State Highway and Transportation Officials, November 2001.
2. *Technical Manual: Pavement Maintenance Management*. U.S. Army Corps of Engineers. Washington, D.C.: Headquarters, Department of the Army, 1982.
3. *Asphalt-Surfaced Roads and Parking Lots: PAVER™ Distress Identification Manual*, US Army Corps of Engineers, ERDC- CERL, June 2009.
4. *Concrete Surfaced Roads and Parking Lots: PAVER™ Distress Identification Manual*, US Army Corps of Engineers, ERDC- CERL, June 2009.

**EXHIBIT B - AGREEMENT Budget**

**Budget**  
**12 month Project Duration**

<u>PERSONNEL</u>	\$15,800.00
<u>FRINGE BENEFITS</u>	\$380.00
<u>SUPPLIES</u>	\$0.00
<u>TRAVEL</u>	\$1,446.00
<u>TOTAL DIRECT COSTS</u>	\$18,426.00
<u>INDIRECT COSTS @ 53% (Note A)</u>	\$8,374.00
<b><u>TOTAL COSTS</u></b>	<b>\$26,000.00</b>

Note A: Indirect Cost is calculated using 53% indirect cost rate applied to total direct labor costs excluding fringe benefits.



# Resolution for Improvement Under the Illinois Highway Code



Is this project a bondable capital improvement?

Yes  No

Resolution Type	Resolution Number	Section Number
Original		22-00182-07-ES

BE IT RESOLVED, by the Board of the County

Governing Body Type

Local Public Agency Type

of Peoria Illinois that the following described street(s)/road(s)/structure be improved under

Name of Local Public Agency

the Illinois Highway Code. Work shall be done by Contract.

Contract or Day Labor

For Roadway/Street Improvements:

Name of Street(s)/Road(s)	Length (miles)	Route	From	To
Countywide		Various		

For Structures:

Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

maintenance of pavement management system by surveying the condition of the roads and populating the databases.

2. That there is hereby appropriated the sum of twenty six thousand and 00/100\*\*\*\*\*

\*\*\*\*\* Dollars ( \$26,000.00 ) for the improvement of

said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Rachael Parker County Clerk in and for said County

Name of Clerk

Local Public Agency Type

Local Public Agency Type

of Peoria in the State aforesaid, and keeper of the records and files thereof, as provided by

Name of Local Public Agency

statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by

Board of Peoria at a meeting held on March 10, 2022.

Governing Body Type

Name of Local Public Agency

Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this        day of        Month, Year       .

(SEAL)

Clerk Signature	Date

**Approved**

Regional Engineer Department of Transportation	Date

## Instructions for BLR 09110 - Page 1 of 2

NOTE: Form instructions should not be included when the form is submitted.

This form shall be used when a Local Public Agency (LPA) wants to construct an improvement using Motor Fuel Tax(MFT) funds. Refer to Chapter 9 of the Bureau of Local Roads and Streets Manual (BLRS Manual) for more detailed information. For signature requirements refer to Chapter 2, Section 3.05(b) of the BLRS Manual.

When filling out this form electronically, once a field is initially completed, fields requiring the same information will be auto-populated.

Is this project a bondable capital improvement?

Check Yes if the project was a bondable capital improvement, check no if it is not. An example of a bondable capital project may include, but is not limited to: project development, design, land acquisition, demolition when done in preparation for additional bondable construction, construction engineering, reconstruction of a roadway, designed overlay extension or new construction of roads, bridges, ramps, overpasses and underpasses, bridge replacement and/or major bridge rehabilitation. Permanent ADA sidewalk/ramp improvements and seeding/sodding are eligible expenditures if part of a larger capital bondable project. A bondable capital improvement project does not mean the LPA was required to sell bonds to fund the project, however the project did meet the criteria to be bondable.

Resolution Number

Enter the resolution number as assigned by the LPA, if applicable.

Resolution Type

From the drop down box choose the type of resolution:

- Original would be used when passing a resolution for the first time for this project.
- Supplemental would be used when passing a resolution increasing appropriation above previously passed resolutions.
- Amended would be used when a previously passed resolution is being amended.

Section Number

Insert the section number of the improvement the resolution covers.

Governing Body Type

From the drop down box choose the type of administrative body. Choose Board for County; Council for a City or Town; President and Board of Trustees for a Village or Town.

LPA Type

From the drop down box choose the LPA body type. Types to choose from are: County, City, Town or Village.

Name of LPA

Insert the name of the LPA.

Contract or Day Labor

From the drop down choose either Contract or Day Labor.

### Roadway/Street Improvements:

Name Street/Road

Insert the name of the Street/Road to be improved. For additional locations use the Add button.

Length

Insert the length of this segment of roadway being improved in miles.

Route

Insert the Route Number of the road/street to be improved if applicable.

From

Insert the beginning point of the improvement as it relates to the Street/Road listed to the left.

To

Insert the ending point of the improvement as it relates to the Street/Road listed to the left.

### Structures:

Name Street/Road

Insert the name of the Street/Road on which the structure is located. For additional locations use the Add button.

Existing Structure No.

Insert the existing structure number this resolution covers, if no current structure insert n/a.

Route

Insert the Route number on which the structure is located.

Location

Insert the location of the structure.

Feature Crossed

Insert the feature the structure crosses.

1

Insert a description of the major items of work of the proposed improvement.

2

Insert the dollar value of the resolution for the proposed improvement to be paid for with MFT funds in words followed by in the same amount in numerical format in the ().

**Instructions for BLR 09110 - Page 2 of 2**

Name of Clerk	Insert the name of the LPA clerk.
LPA Type	Insert the type of clerk based on the LPA type. Types to choose from are: County, City, Town or Village.
Name of LPA	Insert the name of the LPA.
Governing Body Type	Insert the type of administrative body. choose Board for County; Council for a City or Town; President and Board of Trustees for a Village or Town
Name of LPA	Insert the name of the LPA.
Date	Insert the date of the meeting.
Day	Insert the day Clerk is signing the document.
Month, Year	Insert the month and year of the Clerk's signature. Seal The Clerk shall seal the document here.
Clerk Signature	Clerk shall sign here.
Approved	The Department of Transportation shall sign and date here once approved.

**A minimum of three (3) certified signed originals must be submitted to the Regional Engineer's District office. Following IDOT's approval, distribution will be as follows:**

- Local Public Agency Clerk
- Engineer (Municipal, Consultant or County)
- District

TO THE HONORABLE COUNTY BOARD )  
 )  
COUNTY OF PEORIA, ILLINOIS )

Your Infrastructure Committee does hereby recommend passage of the following Resolution:

RE: Approval of Pavement Management Agreement with Bradley University

**RESOLUTION**

WHEREAS, the County of Peoria is in need of maintaining its pavement management system for the County Highways, designated as Section Number 22-00182-07-ES; and

WHEREAS, Bradley University has the capability to obtain field data of the County's highway system and update the system database.

NOW THEREFORE BE IT RESOLVED, that the agreement with Bradley University for the pavement management system is hereby approved; and

BE IT FURTHER RESOLVED, that the sum of \$26,000.00 is hereby appropriated from the County Motor Fuel Tax Fund for Section Number 22-00182-07-ES; and

BE IT FURTHER RESOLVED, that the County Administrator is hereby authorized to sign the agreement, and that the County Treasurer is hereby authorized to issue checks from the County Motor Fuel Tax Fund for payment of invoices for the pavement management system work.

Respectfully Submitted,

Infrastructure Committee

**AGENDA BRIEFING**

**COMMITTEE:** Infrastructure **LINE ITEM:** N/A

**MEETING DATE:** February 28, 2022 **AMOUNT:** N/A

**ISSUE:** Ordinance to lower the speed limit on W. Robertson Road in Radnor Township.

**BACKGROUND/DISCUSSION:** Radnor Township has received multiple complaints of motorists speeding on W. Robertson Road and requested a speed study to be performed.

A speed study conforming to the Illinois Department of Transportation’s POLICY ON ESTABLISHING AND POSTING SPEED LIMITS ON THE STATE HIGHWAY SYSTEM, was completed in the subdivision on December 14, 2021. The results of the speed study revealed the following:

<b>ROAD</b>	<b>LOCATION</b>	<b>EXISTING SPEED LIMIT</b>	<b>PROPOSED MAXIMUM SPEED LIMIT</b>
W. Robertson Road	Ford Road to Cul-de-Sac	Unposted 30 mph	30 mph

If this ordinance is approved, W. Robertson Road will be posted to 30 mph.

**COUNTY BOARD GOALS:**



**INFRASTRUCTURE STEWARDSHIP**

**STAFF RECOMMENDATION:** Post speed limit on W. Robertson Road in accordance with the speed study results.

**COMMITTEE ACTION:**

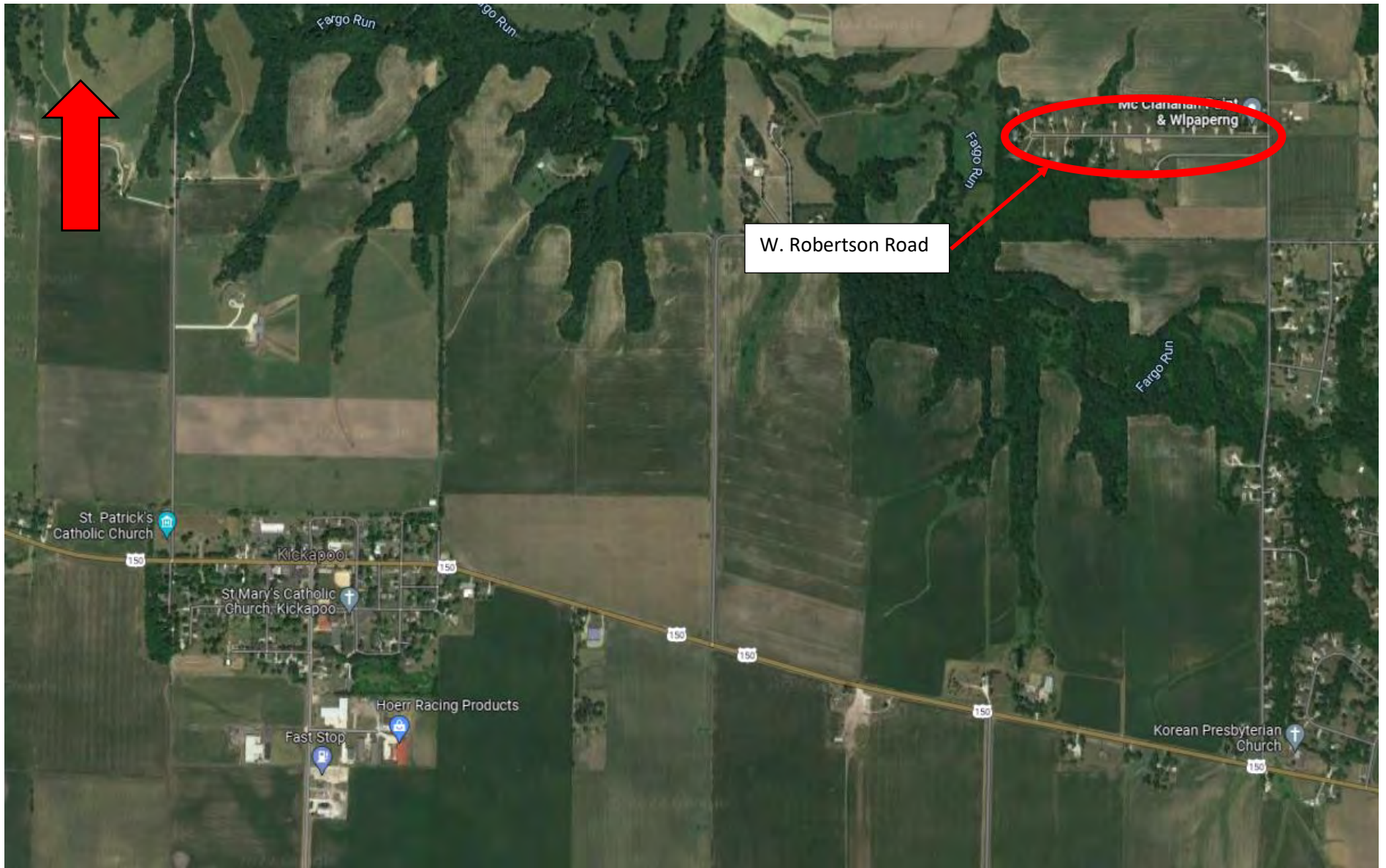
**APPROVED 2/28/22 (4-0 VOTES) MS. PASTUCHA ABSENT**

**PREPARED BY:** Jeffrey D. Gilles

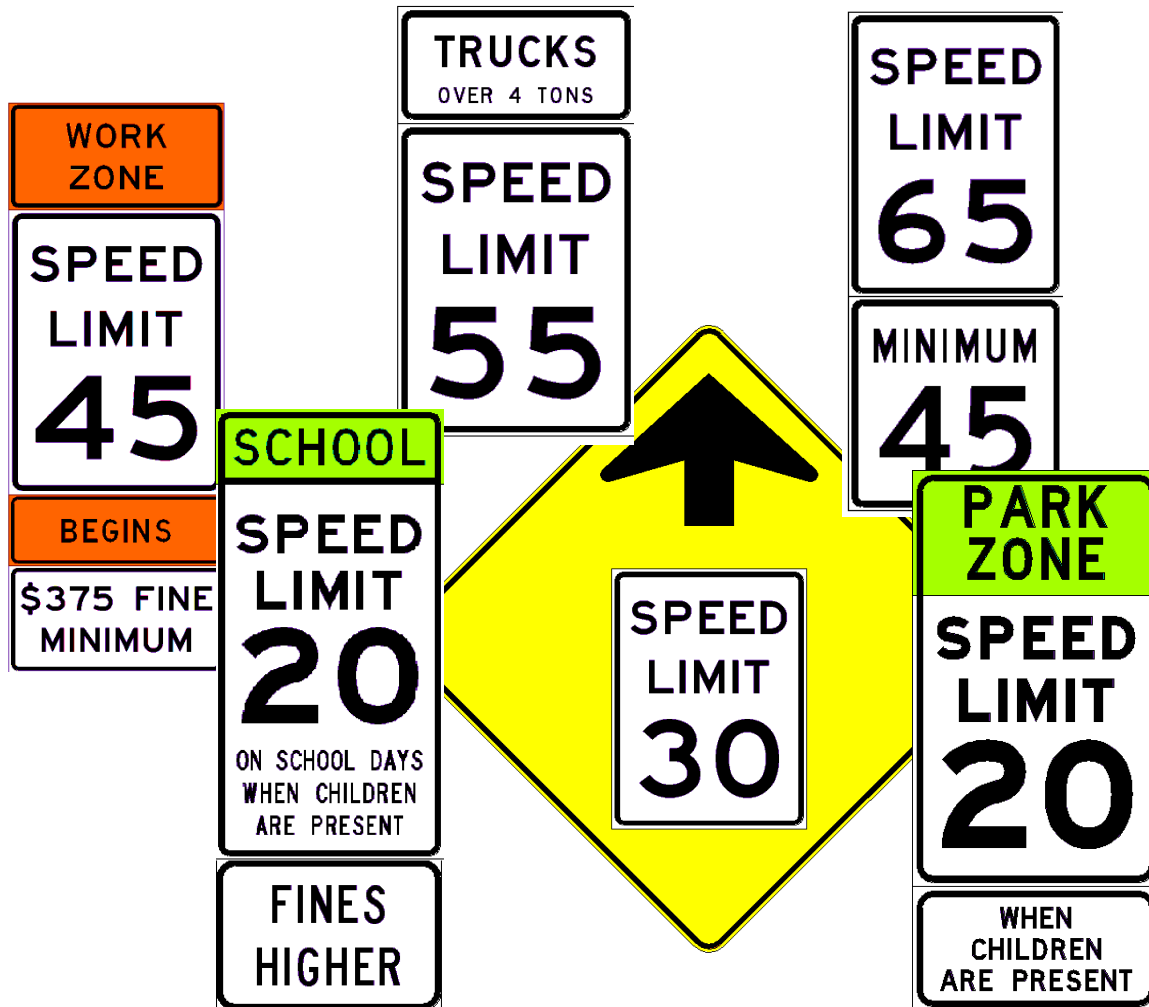
**DEPARTMENT:** Highway

**DATE:** February 7, 2022





**W. ROBERTSON ROAD LOCATION MAP**



# Policy on Establishing and Posting Speed Limits on the State Highway System

March 2011



Illinois Department of Transportation

**POLICY ON ESTABLISHING AND POSTING SPEED LIMITS ON THE  
STATE HIGHWAY SYSTEM  
ILLINOIS DEPARTMENT OF TRANSPORTATION – BUREAU OF OPERATIONS**

**APPLICATION OF POLICY TO CITIES, COUNTIES AND OTHER LOCAL AGENCIES**

The Illinois Vehicle Code does not require local agencies to obtain department approval for speed zones on roads under their respective jurisdictions. While the procedures contained in this policy may be used for altering speed limits on any public highway, use of such procedures by local agencies is not required by statute. If a local agency wishes to ask a district for review of a speed zone, the district may, of course, do so. However, when responding back to the agency, a statement should be included indicating that the comments are not to be considered as either approval or disapproval. Local Agencies should refer to Section 11-604 of the Illinois Vehicle Code for additional information and specific regulations regarding the alteration of speed limits on local roads.

**GENERAL SPEED LIMITS**

Speed limits on highways under the jurisdiction of the department shall be established on the basis of the latest revisions/editions to Article VI of the Illinois Vehicle Code (IVC), the Illinois Manual on Uniform Traffic Control Devices (IMUTCD), the Standard Specifications for Road and Bridge Construction, the Highway Standards and this policy. Night speed limits shall not be used.

**A. Statutory Speed Limits**

Section 11-601 of the IVC spells out the statutory speed limits in effect in Illinois. These limits may be enforced without any signing.

**Outside Urban Districts**

**Freeways/Expressways**

This category is defined as highways designated by the department which have at least 4 lanes of traffic where the traffic moving in opposite directions is separated by a strip of ground which is not surfaced or suitable for vehicle traffic. For the purposes of this policy, this includes all full freeways (Interstate and interstate-type freeways).

Passenger cars, buses, and trucks with gross weights of 4 tons or less	65 mph
Vehicles towing trailers, housecars, and campers	65 mph
Trucks with gross weights of over 4 tons	
(Interstate Routes)	65 mph
(All Non-Interstate Routes)	55 mph
(Within Cook, Dupage, Kane, Lake, McHenry, and Will Counties)	55 mph

This also allows the department to apply these limits to designated sections of rural expressways with full control of access and at-grade intersections rather than interchanges. In general, this should only be done where engineering judgment indicates such limits may be safely accommodated. Short sections should be avoided.

## **Conventional Highways**

All vehicle types 55 mph

## **Inside Urban Districts (All vehicle types)**

All streets and highways 30 mph

Alleys 15 mph

“Urban District” is defined in Section 1-214 of the IVC as “The territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than 100 feet for a distance of a quarter of a mile or more.” *Note that whether the street or highway in question is inside or outside of the corporate limits of a community is not included in this definition and therefore, is not applicable to the determination of where such statutory speed applies. This means that the statutory speed on an unposted street within the corporate limits of a community but outside an urban district would be 55 miles per hour.*

## **B. Altered Speed Limits**

State statutes allow the department to alter certain of the statutory speeds either up or down (statutory speeds of 55 and 65 miles per hour may only be altered downward). State statutes and the Illinois Manual on Uniform Traffic Control Devices require that such altered speed limits be based on “... an engineering study that has been performed in accordance with traffic engineering practices. The engineering study shall include an analysis of the current speed distribution of free-flowing vehicles.”

The following investigation and selection criteria shall be used to determine altered speed limits on streets and highways under the jurisdiction of the department. While it is not mandatory that local agencies use this format and criteria, it is recommended. Regardless of the form the engineering and traffic investigation takes, it should be based on valid traffic engineering principals, an analysis of the speed distribution of free-flowing vehicles, and be well documented.

Perceived speed enforcement tolerances shall not be taken into account in the setting of speed limits.

## **Prevailing Speed**

The determination of the prevailing speed of free-flowing traffic is the basic step in establishing an altered speed limit either lower or higher than the statutory limit (statutory speeds of 55 and 65 miles per hour may only be altered downward). This is based on the nationally accepted premise that a majority of the drivers will drive at a speed which they judge to be safe and proper. The prevailing speed is the computed average of the following three sets of data, measured during free-flowing traffic conditions:

1. **EIGHTY-FIFTH PERCENTILE SPEED:** The 85th percentile speed is defined as the speed at or below which 85 percent of the vehicles are traveling. This speed is determined on the basis of spot speed studies, normally made with a concealed radar or laser speed meter.

Spot speed studies should be made as close as practical to the center of the zone which is being studied. If the zone is in excess of one mile in length in rural areas or 1/2 mile in urban areas, studies should be made at two or more locations. Care must be exercised to be sure that the data are collected in such manner and at such times that they are a true indication of normal conditions. Such conditions normally prevail under good weather conditions, on dry pavement, during daylight hours, outside of rush periods, and on any day except weekends or holidays. Observations should not be made immediately following a crash, when traffic is influence by construction or maintenance operations, or during a period of greater than normal enforcement. Every effort should be made to conceal the fact that speeds are being recorded.

Speeds should be observed for at least 100 passenger cars/vans and pickup trucks in each lane in each direction. Speeds of vehicles over four tons in size should not be used in determining altered speed zones. On lower-volume roads where it would be difficult to sample 100 vehicles in each direction, the study may be terminated after three hours. When traffic is travelling in platoons, the speed of the lead vehicle(s) should be used. Following vehicles tend to base their speeds on the lead vehicle. Use of following vehicles will tend to bias the recorded speeds downward. Care should also be taken to avoid recording the speeds of a disproportionate number of high speed vehicles to avoid an upward speed bias.

2. **UPPER LIMIT OF THE 10 MILES PER HOUR PACE:** The 10 mph pace is defined as the 10 mph range containing the most vehicles. This is determined on the basis of the spot speed studies discussed above.

3. **AVERAGE TEST RUN SPEED:** Average test run speeds are determined on the basis of five vehicle runs in each direction over the length of the proposed zone. It is not necessary to use an unmarked vehicle, however the use of any vehicle which might be mistaken for a law enforcement vehicle should be avoided. Observations should be made under the same general conditions noted above for spot speed studies. The prime consideration in use of test runs is to approximate the median speed. To accomplish this, the driver should try to "float" in the traffic stream. On multi-lane roads, the driver should pass as many vehicles as pass the test car. Use of test run speed is optional on lower-volume roads and should not be included when determining the prevailing speed for very short zones or for any specific type of vehicle other than passenger cars/vans.

The prevailing speed, to the nearest 5 miles per hour, may be used directly as the Altered Speed Limit, subject to any further adjustment resulting from reviewing the Anticipated Violation Rate as set forth below. However, in certain cases, a lower altered speed limit may be justified on the basis of supplementary investigations.

### **Optional Supplementary Investigations**

The selected Altered Speed Limit may differ from the established prevailing speed (not the proposed posted speed) by up to 9 miles per hour when justified by further investigation. Such investigations shall be limited to studying any or all of the following four conditions:

1. HIGH-CRASH LOCATIONS: If the zone being studied contains a portion of a high-crash segment or contains a high-crash intersection as shown on the most recent 5% report as distributed by the Bureau of Safety Engineering, the prevailing speed may be reduced by 10%.

2. ACCESS CONTROL: The effect of driveways and other entrances is determined by using an "access conflict number." For this purpose, field entrances or driveways to single-family dwellings shall have a conflict number of 1. Minor commercial entrances and driveways serving multi-family residential units and minor street intersections shall have a conflict number of 5. Major commercial entrances, driveways serving large multi-family developments and major street intersections shall have a conflict number of 10. If the total access conflict number within a proposed zone exceeds those shown in the following table, the prevailing speed may be reduced by the percentages indicated.

<u>Access Conflicts Per Mile</u>	<u>Percent Reduction in Speed</u>
40 or less	0
41 - 60	5
61 or more	10

3. PEDESTRIAN ACTIVITY: Where no sidewalks are provided or where sidewalks are located immediately behind the curb and the total pedestrian traffic exceeds ten per hour for any three hours within any eight-hour period, the prevailing speed may be reduced by 5 percent. Pedestrians crossing the route at intersections or established crossing points may be included if the point of crossing is not controlled by a STOP or YIELD sign on the route in question, or does not have traffic signals.

4. PARKING: The prevailing speed may be reduced by 5 percent where parking is permitted adjacent to the traffic lanes.

5. MISCELLANEOUS: Other factors may be included in the investigation based on engineering judgment. Normally, isolated curves and turns, areas of restricted sight distances, no-passing zones, etc., should not to be considered as the basis for alteration of speed limits.

### **Selection of Altered Speed Limit**

To determine the proposed altered speed limit, either use the calculated prevailing speed, or apply the percentage corrections resulting from any or all of the above optional factors to the prevailing speed, and select the closest 5 mile per hour increment. In no case, however, should the proposed altered limit differ either upward or downward from the prevailing speed by more than 9 miles per hour or by more than 20 percent, whichever is less. Next, compare the proposed altered speed limit to the speeds collected in the spot speed study and determine the anticipated violation rate. If the anticipated violation rate exceeds 50 percent, the proposed altered speed limit should be revised in 5 mile per hour increments until the anticipated violation rate is equal or less than 50 percent. If this results in a proposed altered speed limit which exceeds a 30 mph statutory speed for the highway in question, either the statutory speed or the proposed altered speed may be used to set the speed limits. If the speed selected results in a violation rate greater than 50 percent, the appropriate police agency(ies) should be notified that extra enforcement efforts may be necessary.

Differences in posted speeds between adjacent altered speed zones should not be more than 10 miles per hour.

## **C. Posting of General Speed Limits**

### **Speed Reduction Signs**

A Speed Reduction sign (W3-5) shall be erected in advance of any speed zone that is 10 miles per hour or more under the passenger car limit in a preceding statutory or altered limit of 45 miles per hour or more and should be erected at other locations where engineering judgment indicates the need. It shall be placed approximately 500 to 600 feet in advance of the lower speed zone and shall always be followed by a basic speed limit sign erected at the beginning of the zone.

On divided and one-way facilities having two or more lanes in one direction, the Speed Reduction signs, where used, and the first basic speed limit sign for the altered speed zone, shall be installed on both sides of the roadway except in situations where insufficient room exists in a median. Red 18-inch metal retroreflectorized "flags" shall be installed on the Speed Reduction signs preceding any transition from a 60 or 65 miles per hour zone to a lower speed zone.

When speed zones on rural highways extend only through signalized intersections, speed limit signs for the altered zones shall be installed at least 1,000 feet prior to the intersections on both sides of the roadway except in situations where insufficient room exists in a median. Normally, such altered zones should be terminated approximately 500 feet beyond the intersection.

### **Speed Limit Signs**

Speed limit signs shall be posted at points of entry to the state even where the preceding speed limit in the adjacent state is the same. The signs should be placed as close to the state line as possible. On conventional rural highways, speed limit signs should also be posted after major highway intersections, and at such other locations as necessary to ensure that there is at least one sign every 10 miles. On Interstate highways and other full freeways, speed limit signs should be placed following the entrance ramps from all except very closely spaced interchanges, and at such other locations as necessary to ensure that there is at least one sign every 10 miles.

The prohibition on the use of electronic speed detection devices within 500 feet beyond certain speed limit signs in the direction of travel (Section 11-602 of the IVC) shall not be taken into account in the placement of speed limit signs.

The following spacings for speed limit signs are recommended in altered speed zones and for 30 mph zones in urban areas. All speed zones, either altered or statutory, shall be posted on state highways.

<u>Posted Speed</u>	<u>Recommended Sign Spacing</u>
30 mph or less	660 ft to 1,320 ft (2 to 4 blocks)
35 or 40 mph	990 ft to 1,980 ft (3 to 6 blocks)
45 mph	1,320 ft to 2,640 ft (4 to 8 blocks)
55 or 60	2 to 10 miles

Some speed limit signs for freeways/expressways where the speed limit differs between trucks over 4 tons and all other vehicles shall include an additional „Trucks Over 4 Tons“ R2-I109 plaque. This plaque shall be installed above the first 55 mph speed limit sign entering the dual speed zone and the first speed limit sign exiting the dual speed zone. Red 18-inch metal retroreflectorized flags shall also be installed on the first 55 mph speed limit sign entering a dual speed zone.

### **Minimum Speed Limit Signs**

A MINIMUM 45 mph speed plaque (R2-I101) shall be placed below each basic 60 or 65 mph speed limit sign (R2-1) for fully access-controlled freeways only. It may be omitted where closely spaced interchanges or volume/capacity restraints make compliance with a 45 mph minimum speed limit impractical. A minimum speed shall not be used with 55 mph or lower speed limits.

## **SCHOOL SPEED LIMITS**

School speed limits on highways under the jurisdiction of the department shall be established on the basis of Article VI of the Illinois Vehicle Code (IVC), Part 7 of the Illinois Manual on Uniform Traffic Control Devices (IMUTCD) and this policy.

Section 11-605 of the IVC allows establishment of 20 miles-per-hour speed limits on streets and highways passing schools or upon any street or highway where children pass going to and from school. Such established limit is to be in effect “On a school day when school children are present and so close thereto that a potential hazard exists because of the close proximity of the motorized traffic...” It further defines school days as beginning at 7 a.m. and ending at 4 p.m. Such a zone may be established for public, private and religious nursery, primary or secondary schools.

An engineering and traffic investigation shall be conducted to determine whether or not a school speed zone is warranted. The investigation shall consider such factors as the existing traffic control, whether school crosswalks are present or not, the type, character and volume of vehicular traffic, and the ages and numbers of schoolchildren likely to be present. It shall also consider where the children would be located in relation to the traffic.

Speed zones should be limited to those locations where school buildings or grounds devoted primarily to normal school day activities are adjacent to the highway or where groups of children cross the highway on their way to and from a school. Areas devoted primarily to athletic or other extracurricular activities should not be zoned.

The limits of school speed zones should be determined based upon where children are likely to be present and not based upon the limits of the school property. There are situations, primarily in rural areas, where the school-owned property line is some distance from the actual portion of the property occupied by the school and there are no children walking or present along that portion of the property. Establishing a 20 mile-per-hour school speed limit based solely on the location of the property line would be inappropriate. Conversely, it might be appropriate to impose a 20 mile-per-hour school speed limit some distance ahead of the property line where children walk close to the highway on their way to and from school and such path is part of a planned school walk route.

Speed zones should not be established for crossings where schoolchildren are protected by devices such as stop signs or traffic signals. An exception may be made when the speed zone serves to protect children walking on or immediately adjacent to the roadway in the school area.



Speed zones should not be established when the school or school grounds are completely isolated from the highway by means of a fence or other barrier, and no access to the highway is provided. They should also not be established for crossing where an underpass or overpass is provided or for school entrances used for buses or private vehicles carrying children to and from school.

The beginning of a school speed zone should be marked with a school speed limit 20 mph sign (S4-I100 or S4-I101) with a FINES HIGHER sign (R2-6P) mounted underneath. The end of a school speed zone should be marked with the appropriate standard speed limit sign (R2-1) and an END SCHOOL ZONE sign (S5-2) mounted underneath.

If requested by a local agency, CELL PHONE USE PROHIBITED signs (R2-I110) may be placed below Reduced School Speed Limit Ahead signs (S4-5) on state highways provided the local agency has a policy of placing such signs in conjunction with any school speed zones on roads under their jurisdiction. Where Reduced School Speed Limit Ahead signs are not used, the CELL PHONE USE PROHIBITED sign may be installed separately or below the school sign. (S1-1).

## **WORK ZONE SPEED LIMITS**

### **A. Altered Speed Limits**

- No Speed Limit Reduction or Work Zone Speed Limit– All roadway types

The existing speed limit shall not be lowered and a work zone speed limit shall not be established when there is no lane reduction or apparent hazard.

- Existing 65 or 60 mph - Multilane:  
Speed Limit Reduction to 55 mph

55 mph Work Zone Speed Limit signs (see Art. 701.14(b) of the Standard Specifications for Road and Bridge Construction) shall be used to reduce posted speed limits from 65 or 60 mph to 55 mph in construction work zones with lane closures or crossovers as shown on the Highway Standards or as noted in the traffic control plans. For this requirement to be added to an ongoing contract, it must be approved by the District Operations Engineer. Work Zone Speed Limit signs may also be used to reduce the existing speed limit to 55 mph if engineering judgment indicates the reduced speeds are necessary (See Section C). Approval of the District Operations Engineer is required.

- Existing 65 or 60 mph - Multilane:  
Speed Limit Reduction to 45 mph When Workers are Present

45 mph Work Zone Speed Limit signs (see Art. 701.14(b) of the Standard Specifications for Road and Bridge Construction) within the lane closure shall be used when workers are present in the closed lane adjacent to traffic and are not protected by temporary concrete barrier. This sign may be used in conjunction with other Work Zone Speed signs to drop the 55 mph Work Zone Speed Limit to 45 mph. If conditions that warrant these signs develop during construction, the signs may be added to the contract upon approval of the District Operations Engineer (See Section C). These signs shall be utilized as indicated in the Highway Standards and as noted by the designer in the traffic control plans. The signs shall be covered, turned or removed when workers are no longer present.

- Existing 45 - 55 mph – Multilane:  
Work Zone Speed Limit 45 established

Work Zone Speed Limit signs for existing multilane 45 to 55 mph speed limits shall be as shown on the Highway Standards and as noted in the traffic control plans. The signing changes an existing 45 mph speed limit to a 45 mph work zone speed limit. A reduction in the speed limit beyond 10 mph is not recommended and design changes should be considered that will allow traffic to safely move at 45 mph.

- Existing speed limit below 45 mph for multilane and all 2-Lane roadways

The existing speed limit should not be lowered and a work zone speed limit should not be established.

If a justification from Section C is met and cannot be corrected in a reasonable length of time, a 10 mph reduction may be considered. This reduction shall be based on engineering judgment and shall be approved by the District Operations Engineer.

## **B. Increased Fines in Work Zones**

The applicable highway construction or maintenance speed limit fines are specified in Section 11-605.1 of the IVC.

The work zone must be posted according to the requirements for Work Zone Speed Limit signs. For the increased fines to be enforceable, the Minimum Fine Sign and the WORK ZONE Sign must be present as shown in the applicable Highway Standards.

## **C. Justifications for Work Zone Speed Limit Reductions**

The following may be additional reasons for reducing an existing speed limit in a work zone or for establishing a work zone speed limit in excess of 10 mph below the existing speed limit. This reduction should be based on engineering judgment, documented, and approved by the District Operations Engineer.

- Narrow pavement lane width
- High traffic volumes
- Drop-offs
- Temporary road alignment where a design for higher speed operation is not feasible due to space requirements or other factors
- Inadequate sight distance

## **D. Posting of Work Zone Speed Limit Signs**

Work Zone Speed Limit Signs shall be posted according to Article 701.14(b) of the Standard Specifications for Road and Bridge Construction, the applicable Highway Standards, and as shown on the design plans.

## MISCELLANEOUS SPEED POLICIES

### A. Blanket Speed Limit Signs

Posting of signs indicating general municipal speed limits, such as "SPEED LIMIT 25 ON VILLAGE STREETS," shall not be used on state highways. Section 11-604 of the IVC requires that speed limit signs be placed "...at the proper place or along the proper part or zone of the highway or street." The Office of Chief Counsel has determined that this requires each individual altered speed zone be signed.

### B. Radar Warning Signs

SPEED RADAR TIMED, or other similar signs, shall not be used on state highways. An Illinois Attorney General's Opinion (1966-196) stated that such signs were not necessary for enforcement.

### C. Aerial Speed Check Markings

Where requested by the Illinois State Police, aerial speed check markings on state highways may be placed in accordance with the guidelines contained in Section 7-401.21 of the Bureau of Operations Traffic Policies and Procedures Manual.

### D. Design, Posted, and Operating Speeds

To prevent potential safety issues, the design speed selected to determine the design features of a roadway should equal or exceed the anticipated posted speed after construction as determined by the requirements of this policy. The designer should coordinate the design speed selection with the District Bureau of Operations anticipated posted speed limit selection. If the proposed design speed will be less than the anticipated posted speed, the designer must choose one of the following approaches:

- Seek a design exception
- Increase the design speed to equal the anticipated posted speed
- Post the project with a legal speed limit equal to the design speed  
(The legal speed limit shall be determined in accordance with:  
Section 625 ILCS 5/11-602 of the Illinois Vehicle Code  
Section 23 CFR 655 of the US Code of Federal Regulations  
The requirements of this policy)

The designer should avoid artificially selecting a design speed low enough to eliminate any design exceptions. For example, if IDOT criteria yield a design speed of 60 mph and one or more geometric features are adequate only for 55 mph, the design speed should be 60 mph and not 55 mph. The designer will then be required to seek design exceptions for 55 mph geometric features.

### **Curbed Sections**

Sections with continuous barrier curbs at or near the edge of pavement should be avoided in areas where operating speeds can be expected to be greater than 45 mph. However, where a speed study justifies a speed limit of 50 mph or greater, the posted limit may be reduced to 45 mph upon the written approval of the District Operations Engineer. If the curbed section is short, such as with channelizing in conjunction with a freeway interchange, the operating speed should be used.

### **E. Two-Way Left Turn Lanes**

Two-way left turn lanes should be avoided in areas where operating speeds can be expected to be greater than 45 mph. However, where a speed study justifies a speed limit of 50 mph or greater, the posted limit may be reduced to 45 mph upon the written approval of the District Operations Engineer.

### **F. Park Zone Speed Limits**

Park Zone speed limits on roads under the jurisdiction of local agencies may be established on the basis of Section 11-605.3 of the IVC and part 2 of the Illinois Manual on Uniform Traffic Control Devices (IMUTCD).

Section 11-605.3 of the IVC allows local agencies to establish Park Zones and Park Zone Speed Limits by ordinance or resolution on streets and highways under their jurisdictions which abut parks. It does not allow the posting of a 20 mph Park Zone Speed Limit along streets or roads under the jurisdiction of the Illinois Department of Transportation.

A reduction in the speed limit along an abutting street under the jurisdiction of the department could be established in accordance with Section 11-602 of the IVC where warranted by a speed study. However, such a reduction in the speed limit would be signed as a normal speed limit and not as a “park zone speed.”

If requested by local agencies, districts may post Illinois Standard W15-I100 PARK ZONE signs on abutting streets and highways under the jurisdiction of the department if the local agency has established and signed a park zone. These signs may be installed regardless of whether a “park zone speed limit” has been established or not.

# SPOT SPEED STUDY

DIST: \_\_\_\_\_ CITY/LOCATION: \_\_\_\_\_ ROUTE: \_\_\_\_\_ DATE: \_\_\_\_\_ DAY: \_\_\_\_\_

CHECK NO.	RECORDER	HOURS FM: _____ M TO: _____ M	WEATHER	SURFACE WET DAMP DRY	FT. MI. E W N S OF E W N S SIDE	TRAFFIC CHECKED: EB WB NB SB	85TH PERCNTLE	UPPER LIMIT 10 MPH PACE	POSTED LIMIT MPH	VIOLATION RATE
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MPH	NUMBER OF VEHICLES									
	5	10	15	20	25	30	35	40	45	
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ABOVE 85 MPH, LIST INDIVIDUALLY: \_\_\_\_\_

**ESTABLISHMENT OF SPEED ZONE  
DISTRICT \_\_\_\_\_**

ROUTE: \_\_\_\_\_ FROM: \_\_\_\_\_

TO: \_\_\_\_\_ LENGTH: \_\_\_\_\_

CITY: \_\_\_\_\_ COUNTY: \_\_\_\_\_

**I SPOT SPEED STUDIES (Attached)**

CHECK NO.	85 <sup>TH</sup> %	UPPER LIMIT 10 MPH PACE

**V ACCESS CONFLICTS**

RESIDENTIAL DRIVES: _____ X 1 = _____
SMALL BUSINESS DRIVES: _____ X 5 = _____
LARGE BUSINESS DRIVES: _____ X10 = _____
ACCESS CONFLICT NO. TOTAL: _____
STUDY LENGTH: _____ = _____ (MILES) CONFLICTS / MILE

**II TEST RUNS**

RUN NO.	AVG. SPEED	DIRECTION
1		
2		
3		
4		
5		

**VI MISC. FACTORS**

PEDESTRIAN VOLUME: _____
HIGH-CRASH LOCATION: _____ YES _____ NO
PARKING PERMITTED: _____ YES _____ NO

**III PREVAILING SPEED**

85 <sup>TH</sup> % AVG. : _____ MPH
UPPER LIMIT OF 10 MPH PACE: _____ MPH
TEST RUN AVE. : _____ MPH
PREVAILING SPEED: _____ MPH

**VII PREVAILING SPEED ADJUSTMENT**

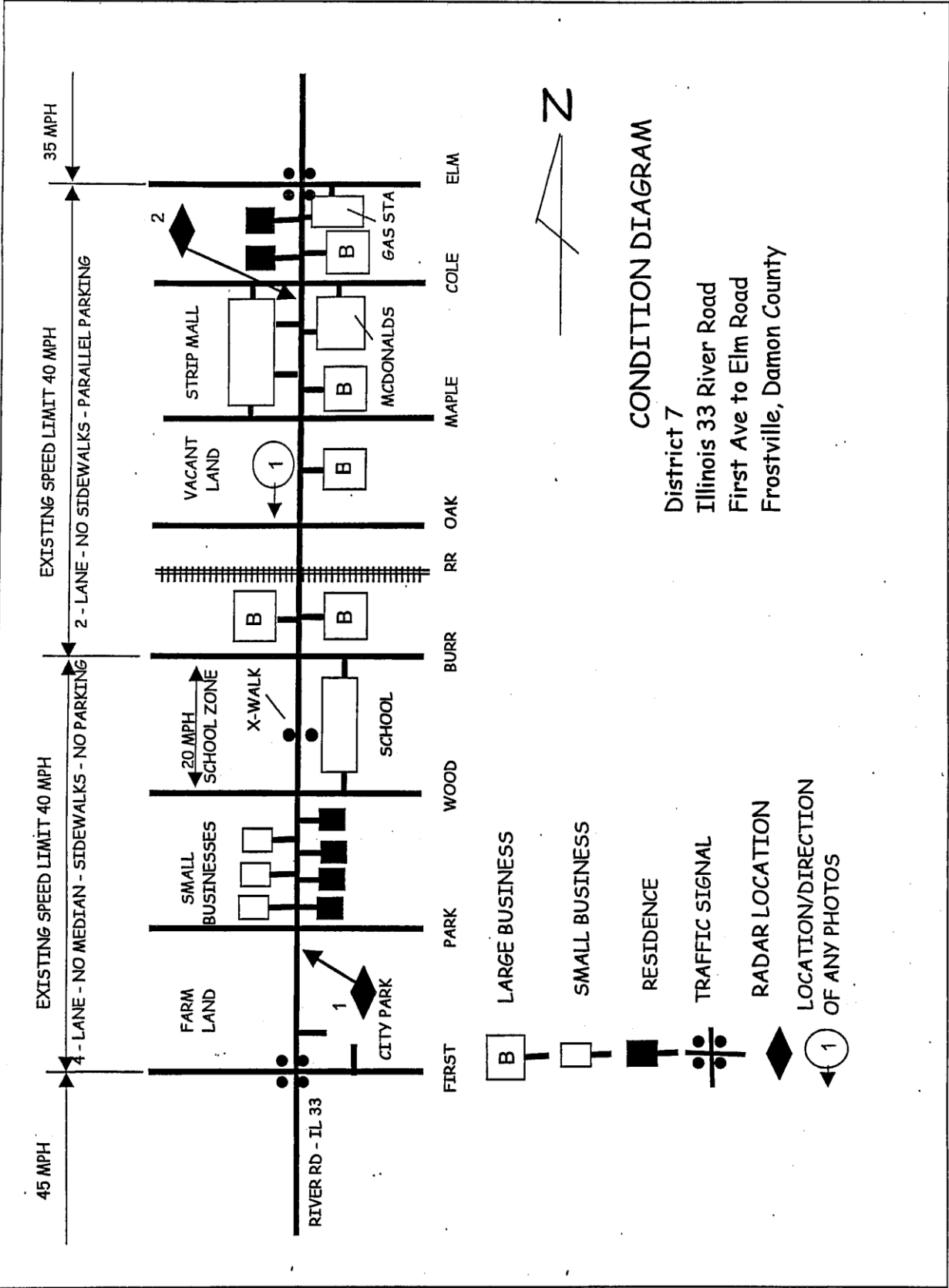
DRIVEWAY ADJUSTMENT: _____ %
PEDESTRIAN ADJUSTMENT: _____ %
CRASH ADJUSTMENT: _____ %
TOTAL (MAX 20%): _____ %
_____ MPH X _____ % = _____ (Prevailing Speed) (adjust.) (Max. 9 MPH)
ADJUSTED PREVAILING SPEED: _____

**IV EXISTING SPEED LIMIT**

ZONE BEING STUDIED: _____ MPH
VIOLATION RATE: _____ %
ADJACENT ZONE N or W: _____ MPH
LENGTH: _____ MILES
ADJACENT ZONE S or E: _____ MPH
LENGTH: _____ MILES

**VIII REVISED SPEED LIMIT**

RECOMMENDED SPEED LIMIT: _____ MPH
ANTICIPATED VIOLATION RATE: _____ %
RECOMMENDED BY: _____
DATE: _____
APPROVED BY: _____
DATE: _____



## West Robertson Road-Edwards, Peoria County

*From Ford Road to cul-de-sac of Robertson Road*

*Existing non posted speed limit-30 MPH*

*Length = 0.50 mile      ADT= Undetermined residential street*

The section studied is a two-lane seal coated surfaced road .50 miles in length that runs through a residential neighborhood in Radnor Township. Robertson road runs West of Ford road which runs North and South. The Eastern section of Robertson Road is primarily a straight flat surface. Whereas the Western section is a straight surface with a slight hill leading to and away from the cul-de-sac. There is only one Stop sign on Robertson road which is at the intersection of Ford and Robertson road. There are no posted speed limit signs on Robertson Road. Because this is considered an Urban/Residential area the unposted speed limit is 30 MPH.

There are no intersecting residential streets. The majority of the residential drives are located on the Northside of Robertson Road. The roadway has no sidewalks. The roadway has earthen shoulders. During the study I noted only one pedestrian walking his dog along the roadway.

The adjusted prevailing speed on this section of roadway is 26 MPH with a violation rate of 14%.

Recommendation: It is our recommendation that the existing speed limit of 30 MPH remain the same and should Radnor Township wish to do so, speed sign(s) may be posted.



**ESTABLISHMENT OF SPEED ZONE  
DISTRICT \_\_\_\_\_**

ROUTE: W. Robertson Rd FROM: Ford Road  
 TO: Robertson Dead End LENGTH: 1/2 mile  
 CITY: Edwards COUNTY: Peoria

**I SPOT SPEED STUDIES (Attached)**

CHECK NO.	85 <sup>TH</sup> %	UPPER LIMIT 10 MPH PACE
1 + 2 Combo	26	26
1 EB	24	26
1 WB	32	22

**V ACCESS CONFLICTS**

RESIDENTIAL DRIVES:	<u>21</u>	X 1 =	<u>21</u>
SMALL BUSINESS DRIVES:	<u>0</u>	X 5 =	<u>0</u>
LARGE BUSINESS DRIVES:	<u>0</u>	X 10 =	<u>0</u>
ACCESS CONFLICT NO. TOTAL:	<u>21</u>		
STUDY LENGTH: <u>.50</u> (MILES)	=	<u>42</u>	CONFLICTS / MILE

**II TEST RUNS**

RUN NO.	AVG. SPEED	DIRECTION
1	28	W
2	28	E
3	30	W
4	25	E
5	30	W

**VI MISC. FACTORS**

PEDESTRIAN VOLUME:	<u>1</u>		
HIGH-CRASH LOCATION:	___ YES	<u>X</u> NO	
PARKING PERMITTED:	___ YES	<u>X</u> NO	

**III PREVAILING SPEED**

85 <sup>TH</sup> % AVG. :	<u>24</u>	MPH
UPPER LIMIT OF 10 MPH PACE:	<u>26</u>	MPH
TEST RUN AVE. :	<u>28</u>	MPH
PREVAILING SPEED:	<u>26</u>	MPH

**VII PREVAILING SPEED ADJUSTMENT**

DRIVEWAY ADJUSTMENT:	<u>0</u>	%
PEDESTRIAN ADJUSTMENT:	<u>0</u>	%
CRASH ADJUSTMENT:	<u>0</u>	%
TOTAL (MAX 20%):	<u>0</u>	%
<u>26</u> MPH X <u>0</u> % = <u>0</u>		
(Prevailing Speed) (adjust.)		(Max. 9 MPH)
ADJUSTED PREVAILING SPEED:	_____	

**IV EXISTING SPEED LIMIT**

ZONE BEING STUDIED:	<u>30</u>	MPH
VIOLATION RATE:	<u>14</u>	%
ADJACENT ZONE N or W:	_____	MPH
LENGTH:	_____	MILES
ADJACENT ZONE S or E:	_____	MPH
LENGTH:	_____	MILES

**VIII REVISED SPEED LIMIT**

RECOMMENDED SPEED LIMIT:	<u>30</u>	MPH
ANTICIPATED VIOLATION RATE:	<u>14</u>	%
RECOMMENDED BY:	<u>RZ</u>	
DATE:	<u>12/14/2021</u>	
APPROVED BY:	_____	
DATE:	_____	

SPOT SPEED STUDY

CITY: Edwards

ROUTE: W. Robertson Road

FROM FORD ROAD

TO W. Robertson Road Dead End

CHECK NO 1 + 2 Combo	RECORDER RZ	DATE 12/14/21	DAY Tuesday	HOURS 8:00 TO 11:00	WEATHER Sunny 36°F	PAVEMENT WET DAMP DRY	--- J.A.E. MI. OF E W O S Robertson	METER ON N S SIDE	TRAFFIC CHECKED NB SB	85 TH PERCENT	10 MPH PACE UPPER LIMIT	POSTED LIMIT	VIOLATION RATE
										26	26	N/A	14%

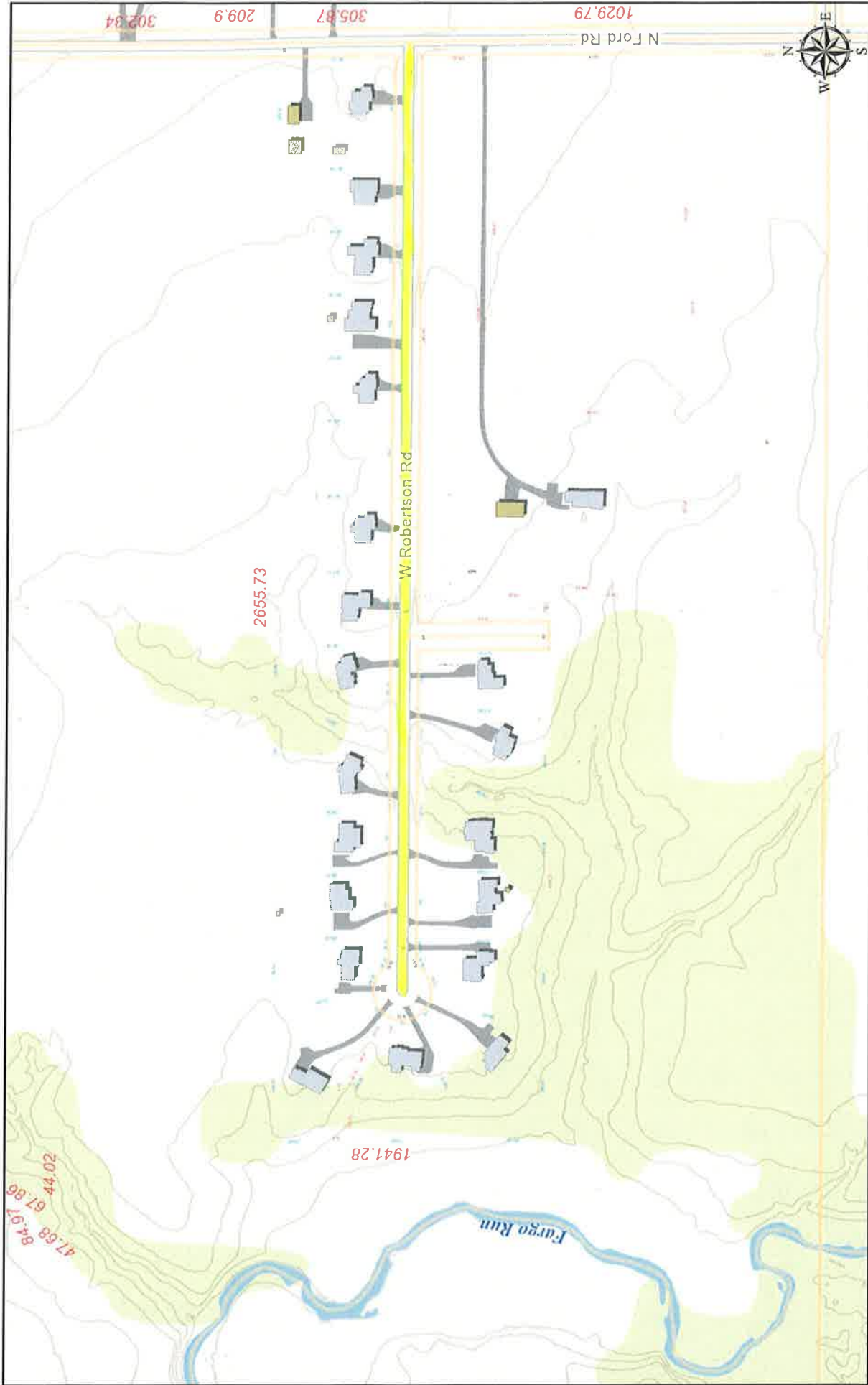
1-9	5	10	15	20	25	30	35	40
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NOTES  
 7 Total Vehicles      1 pedestrian  
 7 combo vehicles observed  
 $7 \times 0.85 = 6$  (30mph)





# Peoria County, IL

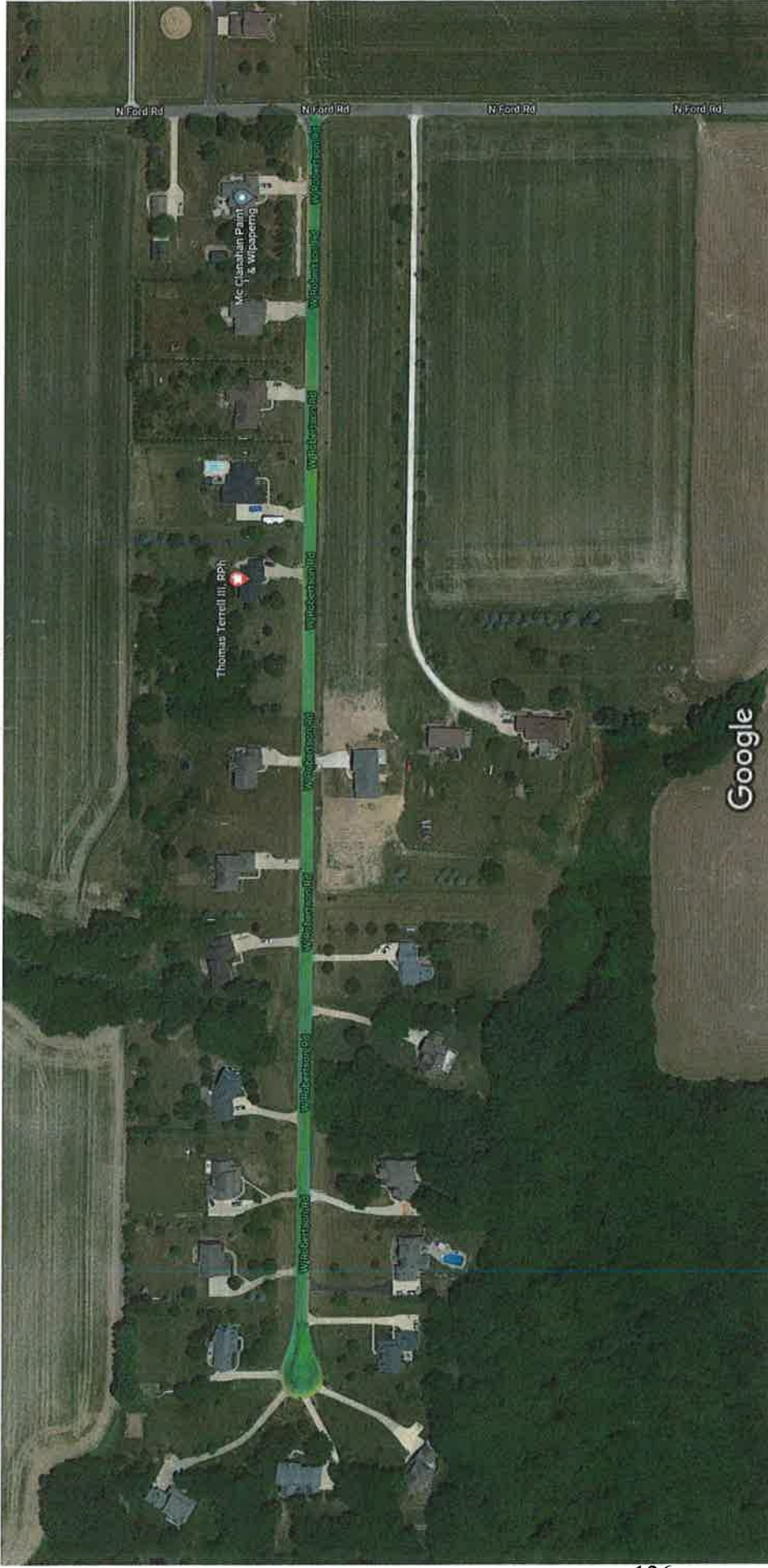


Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden or determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Peoria County, IL  
Peoria County, IL, HERE, USGS

1 inch = 333 feet





Imagery ©2021 Maxar Technologies, USDA Farm Service Agency, Map data ©2021

100 ft

TO THE HONORABLE COUNTY BOARD )  
 )  
COUNTY OF PEORIA, IL )

Your Infrastructure Committee does hereby recommend the passage of the following Ordinance:

**RE: ESTABLISHMENT OF A SPEED ZONE ON W. ROBERTSON ROAD**

**ORDINANCE**

WHEREAS, Section 625 5/11-604 of the Illinois Vehicle Code grants the County Board the authority to establish absolute maximum speed limits on County Highways and Township Roads, as defined in the Illinois Highway Code; and

WHEREAS, Peoria County has caused to be made an engineering and traffic investigation upon the roadway listed in the schedule in accordance with the policy for the establishment and posting of speed limits on County and Township roadways in Peoria County; and

NOW, THEREFORE, IT IS HEREBY ORDAINED by the County Board of Peoria County, Illinois, that the reasonable and proper absolute maximum speed limit upon the below specified portion of Township Road shall be as stated in the following Schedule:

**SCHEDULE**

<b>ROAD</b>	<b>LOCATION</b>	<b>EXISTING SPEED LIMIT</b>	<b>PROPOSED MAXIMUM SPEED LIMIT</b>
W. Robertson Road	Ford Road to Cul-de-Sac	Unposted 30 mph	30 mph

BE IT FURTHER ORDAINED that signs giving notice of the maximum speed limit for the zone of said Township Road described in the above Schedule shall be erected in conformance with the standards and specification contained in the Manual of Uniform Traffic Control Devices for Streets and Highways; and

BE IT FURTHER ORDAINED that the altered proposed maximum speed limit for the zone of said Township Road described in the Schedule above shall take effect immediately after the erection of said signs giving notice of the maximum speed limit.

Respectfully Submitted,  
Infrastructure Committee

## AGENDA BRIEFING

**COMMITTEE:** Infrastructure                      **LINE ITEM:** 034-2-034-5-511-54303  
**MEETING DATE:** February 28, 2022              **AMOUNT:** \$45,300.00

---

**ISSUE:** Resolution for Preliminary Engineering Services Agreement with Infrastructure Engineering, Inc. for Phase I and Phase II Engineering of Slope Wall Replacement of Structure Number 072-3103 on Blue Ridge Road.

---

**BACKGROUND/DISCUSSION:** Structure Number 072-3103 is a 145' long, 3-span bridge located on Blue Ridge Road (C.H. R60) over Henry Creek. The structure was constructed in 1980 and has a Sufficiency Rating of 82.2. There are 1,000 vehicles per day that travel over the structure.

The concrete slopewalls under the bridge are undermined and failing. Additionally, the streambank directly northwest of the bridge is eroding. If the erosion is allowed to continue, the stream could threaten the bridge and private property northwest of the bridge.

This resolution will allow Peoria County to enter into a Preliminary Engineering Agreement with Infrastructure Engineering, Inc. for the purpose of replacing the slopewalls and mitigating the erosion at Structure Number 072-3103 on Blue Ridge Road.

This project is located in District # 14 (Elsasser).

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### COUNTY BOARD GOALS:



INFRASTRUCTURE STEWARDSHIP

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**STAFF RECOMMENDATION:** Approve the resolution.

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### COMMITTEE ACTION:

APPROVED 2/28/21 (4-0 VOTES) MS. PASTUCHA ABSENT

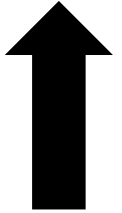
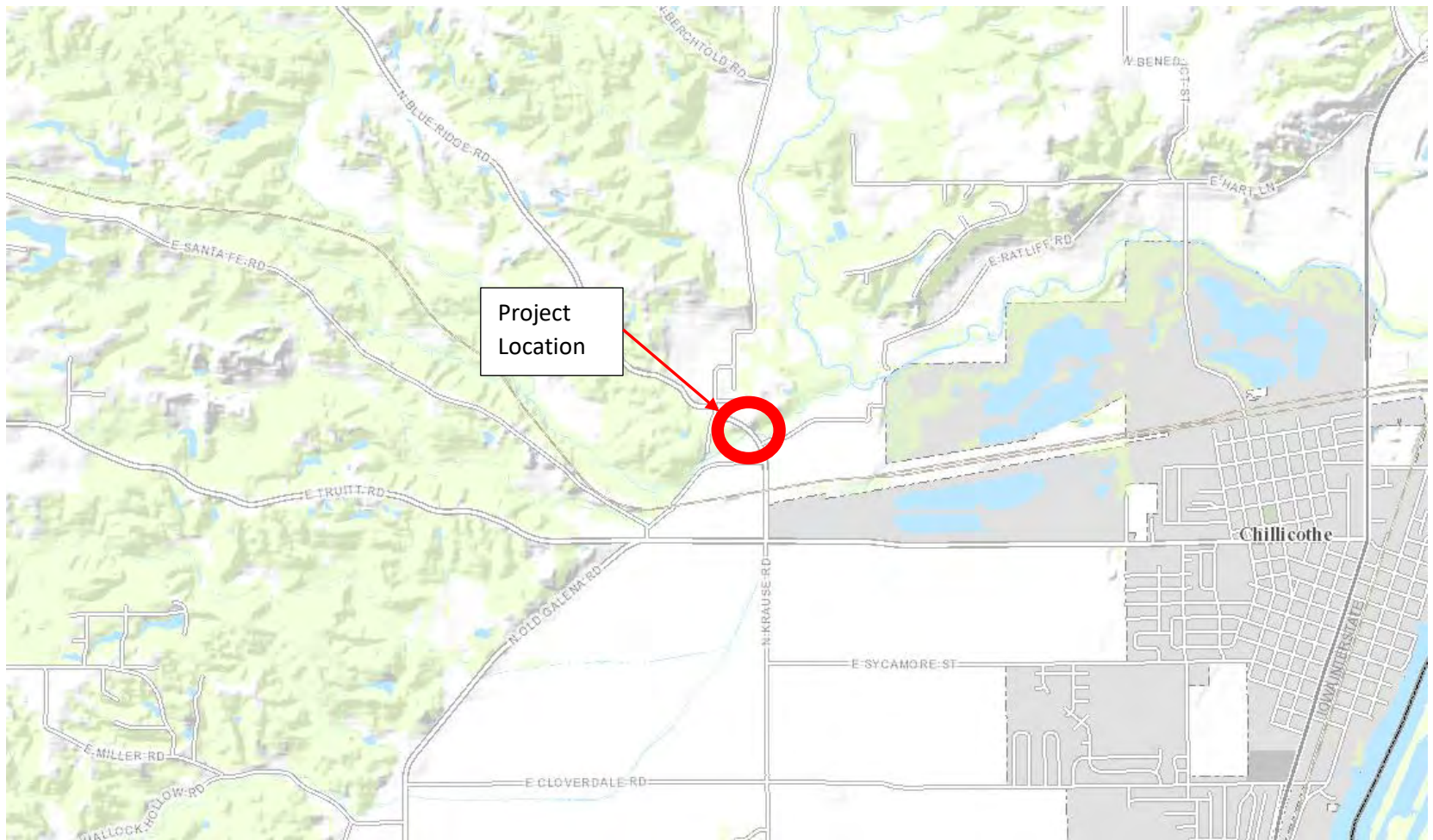
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**PREPARED BY:** Jeffrey D. Gilles

**DEPARTMENT:** Highway

**DATE:** February 7, 2022





**BLUE RIDGE LOCATION MAP (1 OF 2)**



**BLUE RIDGE LOCATION MAP (2 OF 2)**

072-3103, Blue Ridge, 09/09/20



ROAD LOOKING SOUTH



TYPICAL RAISED GUARDRAIL POST



NORTHWEST ABUTMENT CORNER



RUSTED BEARING NORTHWEST CORNER

072-3103, Blue Ridge, 09/09/20



NORTH ABUTMENT



NORTH PIER



SUPERSTRUCTURE



DECK NORTH SPAN

072-3103, Blue Ridge, 09/09/20



DECK NORTH SPAN



WEST EDGE NORTH PIER CAP



NORTH SLOPE WALL UPSTREAM



UPSTREAM LOOKING DOWNSTREAM

072-3103, Blue Ridge, 09/09/20



WEST EDGE AROUND DRAIN



SOUTH PIER



SPALL IN DECK CENTER SPAN



EXPOSED SOUTH SLOPE WALL TOE

072-3103, Blue Ridge, 09/09/20



SOUTH ABUTMENT



# Local Public Agency Engineering Services Agreement



Using Federal Funds?  Yes  No

Agreement For:  Agreement Type:

### LOCAL PUBLIC AGENCY

Local Public Agency	County	Section Number	Job Number
Peoria Couty	Peoria	2022-1-CB	
Project Number	Contact Name	Phone Number	Email
	Jeffrey D. Gilles	(309) 697-6400	jgilles@peoriacounty.org

### SECTION PROVISIONS

Local Street/Road Name	Key Route	Length	Structure Number
Blue Ridge Rd	C.H. R60	0.01	072-3103
Location Termini			<input type="button" value="Add Location"/>
Blue Ridge Rd over Henry Creek			<input type="button" value="Remove Location"/>

Project Description

The bridge slopewalls are eroded, failing, and need to be replaced. There is also an area of erosion in the channel at the northwest quadrant of the bridge that needs to be stabilized.

Engineering Funding  MFT/TBP  State  Other

Anticipated Construction Funding  Federal  MFT/TBP  State  Other

### AGREEMENT FOR

Phase I - Preliminary Engineering  Phase II - Design Engineering

### CONSULTANT

Consultant (Firm) Name	Contact Name	Phone Number	Email
Infrastructure Engineering Inc	Adrian Fernandez	(309) 222-8906	afernandez@infra-eng.com
Address	City	State	Zip Code
456 Fulton St, Suite 265	Peoria	IL	61602

THIS AGREEMENT IS MADE between the above Local Public Agency (LPA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above SECTION. Project funding allotted to the LPA by the State of Illinois under the general supervision of the State Department of Transportation, hereinafter called the "DEPARTMENT," will be used entirely or in part to finance ENGINEERING services as described under AGREEMENT PROVISIONS.

Since the services contemplated under the AGREEMENT are professional in nature, it is understood that the ENGINEER, acting as an individual, partnership, firm or legal entity, qualifies for professional status and will be governed by professional ethics in its relationship to the LPA and the DEPARTMENT. The LPA acknowledges the professional and ethical status of the ENGINEER by entering into an AGREEMENT on the basis of its qualifications and experience and determining its compensation by mutually satisfactory negotiations.

WHEREVER IN THIS AGREEMENT or attached exhibits the following terms are used, they shall be interpreted to mean:

- Regional Engineer: Deputy Director, Office of Highways Project Implementation, Regional Engineer, Department of Transportation
- Resident Construction Supervisor: Authorized representative of the LPA in immediate charge of the engineering details of the construction PROJECT
- In Responsible Charge Contractor: A full time LPA employee authorized to administer inherently governmental PROJECT activities Company or Companies to which the construction contract was awarded



## AGREEMENT EXHIBITS

The following EXHIBITS are attached hereto and made a part of hereof this AGREEMENT:

- EXHIBIT A: Scope of Services
- EXHIBIT B: Project Schedule
- EXHIBIT C: Direct Costs Check Sheet
- EXHIBIT D: Qualification Based Selection (QBS) Checklist
- EXHIBIT E: Cost Estimate of Consultant Services Worksheet (BLR 05513 or BLR 05514 )
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

### I. THE ENGINEER AGREES,

1. To perform or be responsible for the performance of the Scope of Services presented in EXHIBIT A for the LPA in connection with the proposed improvements herein before described.
2. The Classifications of the employees used in the work shall be consistent with the employee classifications and estimated staff hours. If higher-salaried personnel of the firm, including the Principal Engineer, perform services that are to be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the payroll rate for the work performed.
3. That the ENGINEER shall be responsible for the accuracy of the work and shall promptly make necessary revisions or corrections required as a result of the ENGINEER'S error, omissions or negligent acts without additional compensation. Acceptance of work by the LPA or DEPARTMENT will not relieve the ENGINEER of the responsibility to make subsequent correction of any such errors or omissions or the responsibility for clarifying ambiguities.
4. That the ENGINEER will comply with applicable Federal laws and regulations, State of Illinois Statutes, and the local laws or ordinances of the LPA.
5. To pay its subconsultants for satisfactory performance no later than 30 days from receipt of each payment from the LPA.
6. To invoice the LPA, The ENGINEER shall submit all invoices to the LPA within three months of the completion of the work called for in the AGREEMENT or any subsequent Amendment or Supplement.
7. The ENGINEER or subconsultant shall not discriminate on the basis of race, color, national origin or sex in the performance of this AGREEMENT. The ENGINEER shall carry out applicable requirements of 49 CFR part 26 in the administration of US Department of Transportation (US DOT) assisted contract. Failure by the Engineer to carry out these requirements is a material breach of this AGREEMENT, which may result in the termination of this AGREEMENT or such other remedy as the LPA deems appropriate.
8. That none of the services to be furnished by the ENGINEER shall be sublet, assigned or transferred to any other party or parties without written consent of the LPA. The consent to sublet, assign or otherwise transfer any portion of the services to be furnished by the ENGINEER shall be construed to relieve the ENGINEER of any responsibility for the fulfillment of this AGREEMENT.
9. For Preliminary Engineering Contracts:
  - (a) To attend meetings and visit the site of the proposed improvement when requested to do so by representatives of the LPA or the DEPARTMENT, as defined in Exhibit A (Scope of Services).
  - (b) That all plans and other documents furnished by the ENGINEER pursuant to the AGREEMENT will be endorsed by the ENGINEER and affixed the ENGINEER's professional seal when such seal is required by law. Such endorsements must be made by a person, duly licensed or registered in the appropriate category by the Department of Professional Regulation of the State of Illinois. It will be the ENGINEER's responsibility to affix the proper seal as required by the Bureau of Local Roads and Streets manual published by the DEPARTMENT.
  - (c) That the ENGINEER is qualified technically and is thoroughly conversant with the design standards and policies applicable for the PROJECT; and that the ENGINEER has sufficient properly trained, organized and experienced personnel to perform the services enumerated in Exhibit A (Scope of Services).
10. That the engineering services shall include all equipment, instruments, supplies, transportation and personnel required to perform the duties of the ENGINEER in connection with this AGREEMENT (See Exhibit C).

### II. THE LPA AGREES,

1. To certify by execution of this AGREEMENT that the selection of the ENGINEER was performed in accordance with the Professional Services Selection Act (50 ILCS 510) (Exhibit D).
2. To furnish the ENGINEER all presently available survey data, plans, specifications, and project information.
3. To pay the ENGINEER:
  - (a) For progressive payments - Upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LPA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to the value of the partially completed work minus all previous partial payments made to the ENGINEER.
  - (b) Final payment - Upon approval of the work by the LPA but not later than 60 days after the work is completed and reports have been made and accepted by the LPA and DEPARTMENT a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amount of partial payments previously paid to the ENGINEER

shall be due and payable to the ENGINEER.

(c) For Non-Federal County Projects - (605 ILCS 5/5-409)

- (1) For progressive payments - Upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LPA, monthly payments for the work performed shall be due and payable to the ENGINEER. Such payments to be equal to the value of the partially completed work in all previous partial payments made to the ENGINEER.
- (2) Final payment - Upon approval of the work by the LPA but not later than 60 days after the work is completed and reports have been made and accepted by the LPA and STATE, a sum of money equal to the basic fee as determined in the AGREEMENT less the total of the amount of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

4. To pay the ENGINEER as compensation for all services rendered in accordance with the AGREEMENT on the basis of the following compensation method as discussed in 5-5.10 of the BLR Manual.

Method of Compensation:

Percent

Lump Sum           \$45,300.00           (Maximum Fee \$40,000) (For federal funds the lump sum shall be developed using Cost Plus Fixed Fee Formula).

Specific Rate

Cost plus Fixed Fee:       Fixed

Total Compensation = DL + DC + OH + FF

Where:

DL is the total Direct Labor,

DC is the total Direct Cost,

OH is the firm's overhead rate applied to their DL and

FF is the Fixed Fee.

Where FF = ( 0.33 + R ) DL + %SubDL, where R is the advertised Complexity Factor and %SubDL is 10% profit allowed on the direct labor of the subconsultants.

The Fixed Fee cannot exceed 15% of the DL + OH.

5. The recipient shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as violation of this AGREEMENT. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C 3801 et seq.).

### III. IT IS MUTUALLY AGREED,

1. To maintain, for a minimum of 3 years after the completion of the contract, adequate books, records and supporting documents to verify the amount, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General, and the DEPARTMENT; the Federal Highways Administration (FHWA) or any authorized representative of the federal government, and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the DEPARTMENT for the recovery of any funds paid by the DEPARTMENT under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
2. That the ENGINEER shall be responsible for any all damages to property or persons out of an error, omission and/or negligent act in the prosecution of the ENGINEER's work and shall indemnify and save harmless the LPA, the DEPARTMENT, and their officers, agents and employees from all suits, claims, actions or damages liabilities, costs or damages of any nature whatsoever resulting there from. These indemnities shall not be limited by the listing of any insurance policy.  
  
The LPA will notify the ENGINEER of any error or omission believed by the LPA to be caused by the negligence of the ENGINEER as soon as practicable after the discovery. The LPA reserves the right to take immediate action to remedy any error or omission if notification is not successful; if the ENGINEER fails to reply to a notification; or if the conditions created by the error or omission are in need of urgent correction to avoid accumulation of additional construction costs or damages to property and reasonable notice is not practicable.
3. This AGREEMENT may be terminated by the LPA upon giving notice in writing to the ENGINEER at the ENGINEER's last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LPA all drawings, plats, surveys, reports, permits, agreements, soils and foundation analysis, provisions, specifications, partial and completed estimates and data, if any from soil survey and subsurface investigation with the understanding that all such materials becomes the property of the LPA. The LPA will be responsible for reimbursement of all eligible expenses incurred under the terms of this AGREEMENT up to the date of the written notice of termination.

4. In the event that the DEPARTMENT stops payment to the LPA, the LPA may suspend work on the project. If this agreement is suspended by the LPA for more than thirty (30) calendar days, consecutive or in aggregate, over the term of this AGREEMENT, the ENGINEER shall be compensated for all services performed and reimbursable expenses incurred prior to receipt of notice of suspension. In addition, upon the resumption of services the LPA shall compensate the ENGINEER, for expenses incurred as a result of the suspension and resumption of its services, and the ENGINEER's schedule and fees for the remainder of the project shall be equitably adjusted.
5. This AGREEMENT shall continue as an open contract and the obligations created herein shall remain in full force and effect until the completion of construction of any phase of professional services performed by others based upon the service provided herein. All obligations of the ENGINEER accepted under this AGREEMENT shall cease if construction or subsequent professional services are not commenced within 5 years after final payment by the LPA.
6. That the ENGINEER shall be responsible for any and all damages to property or persons arising out of an error, omission and/or negligent act in the prosecution of the ENGINEER's work and shall indemnify and have harmless the LPA, the DEPARTMENT, and their officers, employees from all suits, claims, actions or damages liabilities, costs or damages of any nature whatsoever resulting there from. These indemnities shall not be limited by the listing of any insurance policy.
7. The ENGINEER and LPA certify that their respective firm or agency:
  - (a) has not employed or retained for commission, percentage, brokerage, contingent fee or other considerations, any firm or person (other than a bona fide employee working solely for the LPA or the ENGINEER) to solicit or secure this AGREEMENT,
  - (b) has not agreed, as an express or implied condition for obtaining this AGREEMENT, to employ or retain the services of any firm or person in connection with carrying out the AGREEMENT or
  - (c) has not paid, or agreed to pay any firm, organization or person (other than a bona fide employee working solely for the LPA or the ENGINEER) any fee, contribution, donation or consideration of any kind for, or in connection with, procuring or carrying out the AGREEMENT.
  - (d) that neither the ENGINEER nor the LPA is/are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency,
  - (e) has not within a three-year period preceding the AGREEMENT been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property.
  - (f) are not presently indicated for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph and
  - (g) has not within a three-year period preceding this AGREEMENT had one or more public transaction (Federal, State, local) terminated for cause or default.

Where the ENGINEER or LPA is unable to certify to any of the above statements in this clarification, an explanation shall be attached to this AGREEMENT.

8. In the event of delays due to unforeseeable causes beyond the control of and without fault or negligence of the ENGINEER no claim for damages shall be made by either party. Termination of the AGREEMENT or adjustment of the fee for the remaining services may be requested by either party if the overall delay from the unforeseen causes prevents completion of the work within six months after the specified completion date. Examples of unforeseen causes included but are not limited to: acts of God or a public enemy; acts of the LPA, DEPARTMENT, or other approving party not resulting from the ENGINEER's unacceptable services; fire; strikes; and floods.

If delays occur due to any cause preventing compliance with the PROJECT SCHEDULE, the ENGINEER shall apply in writing to the LPA for an extension of time. If approved, the PROJECT SCHEDULE shall be revised accordingly.

9. This certification is required by the Drug Free Workplace Act (30 ILCS 580). The Drug Free Workplace Act requires that no grantee or contractor shall receive a grant or be considered for the purpose of being awarded a contract for the procurement of any property or service from the DEPARTMENT unless that grantee or contractor will provide a drug free workplace. False certification or violation of the certification may result in sanctions including, but not limited to suspension of contract on grant payments, termination of a contract or grant and debarment of the contracting or grant opportunities with the DEPARTMENT for at least one (1) year but not more than (5) years.

For the purpose of this certification, "grantee" or "Contractor" means a corporation, partnership or an entity with twenty-five (25) or more employees at the time of issuing the grant or a department, division or other unit thereof, directly responsible for the specific performance under contract or grant of \$5,000 or more from the DEPARTMENT, as defined the Act.

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

- (a) Publishing a statement:
  - (1) Notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace.
  - (2) Specifying actions that will be taken against employees for violations of such prohibition.
  - (3) Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
    - (a) abide by the terms of the statement; and
    - (b) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than (5) days after such conviction.
- (b) Establishing a drug free awareness program to inform employees about:
  - (1) The dangers of drug abuse in the workplace;

- (2) The grantee's or contractor's policy to maintain a drug free workplace;
- (3) Any available drug counseling, rehabilitation and employee assistance program; and
- (4) The penalties that may be imposed upon an employee for drug violations.
- (c) Providing a copy of the statement required by subparagraph (a) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.
- (d) Notifying the contracting, or granting agency within ten (10) days after receiving notice under part (b) of paragraph (3) of subsection (a) above from an employee or otherwise, receiving actual notice of such conviction.
- (e) Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program.
- (f) Assisting employees in selecting a course of action in the event drug counseling, treatment and rehabilitation is required and indicating that a trained referral team is in place.

Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act, the ENGINEER, LPA and the Department agree to meet the PROJECT SCHEDULE outlined in EXHIBIT B. Time is of the essence on this project and the ENGINEER's ability to meet the PROJECT SCHEDULE will be a factor in the LPA selecting the ENGINEER for future projects. The ENGINEER will submit progress reports with each invoice showing work that was completed during the last reporting period and work they expect to accomplish during the following period.

- 10. Due to the physical location of the project, certain work classifications may be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.).
- 11. For Preliminary Engineering Contracts:
  - (a) That tracing, plans, specifications, estimates, maps and other documents prepared by the ENGINEER in accordance with this AGREEMENT shall be delivered to and become the property of the LPA and that basic survey notes, sketches, charts, CADD files, related electronic files, and other data prepared or obtained in accordance with this AGREEMENT shall be made available, upon request to the LPA or to the DEPARTMENT, without restriction or limitation as to their use. Any re-use of these documents without the ENGINEER involvement shall be at the LPA's sole risk and will not impose liability upon the ENGINEER.
  - (b) That all reports, plans, estimates and special provisions furnished by the ENGINEER shall conform to the current Standard Specifications for Road and Bridge Construction, Bureau of Local Roads and Streets Manual or any other applicable requirements of the DEPARTMENT, it being understood that all such furnished documents shall be approved by the LPA and the DEPARTMENT before final acceptance. During the performance of the engineering services herein provided for, the ENGINEER shall be responsible for any loss or damage to the documents herein enumerated while they are in the ENGINEER's possession and any such loss or damage shall be restored at the ENGINEER's expense.

**AGREEMENT SUMMARY**

Prime Consultant	TIN/FEIN/SS Number	Agreement Amount
Infrastructure Engineering Inc	36-3527342	\$35,950.00

Subconsultants	TIN/FEIN/SS Number	Agreement Amount
- Farnsworth	37-1123236	\$7,850.00
- Neff Valuation		\$1,500.00
Subconsultant Total		\$9,350.00
Prime Consultant Total		\$35,950.00
Total for all work		\$45,300.00

Add Subconsultant

**AGREEMENT SIGNATURES**

Executed by the LPA:

Attest: The  Local Public Agency Type of

By (Signature & Date)

By (Signature & Date)

Name of Local Public Agency   
 Local Public Agency Type  Clerk

Title

(SEAL)

Executed by the ENGINEER:

Consultant (Firm) Name

Attest:

Infrastructure Engineering Inc

By (Signature & Date)

Title

By (Signature & Date)

Title

APPROVED:

Regional Engineer, Department of Transportation (Signature & Date)

Local Public Agency

County

Section Number

Peoria Couty

Peoria

2022-1-CB

**EXHIBIT A  
SCOPE OF SERVICES**

To perform or be responsible for the performance of the engineering services for the LPA, in connection with the PROJECT herein before described and enumerated below

Attached.

Local Public Agency

County

Section Number

Peoria Couty

Peoria

2022-1-CB

**EXHIBIT B  
PROJECT SCHEDULE**

Attached.

Peoria Coutry

Peoria

2022-1-CB

**Exhibit C  
Direct Costs Check Sheet**

List ALL direct costs required for this project. Those not listed on the form will not be eligible for reimbursement by the LPA on this project.

Item	Allowable	Quantity	Contract Rate	Total
<input type="checkbox"/> Lodging (per GOVERNOR'S TRAVEL CONTROL BOARD)	Actual cost (Up to state rate maximum)			
<input type="checkbox"/> Lodging Taxes and Fees (per GOVERNOR'S TRAVEL CONTROL BOARD)	Actual Cost			
<input type="checkbox"/> Air Fare	Coach rate, actual cost, requires minimum two weeks' notice, with prior IDOT approval			
<input type="checkbox"/> Vehicle Mileage (per GOVERNOR'S TRAVEL CONTROL BOARD)	Up to state rate maximum			
<input type="checkbox"/> Vehicle Owned or Leased	\$32.50/half day (4 hours or less) or \$65/full day			
<input type="checkbox"/> Vehicle Rental	Actual cost (Up to \$55/day)			
<input type="checkbox"/> Tolls	Actual cost			
<input type="checkbox"/> Parking	Actual cost			
<input type="checkbox"/> Overtime	Premium portion (Submit supporting documentation)			
<input type="checkbox"/> Shift Differential	Actual cost (Based on firm's policy)			
<input type="checkbox"/> Overnight Delivery/Postage/Courier Service	Actual cost (Submit supporting documentation)			
<input type="checkbox"/> Copies of Deliverables/Mylars (In-house)	Actual cost (Submit supporting documentation)			
<input type="checkbox"/> Copies of Deliverables/Mylars (Outside)	Actual cost (Submit supporting documentation)			
<input type="checkbox"/> Project Specific Insurance	Actual Cost			
<input type="checkbox"/> Monuments (Permanent)	Actual Cost			
<input type="checkbox"/> Photo Processing	Actual Cost			
<input type="checkbox"/> 2-Way Radio (Survey or Phase III Only)	Actual Cost			
<input type="checkbox"/> Telephone Usage (Traffic System Monitoring Only)	Actual Cost			
<input type="checkbox"/> CADD	Actual cost (Max \$15/hour)			
<input type="checkbox"/> Web Site	Actual cost (Submit supporting documentation)			
<input type="checkbox"/> Advertisements	Actual cost (Submit supporting documentation)			
<input type="checkbox"/> Public Meeting Facility Rental	Actual cost (Submit supporting documentation)			
<input type="checkbox"/> Public Meeting Exhibits/Renderings & Equipment	Actual cost (Submit supporting documentation)			
<input type="checkbox"/> Recording Fees	Actual Cost			
<input type="checkbox"/> Transcriptions (specific to project)	Actual Cost			
<input type="checkbox"/> Courthouse Fees	Actual Cost			
<input type="checkbox"/> Storm Sewer Cleaning and Televising	Actual cost (Requires 2-3 quotes with IDOT approval)			
<input type="checkbox"/> Traffic Control and Protection	Actual cost (Requires 2-3 quotes with IDOT approval)			
<input type="checkbox"/> Aerial Photography and Mapping	Actual cost (Requires 2-3 quotes with IDOT approval)			
<input type="checkbox"/> Utility Exploratory Trenching	Actual cost (Requires 2-3 quotes with IDOT approval)			
<input type="checkbox"/> Testing of Soil Samples	Actual Cost			
<input type="checkbox"/> Lab Services	Actual Cost (Provide breakdown of each cost)			
<input type="checkbox"/> Equipment and/or Specialized Equipment Rental	Actual Cost (Requires 2-3 quotes with IDOT approval)			
<input checked="" type="checkbox"/> other	attached.			
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<b>Total Direct Costs</b>				



Local Public Agency	County	Section Number
Peoria County	Peoria	2022-1-CB

**Exhibit D  
Qualification Based Selection (QBS) Checklist**

The LPA must complete Exhibit D. If the value meets or will exceed the threshold in 50 ILCS 510, QBS requirements must be followed. Under the threshold, QBS requirements do not apply. The threshold is adjusted annually. If the value is under the threshold with federal funds being used, federal small purchase guidelines must be followed.

Form Not Applicable (engineering services less than the threshold)

**Items 1-13 are required when using federal funds and QBS process is applicable. Items 14-16 are required when using State funds and the QBS process is applicable.**

		No	Yes
1	Do the written QBS policies and procedures discuss the initial administration (procurement, management and administration) concerning engineering and design related consultant services?	<input type="checkbox"/>	<input type="checkbox"/>
2	Do the written QBS policies and procedures follow the requirements as outlined in Section 5-5 and specifically Section 5-5.06 (e) of the BLRS Manual?	<input type="checkbox"/>	<input type="checkbox"/>
3	Was the scope of services for this project clearly defined?	<input type="checkbox"/>	<input type="checkbox"/>
4	Was public notice given for this project?	<input type="checkbox"/>	<input type="checkbox"/>
5	Do the written QBS policies and procedures cover conflicts of interest?	<input type="checkbox"/>	<input type="checkbox"/>
6	Do the written QBS policies and procedures use covered methods of verification for suspension and debarment?	<input type="checkbox"/>	<input type="checkbox"/>
7	Do the written QBS policies and procedures discuss the methods of evaluation?	<input type="checkbox"/>	<input type="checkbox"/>
	Project Criteria		
	-		
	Add		
8	Do the written QBS policies and procedures discuss the method of selection?	<input type="checkbox"/>	<input type="checkbox"/>
Selection committee (titles) for this project			
Top three consultants ranked for this project in order			
1			
2			
3			
9	Was an estimated cost of engineering for this project developed in-house prior to contract negotiation?	<input type="checkbox"/>	<input type="checkbox"/>
10	Were negotiations for this project performed in accordance with federal requirements.	<input type="checkbox"/>	<input type="checkbox"/>
11	Were acceptable costs for this project verified?	<input type="checkbox"/>	<input type="checkbox"/>
12	Do the written QBS policies and procedures cover review and approving for payment, before forwarding the request for reimbursement to IDOT for further review and approval?	<input type="checkbox"/>	<input type="checkbox"/>
13	Do the written QBS policies and procedures cover ongoing and finalizing administration of the project (monitoring, evaluation, closing-out a contract, records retention, responsibility, remedies to violations or breaches to a contract, and resolution of disputes)?	<input type="checkbox"/>	<input type="checkbox"/>
14	QBS according to State requirements used?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15	Existing relationship used in lieu of QBS process?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16	LPA is a home rule community (Exempt from QBS).	<input checked="" type="checkbox"/>	<input type="checkbox"/>



February 17<sup>th</sup>, 2022

Jeffrey D. Gilles, P.E.  
Assistant County Engineer  
Peoria County Highway Department

Re: IEI Fee Proposal – Blue Ridge Rd Slopewall Repair  
Blue Ridge Road over Henry Creek, North Hampton, Peoria County

Dear Mr. Gilles;

IEI is pleased to submit a proposal to the County of Peoria to provide Civil Engineering design services for the above referenced project.

### **Project Description**

Structure Number 072-3103 on Blue Ridge Road (C.H. R60) is a 145' long, 3 span, steel multi-beam bridge with a cast in place concrete deck. The bridge was built in 1980 and the latest inspection report on September of 2020, shows that the existing reinforced concrete bridge slopewalls are eroded, failing, and need to be replaced with new riprap slope protection. Additionally, there is an area of erosion in the channel at the northwest quadrant of the bridge that will require stabilization.

Based on the initial scope meeting held virtually on January 25th, IEI's Civil Engineering Services for the project will include the following:

### **Scope of Services to be provided by IEI**

Design Services:

1. Phase 1 Scour analysis study to determine proposed riprap sizing and depth.
2. Construction Plan Documents with two submittals at 50% and 100% design level.
  - a. Slope walls to be removed and replaced with Riprap.
  - b. Stabilize bank at the northwest quadrant of the bridge.
  - c. The Final Plans will include a **Cover Sheet, Traffic Control Plan, General Plan & Elevation, General Notes and Total Bill of Materials, Riprap Slope Protection Plan & Details, and Traffic Control Standards.**
3. Specifications – To conform to IDOT specifications and IEI to provide special provisions.
4. Permanent Easement – Subconsultant, Farnsworth to provide the Easement sketch(s) and legal work. Subconsultant, Neff Valuations to provide easement appraisal.
  - a. Easement Negotiations assumes no condemnation process and IEI will facilitate the coordination and execution for the easement grant, limited to one (1) parcel. Additionally, it assumes property owner will not contest the proposed easement request and will be limited to two (2) iterations. Terms and conditions to be approved by the County of Peoria.
5. Review/Approving Agencies:
  - a. Coordinate with IDNR for EcoCAT consultation.
  - b. Coordinate with Army Corps of Engineers for coverage under Nationwide Permits.
6. Project Design Meetings:  
Assumes two (2) review meetings, one at the 50% and 100% submittal.



### **Items to Be Provided by Others & Assumptions**

Following items are **not** included in the fee proposal and are assumed to be provided by others:

1. All permit, review, and application fees as required by the governing agencies.
2. Construction Inspection/Observation.
3. Geotechnical Engineering.
4. Structural Engineering.
5. Landscape Engineering.
6. Bidding Phase Services.

### **Submittals & Schedule**

IEI anticipates the following submittals:

1. Scour Analysis and Recommendation Memorandum.
2. 50% and 100% Plans.
3. Specifications and Special Provisions.
4. Quantities and Opinion of Cost.
5. Deliverables will be in pdf format.

The anticipated schedule is as follows and to finalizes after Notice To Proceed (NTP):

1. Target letting of October 11th, 2022.
2. Final Construction Plans and Specifications by September 5th, 2022.

### **Proposed Fee**

IEI proposes to complete the above noted scope for the following Engineering Fee: **\$45,300.**

Please feel free to contact me should you have any questions or comments. I look forward to working with the team on this project.

Regards,

Adrian Fernandez, P.E.  
Peoria Office Lead/Project Manager



**INFRASTRUCTURE ENGINEERING, INC**  
**Design Manhour Justification - Blue Ridge Road Slopewall Repair**

2/17/2022

Work Task	Sheets	QAQC Manager	Project Manager	Project Engineer	Design Engineer	Inspector	Task Totals	
		\$72.12	\$64.83	\$51.60	\$38.00	\$36.07	Hours	Fees
<b>SCOUR ANALYSIS</b>								
Program/Scope review & Analysis with DNR and Army Corps of Engineers			8	8			16	\$931.44
Report Preparation			2	6			8	\$439.26
Scour Analysis				6	24		30	\$1,221.60
Quality Assurance / Quality Control		4					4	\$288.48
<b>Subtotal - Analysis</b>		<b>4</b>	<b>10</b>	<b>20</b>	<b>24</b>	<b>0</b>	<b>58</b>	<b>\$2,880.78</b>
<b>Construction Documents</b>								
Cover Sheet	1		2		4		6	\$281.66
Traffic Control Plan	1		10	1	16		27	\$1,307.90
General Plan & Elevation	1		6	1	16		23	\$1,048.58
General Notes & Total Bill of Materials	1		8	1	24		33	\$1,482.24
Riprap Slope Protection Plan & Details	1		6	1	16		23	\$1,048.58
Traffic Control Standards	1		2	1	8		11	\$485.26
Project Manual +specifications			10		20		30	\$1,408.30
Coordination with County			8				8	\$518.64
Coordinate/Negotiate Easement w/ Owner			4		2		6	\$335.32
Monthly Progress Report	2 months		2				2	\$129.66
Statement of Probable Construction Cost	95% level		2		4		6	\$281.66
Quality Assurance & Control		8					8	\$576.96
Plan Submission	6				4		4	\$152.00
Design Review Meeting / Minutes			8		4		12	\$670.64
<b>Subtotal - CA Documents</b>	<b>6</b>	<b>8</b>	<b>68</b>	<b>5</b>	<b>118</b>	<b>0</b>	<b>199</b>	<b>\$9,727.40</b>
<b>Subtotal of Services</b>		<b>12</b>	<b>78</b>	<b>25</b>	<b>142</b>	<b>0</b>	<b>257</b>	<b>\$12,608.18</b>
<b>Direct Cost</b>								
Farnsworth - Survey/Easement								\$7,850.00
Neff Valuation - Appraisal								\$1,500.00
<b>Subtotal Direct Cost</b>								<b>\$9,350.00</b>
							Basic Services	\$12,608.18
							Multiplier	2.85
							<b>Total Design Fee</b>	<b>\$35,933.31</b>
							<b>Direct Cost</b>	<b>\$9,350.00</b>
							<b>Total Basic Service Fee</b>	<b>\$45,300.00</b>

February 15, 2022

Infrastructure Engineering, Inc.  
Adrian Fernandez  
456 Fulton Street  
Suite 265  
Peoria, IL 61602

Re: Blue Ridge Road Bridge

Dear Adrian:

I have two budget numbers for you.

1. The topo portion per your info below is estimated at \$4,500.00 which includes us putting the info in to AutoCAD 2022 format for your use, 6 cross sections to include each of bridge structure and 500' and 1000' down and upstream per your markup on the plan sheets and includes the bridge shots you mentioned along with shots for the general area of the scour.
2. Easement sketch and legal work is estimated at \$3,000.00 this may seem a little high, but I will need to tie in the property lines for the parcel in the northwest area where the scour is occurring. That fee does not include the cost for a title report that may show any existing easements that may be in place already on that property and to show ownership, the cost is usually around \$350.00.

In the past we have done some negotiating for easements, however we just had the staff member that did work relocate out of state for another job.

Right now, we are about 3 weeks out for the field work to get started. The above fees area based on using our Farnsworth Group standard agreement for services which I can provide if you want to proceed.

Let me know if you need any clarifications or have any questions.

Kenneth Silverthorn  
Peoria Survey Manager PLS #3413

From: [Randy Neff](#)  
To: [Adrian Fernandez](#)  
Subject: Re: Permanent Easement Appraisal  
Date: Wednesday, February 16, 2022 11:34:41 AM  
Attachments: [image002.png](#)

---

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Adrian,

I would estimate a fee to value the permanent easement for the parcel to be \$1,500. Let me know if you need any additional information. Thank you.

Randy

**Randall L. Neff, MAI, SRA**  
**Neff Valuation Group**  
**1605 W. Candletree Drive, Suite 109**  
**Peoria, Illinois 61614**  
[www.neffvaluation.com](http://www.neffvaluation.com)  
**309-691-7223**



**AGENDA BRIEFING**

**COMMITTEE:** Infrastructure                      **LINE ITEM:** 034-2-034-5-514-55104  
**MEETING DATE:** February 28, 2022              **AMOUNT:** \$258,989.10

---

**ISSUE:** Todd School Road Culvert Replacement Bid Letting

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**BACKGROUND/DISCUSSION:** A crossroad culvert on Todd School Road (C.H. D56) is failing and is in need of replacement. The culvert is collapsing, and the road embankment is settling on the north side of the road. The settlement requires the Highway Department maintainers to constantly add material to stabilize the road.

The County solicited for bidders to replace the culvert and received four (4) bids on February 8, 2022.

Stark Excavating	Bloomington, IL	\$258,989.10
Laverdiere Construction	Macomb, IL	\$299,533.00
Otto Baum	Morton, IL	\$317,140.00
Knapp Concrete Construction	Goodfield, IL	\$376,870.00

The project will require a contract to be originated between the County and Stark Excavating for this construction project. The Highway Department will obtain a form of contract for the project and submit same for review and approval by the State’s Attorney Office. Upon approval of the contract, the County Administrator should then be authorized to sign the contract and the County Treasurer should then be authorized to issue checks for payments as required by the contract.

The Highway Department is requesting that \$270,000.00 be appropriated to cover any project cost overruns discovered during construction.

This project is located in District # 18 (Rosenbohm).

---

**COUNTY BOARD GOALS:**



**INFRASTRUCTURE STEWARDSHIP**

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**STAFF RECOMMENDATION:** Approve the low bid of \$258,989.10 from Stark Excavating.

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**COMMITTEE ACTION:**

**APPROVED 2/28/21 (4-0 VOTES) MS. PASTUCHA ABSENT**

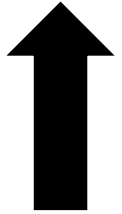
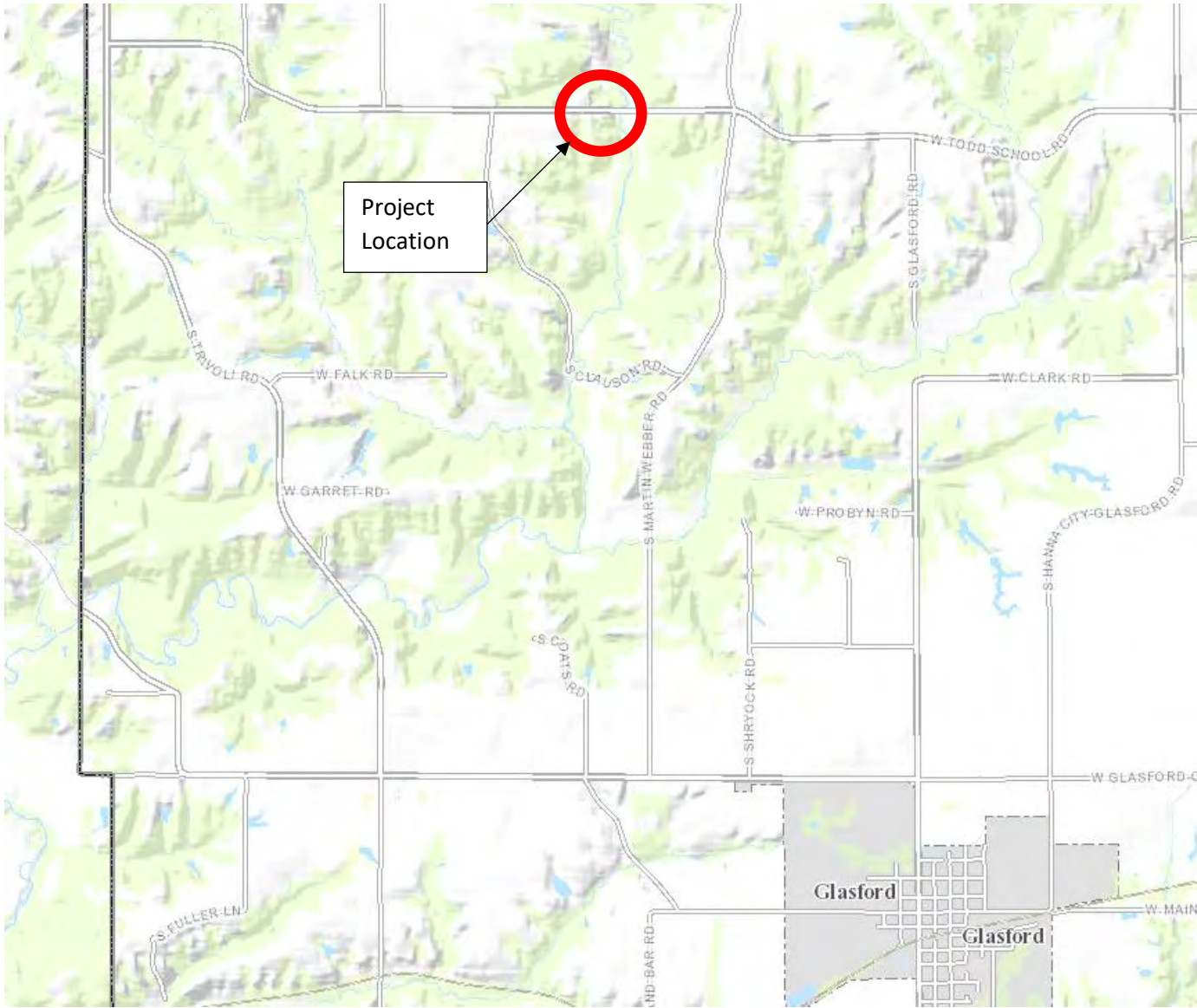
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**PREPARED BY:** Jeffrey D. Gilles

**DEPARTMENT:** Highway

**DATE:** February 8, 2022





**TODD SCHOOL ROAD CULVERT REPLACEMENT LOCATION MAP**

# Todd School Road Culvert Replacement 1/31/2018



Downstream – North of road.



North foreslope of road.



Road looking east.



South side of road – Upstream end of culvert.



Tabulation of Bids

Local Public Agency: Peoria County  
 County: Peoria  
 Section: 2016-4-CB  
 Route: Todd School Rd. Culvert

Date: 2/8/2022  
 Time: 9:00 A.M.

Attended By: _____					Name of Bidder:		STARK EXCAVATING, INC		LAVERDIERE CONSTRUCTION, INC		OTTO BAUM COMPANY, INC		KNAPP CONCRETE CONTRACTOR	
					Address of Bidder:		1805 W. WASHINGTON ST		4055 WEST JACKSON STREET		866 N MAIN STREET		150 E. MARTIN DRIVE	
							BLOOMINGTON, IL 61701		MACOMB, IL 61455		MORTON, IL 61550		GOODFIELD, IL 61742	
					Proposal Guarantee:									
					Terms:									
					Approved Engineer's Estimate									
Item No.	Item	Delivery	Unit	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
20100210	TREE REM (> 15 UNIT DIA.)		UNIT	80		\$ -	69.0000	\$ 5,520.00	90.0000	\$ 7,200.00	102.4400	\$ 8,195.20	80.0000	\$ 6,400.00
20200100	EARTH EXCAVATION		CU. YD.	418		\$ -	23.0000	\$ 9,614.00	25.0000	\$ 10,450.00	81.8000	\$ 34,192.40	45.0000	\$ 18,810.00
20400800	FURNISHED EXCAVATION		CU. YD.	586		\$ -	36.0000	\$ 21,096.00	40.0000	\$ 23,440.00	56.7200	\$ 33,237.92	55.0000	\$ 32,230.00
20800150	TRENCH BACKFILL		CU. YD.	40		\$ -	29.0000	\$ 1,160.00	70.0000	\$ 2,800.00	182.1700	\$ 7,286.80	75.0000	\$ 3,000.00
25000200	SEEDING, CLASS 2		ACRE	0.3		\$ -	4,768.0000	\$ 1,430.40	12,000.0000	\$ 3,600.00	4,814.7300	\$ 1,444.42	4,800.0000	\$ 1,440.00
25000400	NITROGEN FERT. NUT.		POUND	27		\$ -	2.0000	\$ 54.00	2.0000	\$ 54.00	2.1600	\$ 58.32	5.0000	\$ 135.00
25000400	PHOSPHORUS FERT. NUT.		POUND	27		\$ -	2.0000	\$ 54.00	2.0000	\$ 54.00	2.1600	\$ 58.32	5.0000	\$ 135.00
25000600	POTASSIUM FERT. NUT.		POUND	27		\$ -	2.0000	\$ 54.00	2.0000	\$ 54.00	2.1600	\$ 58.32	5.0000	\$ 135.00
25100630	EROSION CONT. BLANKET		SQ. YD.	1452		\$ -	1.6000	\$ 2,323.20	3.0000	\$ 4,356.00	1.6200	\$ 2,352.24	2.5000	\$ 3,630.00
28100105	STONE RIPRAP, CLASS A3		SQ. YD.	155		\$ -	37.0000	\$ 5,735.00	100.0000	\$ 15,500.00	52.7400	\$ 8,174.70	110.0000	\$ 17,050.00
28100107	STONE RIPRAP, CLASS A4		SQ. YD.	20		\$ -	155.0000	\$ 3,100.00	200.0000	\$ 4,000.00	338.4300	\$ 6,768.60	110.0000	\$ 2,200.00
28200200	FILTER FABRIC		SQ. YD.	455		\$ -	3.7000	\$ 1,683.50	3.0000	\$ 1,365.00	8.3800	\$ 3,812.90	6.0000	\$ 2,730.00
28500200	PRECAST BLOCK REV MAT		SQ. YD.	280		\$ -	300.0000	\$ 84,000.00	220.0000	\$ 61,600.00	266.8300	\$ 74,712.40	320.0000	\$ 89,600.00
35101100	AGG. BASE CSE, TY. A, 12"		SQ. YD.	812		\$ -	26.0000	\$ 21,112.00	25.0000	\$ 20,300.00	25.5100	\$ 20,714.12	55.0000	\$ 44,660.00
40200720	AGG. SURF. CSE, TY. A, 12"		SQ. YD.	58		\$ -	45.0000	\$ 2,610.00	25.0000	\$ 1,450.00	48.5000	\$ 2,813.00	55.0000	\$ 3,190.00
40600275	BIT. MATL. (PRIME COAT)		POUND	1800		\$ -	0.9000	\$ 1,620.00	0.5000	\$ 900.00	0.9200	\$ 1,656.00	1.6000	\$ 2,880.00
40600290	BIT. MATL. (TACK COAT)		POUND	180		\$ -	1.8000	\$ 324.00	2.0000	\$ 360.00	1.8300	\$ 329.40	9.0000	\$ 1,620.00
40600275	HMA BIND. CRSE IL-9.5, N50		TON	137		\$ -	177.0000	\$ 24,249.00	200.0000	\$ 27,400.00	179.0700	\$ 24,532.59	185.0000	\$ 25,345.00
40603310	HMA SURF. CRSE MIX C, N50		TON	92		\$ -	183.0000	\$ 16,836.00	240.0000	\$ 22,080.00	185.6600	\$ 17,080.72	220.0000	\$ 20,240.00
44000100	PAVEMENT REMOVAL		SQ. YD.	820		\$ -	3.5000	\$ 2,870.00	12.0000	\$ 9,840.00	10.8200	\$ 8,872.40	35.0000	\$ 28,700.00
48100500	AGG. SHLDERS, TYPE A, 6"		SQ. YD.	307		\$ -	24.0000	\$ 7,368.00	40.0000	\$ 12,280.00	19.3700	\$ 5,946.59	70.0000	\$ 21,490.00
50105220	PIPE CULVERT REMOVAL		FOOT	102		\$ -	36.0000	\$ 3,672.00	50.0000	\$ 5,100.00	62.1700	\$ 6,341.34	85.0000	\$ 8,670.00
54261718	STL. FLR. END SECTION, 18"		EACH	1		\$ -	977.0000	\$ 977.00	400.0000	\$ 400.00	578.2800	\$ 578.28	360.0000	\$ 360.00
54261724	STL. FLR. END SECTION, 24"		EACH	2		\$ -	1,100.0000	\$ 2,200.00	600.0000	\$ 1,200.00	702.2100	\$ 1,404.42	460.0000	\$ 920.00
542C1069	PIPE CLVTS, CL. C, TY. 2, 24"		FOOT	100		\$ -	85.0000	\$ 8,500.00	150.0000	\$ 15,000.00	87.6100	\$ 8,761.00	155.0000	\$ 15,500.00
542D1063	PIPE CLVTS, CL. D, TY. 2, 18'		FOOT	30		\$ -	67.0000	\$ 2,010.00	125.0000	\$ 3,750.00	53.9000	\$ 1,617.00	60.0000	\$ 1,800.00
60221100	MH, TY. A, 5' DIA, TY 1 FR, CL		EACH	1		\$ -	13,000.0000	\$ 13,000.00	23,000.0000	\$ 23,000.00	11,350.3400	\$ 11,350.34	12,000.0000	\$ 12,000.00
X7011832	TRAF CNTL, STD BLR 22		L. SUM	1		\$ -	9,800.0000	\$ 9,800.00	20,000.0000	\$ 20,000.00	11,527.1900	\$ 11,527.19	8,000.0000	\$ 8,000.00
Z0013798	CONSTRUCTION LAYOUT		L. SUM	1		\$ -	6,017.0000	\$ 6,017.00	2,000.0000	\$ 2,000.00	13,263.0700	\$ 13,263.07	4,000.0000	\$ 4,000.00
					Total Bid:		As Read:	258,989.10	299,533.00	317,140.00	389,830.00			
							As Calculated:	258,989.10	299,533.00	317,140.00	376,870.00			

TO THE HONORABLE COUNTY BOARD )  
 )  
COUNTY OF PEORIA, IL )

Your Infrastructure Committee does hereby recommend the passage of the following Resolution:

**RE: TODD SCHOOL ROAD CULVERT REPLACEMENT BID LETTING**

**RESOLUTION**

WHEREAS, Peoria County solicited bids for culvert replacement on Todd School Road (C.H. D56), designated as Section Number 2016-4-CB; and

WHEREAS, on February 8, 2022, the following bids were received:

Stark Excavating	Bloomington, IL	\$258,989.10
Laverdiere Construction	Macomb, IL	\$299,533.00
Otto Baum	Morton, IL	\$317,140.00
Knapp Concrete Construction	Goodfield, IL	\$376,870.00

WHEREAS, your Infrastructure Committee would recommend acceptance of the lowest responsible bid submitted by Stark Excavating in the amount of \$258,989.10 for culvert replacement on Todd School Road, designated as Section Number 2016-4-CB.

NOW THEREFORE BE IT RESOLVED that the low bid of Stark Excavating in the amount of \$258,989.10 for culvert replacement on Todd School Road, designated as Section Number 2016-4-CB, is hereby accepted as the lowest responsible bid meeting the needs and bid specifications of the County; and

BE IT FURTHER RESOLVED, that \$270,000 be appropriated from the County Bridge Fund for construction of Section Number 2016-4-CB; and

BE IT FURTHER RESOLVED, that the County Administrator is hereby authorized to sign the contract for Section Number 2016-4-CB after review and approval by the State's Attorney Office, and that the County Treasurer is hereby authorized to issue checks from the County Bridge Fund in payment of estimates, as said estimates become due.

Respectfully Submitted,

Infrastructure Committee

## AGENDA BRIEFING

**COMMITTEE:** Infrastructure

**LINE ITEM:** 037-2-037-5-536-54419

**MEETING DATE:** February 28, 2022

**AMOUNT:** \$248,629.25

---

**ISSUE:** Millbrook Township bid for sealcoating (Township Motor Fuel Tax)

---

### **BACKGROUND/DISCUSSION:**

The Millbrook Township Road Commissioner advertised and received bids for the sealcoating of township roads that will be paid for with Township Motor Fuel (TMFT) funds. The County Highway Department works with the townships to meet IDOT's specifications and oversees expenditures from the TMFT account.

The Township solicited for bidders and received bids on February 8, 2022. Bids were received from R.A. Cullinan and Son, Inc. (Tremont, IL), Pavement Maintenance Services (Henry, IL), Potter & Sons Blacktop (Wyoming, IL) and Porter Brothers (Rock Falls, IL). Bid tabulations are attached.

Bids were advertised in the state distributed IDOT contractor's bulletin.

As per the Illinois Department of Transportation, pavement projects using township motor fuel tax funds must have the county be the awarding authority.

---

### **COUNTY BOARD GOALS:**



**INFRASTRUCTURE STEWARDSHIP**

---

**STAFF RECOMMENDATION:** Approve the lowest responsible bidder

---

### **COMMITTEE ACTION:**

Approved 2/28/22 (4-0 votes) Ms. Pastucha absent

---

**PREPARED BY:** Amy Benecke McLaren, County Engineer

**DEPARTMENT:** Highway

**DATE:** February 18, 2022

**Tabulation  
of Bids  
(page 1 of 1)**

County <u>PEORIA</u> Date <u>2/8/2022</u>					<b>Name and Address of Bidders</b>		<b>RECOMMENDED BIDDER</b> PORTER BROTHERS 1106 INDUSTRIAL PARK DR ROCK FALLS, IL 61071									
Municipality or Road District <u>MILLBROOK TWP</u> Time <u>9:00 A.M.</u>																
Section <u>22-1200-00-GM</u> Appropriation \$ _____																
Estimate \$ <u>270,907.20</u> Attended by <u>PATRICK MEYER-PNMAI</u>																
MILLBROOK TWP-MATT PERHAM					<b>Approved Engineer's Estimate</b>		BID BOND		BID BOND		CASHIER'S CHECK		BID BOND			
Proposal Guarantee _____																
Terms _____																
Item No. or Group	Items	Delivery	Unit	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
SLCT-1	BIT A-1 SLCT-PG46-28		GAL	46,080	3.49	160,819.20	3.60	165,888.00	3.52	162,201.60	4.10	188,928.00	4.64	213,811.20		
SLCT-2	SLCT AGG -CA16		TON	1,815	36.00	65,340.00	25.91	47,026.65	36.50	66,247.50	30.00	54,450.00	36.69	66,592.35		
SLCT-3	BIT MATL MC-30		GAL	6,156	5.50	33,858.00	4.34	26,717.04	4.50	27,702.00	4.11	25,301.16	5.09	31,334.04		
SLCT-4	SLCT AGG -CA14		TON	242	45.00	10,890.00	37.18	8,997.56	38.29	9,266.18	30.00	7,260.00	42.33	10,243.86		
<b>Total Bid</b>						270,907.20		248,629.25		265,417.28		275,939.16		321,981.45		
<b>As read</b>						270,907.20		248,629.25		265,417.28		275,939.16		321,981.45		
<b>As corrected</b>						270,907.20		248,629.25		265,417.28		275,939.16		321,981.45		

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TO THE HONORABLE COUNTY BOARD )  
 )  
COUNTY OF PEORIA, IL )

Your Infrastructure Committee does hereby recommend the passage of the following Resolution:

**RE: MILLBROOK TOWNSHIP BIDS FOR SEALCOATING (TOWNSHIP MOTOR FUEL TAX)**

**RESOLUTION**

WHEREAS, Millbrook Township solicited bids to use their Township Motor Fuel Tax (TMFT) funds for sealcoating township roads, designated as Section Number 22-12000-00-GM; and

WHEREAS, on February 8, 2022, bids were received for the Millbrook Township Motor Fuel Tax funded tilling and sealcoating of township roads project; and

WHEREAS, Porter Brothers, located in Rock Falls, Illinois submitted the lowest responsible bid.

NOW THEREFORE BE IT RESOLVED that the bid received from Porter Brothers, located in Rock Falls, Illinois for the Millbrook Township Motor Fuel Tax sealcoating project be accepted; and

BE IT FURTHER RESOLVED, that \$248,629.25 be appropriated from the Township Motor Fuel Tax Fund for construction the above listed section; and

BE IT FURTHER RESOLVED, that the County Treasurer is hereby authorized to issue checks from the Township Motor Fuel Tax Fund in payment of estimates, as said estimates become due.

Respectfully Submitted,

Infrastructure Committee

## AGENDA BRIEFING

**COMMITTEE:** Infrastructure

**LINE ITEM:** 037-2-037-5-536-54419

**MEETING DATE:** February 28, 2022

**AMOUNT:** \$42,203.48

---

**ISSUE:** Rosefield Township bid for sealcoating (Township Motor Fuel Tax)

---

### **BACKGROUND/DISCUSSION:**

The Rosefield Township Road Commissioner advertised and received bids for the sealcoating of township roads that will be paid for with Township Motor Fuel (TMFT) funds. The County Highway Department works with the townships to meet IDOT's specifications and oversees expenditures from the TMFT account.

The Township solicited for bidders and received bids on February 8, 2022. Bids were received from R.A. Cullinan and Son, Inc. (Tremont, IL), Pavement Maintenance Services (Henry, IL) and Porter Brothers (Rock Falls, IL). Bid tabulations are attached.

Bids were advertised in the state distributed IDOT contractor's bulletin.

As per the Illinois Department of Transportation, pavement projects using township motor fuel tax funds must have the county be the awarding authority.

---

### **COUNTY BOARD GOALS:**



**INFRASTRUCTURE STEWARDSHIP**

---

**STAFF RECOMMENDATION:** Approve the lowest responsible bidder

---

### **COMMITTEE ACTION:**

**Approved 2/28/22 (4-0 votes) Ms. Pastucha absent**

---

**PREPARED BY:** Amy Benecke McLaren, County Engineer

**DEPARTMENT:** Highway

**DATE:** February 18, 2022



## Tabulation of Bids

(page 1 of 1)

County <u>PEORIA</u> Date <u>2/8/2022</u>					<b>Name and Address of Bidders</b>		RECOMMENDED BIDDER		<b>Approved Engineer's Estimate</b>		PORTER BROTHERS 1106 INDUSTRIAL PARK DR ROCK FALLS, IL 61071		PAVEMENT MAINT SERV. INC P.O. BOX 71 HENRY, IL 61537		R.A. CULLINAN & SON, INC. P.O. BOX 166 TREMONT, IL 61568	
Municipality or Road District <u>ROSDEFIELD TWP</u> Time <u>9:30 A.M.</u>																
Section <u>22-18000-00-GM</u> Appropriation \$ _____																
Estimate \$ <u>71,180.00</u> Attended by <u>PATRICK MEYER-PNMAI</u> <u>SIMON ALWAN-IDOT</u>																
Proposal Guarantee _____																
Terms _____																
Item No. or Group	Items	Delivery	Unit	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total				
1	BIT MATLS SLCT-PG46-28		GAL	7,900	5.00	39,500.00	4.25	33,575.00	3.90	30,810.00	5.66	44,714.00				
2	AGG CM 16		TON	384	20.00	7,680.00	11.22	4,308.48	29.25	11,232.00	23.09	8,866.56				
3	TILLING		SQ YD	12,000	2.00	24,000.00	0.36	4,320.00	1.55	18,600.00	0.77	9,240.00				
<b>THIS PAGE ONLY</b> →					<b>Total Bid</b>	<b>As read</b>		71,180.00	42,203.48	60,642.00	62,820.56					
						<b>As corrected</b>		71,180.00	42,203.48	60,642.00	62,820.56					

TO THE HONORABLE COUNTY BOARD )  
 )  
COUNTY OF PEORIA, IL )

Your Infrastructure Committee does hereby recommend the passage of the following Resolution:

**RE: ROSEFIELD TOWNSHIP BIDS FOR SEALCOATING (TOWNSHIP MOTOR FUEL TAX)**

**RESOLUTION**

WHEREAS, Rosefield Township solicited bids to use their Township Motor Fuel Tax (TMFT) funds for sealcoating township roads, designated as Section Number 22-18000-00-GM; and

WHEREAS, on February 8, 2022, bids were received for the Rosefield Township Motor Fuel Tax funded tilling and sealcoating of township roads project; and

WHEREAS, Porter Brothers, located in Rock Falls, Illinois submitted the lowest responsible bid.

NOW THEREFORE BE IT RESOLVED that the bid received from Porter Brothers, located in Rock Falls, Illinois for the Rosefield Township Motor Fuel Tax sealcoating project be accepted; and

BE IT FURTHER RESOLVED, that \$42,203.48 be appropriated from the Township Motor Fuel Tax Fund for construction the above listed section; and

BE IT FURTHER RESOLVED, that the County Treasurer is hereby authorized to issue checks from the Township Motor Fuel Tax Fund in payment of estimates, as said estimates become due.

Respectfully Submitted,

Infrastructure Committee



PEORIA COUNTY BOARD APPOINTMENTS  
March 10, 2022

*\*Subject to Change\**

Emergency Telephone System Board

*(Length of Term: 4 years)*

Brandon Blayney

1807 W. Geneva Rd.

Peoria, IL 61615

*Expiring: 2/28/2025*

*Replaces: Brian Hitchcock*

Peoria County Plat Officers

*(Length of Term: 2 years)*

Andrew Braun

324 Main St, Room 301

Peoria il 61602

*Expiring: 3/1/2024*



## PEORIA COUNTY BOARD APPOINTMENTS

April 14, 2022

*\*Subject to Change\**

### Akron-Princeville Fire Protection District

*(Length of Term: 3 years)*

James M. Spurgeon

19227 N Princeville Jubilee Rd

Princeville IL 61559-9239

*Expiring: 4/30/22*

### Brimfield Comm Fire Protection District

*(Length of Term: 3 years)*

Merle Turner

12901 Jubilee Hills Drive

Brimfield IL 61517

*Expiring: 4/30/22*

### Brimfield Sanitary District

*(Length of Term: 3 years)*

Jeffrey T. Challacombe

305 W Clay Street

Brimfield IL 61517-8125

*Expiring: 4/30/22*

### Chillicothe-Hallock-Medina Water District

*(Length of Term: 5 years)*

Bill Lane

20707 Sequoia Ct

Chillicothe IL 61523

*Expiring: 4/30/22*

### Dunlap Community Fire Protection District

*(Length of Term: 3 years)*

Rodney Fitzpatrick

1526 W. Singing Woods Road

Edelstein IL 61526

*Expiring: 4/30/22*

### Elmwood Rural Fire Protection District

*(Length of Term: 3 years)*

Chad Jordan

425 E. Ash

Elmwood IL 61529

*Expiring: 4/30/22*

Greater Chillicothe Sanitary District

*(Length of Term: 3 years)*

Terry Ruhland  
422 N. First Street  
Chillicothe IL 61523  
*Expiring: 4/30/22*

Greater Peoria Sanitary & Sewage District

*(Length of Term: 3 years)*

Robert Gates  
301 S.W. Adams St., Suite 700  
Peoria IL 61602  
*Expiring: 4/30/22*

LaSalle Cemetery Association of Medina Township

*(Length of Term: 6 years)*

Susan Skillestad  
1502 E. Hendryx Pl.  
Peoria IL 61615  
*Expiring: 4/30/22*

Limestone Walters Public Water District

*(Length of Term: 5 years)*

Diana Monroe  
8903 W Johnson Farm Rd  
Bartonville IL 61607-9414  
*Expiring: 4/30/22*

Logan-Trivoli Fire Protection District

*(Length of Term: 3 years)*

David Doubet  
12430 W. Smithville Rd  
Hanna City IL 61536  
*Expiring: 4/30/22*

Pleasant Valley Public Water District

*(Length of Term: 5 years)*

James Krusemark  
1309 N Country Lane  
Peoria IL 61604-4562  
*Expiring: 4/30/22*

Rural Route 150 Water District

*(Length of Term: 5 years)*

Timothy Grunow II  
14810 W. Carlton Ct.  
Brimfield IL 61517  
*Expiring: 4/30/22*

Timber-Logan Rural Water District

*(Length of Term: 5 years)*

Thomas J. Mahr

13601 W Rickena Rd

Hanna City IL 61536

*Expiring: 4/30/22*

West Peoria Street Lighting District

*(Length of Term: 3 years)*

Guydeen Roos

705 N Ashland Ave

West Peoria IL 61604-4902

*Expiring: 4/30/22*

Williamsfield Fire Protection District

*(Length of Term: 3 years)*

Lyle Galbreath

15414 North Cedar Bluff Rd

Williamsfield IL 61489

*Expiring: 4/30/22*

## AGENDA BRIEFING

**COMMITTEE:** Land Use  
**MEETING DATE:** February 28, 2022

**LINE ITEM:** N/A  
**AMOUNT:** N/A

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**ISSUE:** ZBA Case #ZBA-2022-000006. A Special Use request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis.

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**BACKGROUND/DISCUSSION:** This case is in District #13, which is County Board member Jim Fennell's district. The petitioner, **Briscoe Financial, LLC**, requests a Special Use from Section 20-5.5.2.2.c of the Unified Development Ordinance, which allows for a Special Use for Overnight Accommodations. The petitioner requests to offer an entire single-family dwelling for rent on a short-term basis through the websites Airbnb and VRBO. The parcel is located at 16008 N. Front St. in the Northwest Quarter of Section 5 in Chillicothe Township. There are 2 consents and 3 objections on file. The parcel is zoned "R-2" Medium Density Residential and consists of a single-family dwelling and an attached garage. All surrounding parcels are zoned "R-2." Single-family dwellings are located to the north, west, and southwest of the parcel, and the Illinois River is located to the east. The petitioner's request is consistent with the mixed residential, commercial, and recreational character of the surrounding area. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO. No conditions were found that would cause the Peoria City/County Health Department to recommend denial of the request. The Department recommends that the property owner leave information on their water and wastewater systems for guests so that their systems are properly cared for and maintained. The Department also recommends that the property owner have guests notify them of any problems with these systems during their stay. The parcel has frontage along the right of way of N. Front St., a township collector road. The Trip Generation Report shows a range of 4.81 to 19.39 trips on a weekday per single-family dwelling unit. The Report also cites an average of 2.65 trips per resident on a weekday, while the assisted living land use, similar to a residential care home, a permitted use in the R-2 District, shows an average of 4.14 trips on a weekday per occupied bed. The maximum number of 6 property guests would generate about 15.9 trips. The potential traffic generated by the proposed use is consistent with the observed rates for a single-family dwelling and less than the projected traffic generation for a residential care home. The County Highway Department will defer to the Chillicothe Township Road Commissioner, as Front St. is maintained by the road district. In comments received on February 9, 2022, the Chillicothe Township Road Commissioner stated that he is opposed to a special use for this property only, as, in his opinion, there is not enough room for 4 vehicles to park safely on this private property, and parking in and along the right of way of Washington St. and Front St. is forbidden due to the egress issues with properties to the north and the intersection of Washington and Front streets. The petitioner's request is consistent with the Environmental Corridor and Unincorporated Center Land Use Form designations of the Peoria County Comprehensive Land Use Plan. The petitioner's request is also consistent with the Peoria County Growth Strategy for Economic Development.

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### COUNTY BOARD GOALS:



HEALTHY VIBRANT COMMUNITIES

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### STAFF RECOMMENDATION: *Approval with the following restrictions:*

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No parking shall be allowed in the shared private driveway.
4. No more than six (6) overnight guests may be present at the subject parcel at any one time.
5. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
6. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
7. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, "Overnight Accommodations," of the Peoria County Unified Development Ordinance.
8. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

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### ZBA RECOMMENDATION: *Approval with restrictions (4-2)*

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### COMMITTEE ACTION: **Approved (5-1)**

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**PREPARED BY:** Taylor Armbruster, Planner I

**DEPARTMENT:** Planning & Zoning

**DATE:** February 10, 2022





## Case Analysis

**Request and Location:** The petitioner, **Briscoe Financial, LLC**, requests a Special Use to provide Overnight Accommodations in the “R-2” Medium Density Residential Zoning District. Overnight accommodations may be established as a special use in the R-2 District provided that they meet the requirements set forth in Section 7.8 (“Overnight Accommodations”) and provided that no more than five rooms or suites of rooms are rented and that rooms are not rented for a period of more than fourteen days. The petitioner proposes to offer an entire single-family dwelling for rent on a short-term basis through the short-term rental websites Airbnb and VRBO. The subject parcel contains a single-family dwelling and an attached garage. The subject parcel is located at 16008 N. Front St. in the Northwest Quarter of Section 5 in Chillicothe Township.

**Pertinent Zoning Cases on Site:** None.

**Pertinent Zoning Cases in Surrounding Area:** Zoning case #ZBA-2021-000033 was a request for a Special Use to provide Overnight Accommodations at 13933 N. River Beach Dr., approximately 2.15 miles southwest of the subject property. The County Board approved this request with restrictions on November 11, 2021. Zoning case #ZBA-2021-000039 was a request for a Special Use to provide Overnight Accommodations at 11846 N. Riverview Rd., approximately 4.5 miles southwest of the subject property. The County Board approved this request with restrictions on January 13, 2022. Zoning case #ZBA-2021-000041 was also a request for a Special Use to provide Overnight Accommodations at 16212 N. Portage St., approximately 0.25 miles northwest of the subject property. The County Board approved this request with restrictions on January 13, 2022. In addition to the subject request, Briscoe Financial, LLC, is also the petitioner in cases #ZBA-2021-000040 and #ZBA-2022-000007, both requests to provide Overnight Accommodations in the “R-2” District. Case #ZBA-2021-000040 was located at 15414 N. River Beach Dr., approximately 0.50 miles southwest of the subject property. The County Board approved the request with restrictions on January 13, 2022. Case #ZBA-2022-000007 is located at 15326 N. River Beach Dr., approximately 0.55 miles southwest of the subject property. Case #ZBA-2022-000007 will receive a final vote at the March 10, 2022 County Board meeting.

**Surrounding Zoning and Land Use:** The subject parcel and all surrounding parcels are zoned “R-2” Medium Density Residential. The subject parcel contains a single-family dwelling and an attached garage. This single-family dwelling consists of 952 square feet of living space and 2 bedrooms. To the north and southwest of the subject property are single-family dwellings. To the west is a vacant lot used for personal storage. The Illinois River lies to the east, and the subject parcel has approximately 94 feet of frontage on the water. Single-family dwellings are the principal land use along this part of the Illinois River. The surrounding neighborhood also includes a mix of commercial uses, such as Sliders Pizza & Pub, and recreational uses, such as the Rome Youth Baseball Fields and riverfront property owned by the Chillicothe Park District, which is adjacent to the south of the subject property. The petitioner requests to offer the single-family dwelling at the subject property as an overnight accommodation on a short-term basis. The petitioner states that the house will be available for rent most weekends and weekdays varying on season, and the house would be occupied approximately 30-60% of available nights. The entire house will be rented rather than each room being rented individually, so the use of the property will be similar to that of a single-family dwelling. The petitioner’s request is consistent with the mixed residential, commercial, and recreational character of the surrounding area.

**Technical Adequacy:** The subject parcel is currently zoned “R-2” Medium Density Residential. Permitted uses in the “R-2” Medium Density Residential District include single-family detached and two-family dwellings, childcare homes, and small or medium residential care homes. A residential care home is defined as a dwelling in which staff persons provide care, education, and participation in community activities for a group of unrelated individuals who have long-term disabilities or handicaps with the primary goal of developing or exercising basic skills for daily living. Medium residential care homes may support up to eight (8) residents. Section 20-5.5.2.2.c of the Unified Development Ordinance (UDO) allows for a special use for overnight accommodations in the R-2 district, provided that: 1. no more than five (5) rooms or suites are rented and 2. rooms are not rented for a period of more than fourteen (14) days. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO, and Section 20-7.8.1 states that the section applies to all overnight accommodations in the County, regardless of whether they are considered a “bed and breakfast establishment,” “hotel,” “motel,” “boarding house,” “rooming house,” or any other type of commercial establishment where rooms are rented at a daily rate to the general public. Section 20-7.8.5 also requires that the operator keep a log identifying the name, address, and phone number of all guests, and Section 20-7.8.6 requires that overnight accommodations not begin operation until a Certificate of Occupancy has been issued by the Zoning Administrator. The petitioner requests to offer overnight

accommodations on a short-term basis through Airbnb and VRBO. According to the petitioner, the house will be rented to guests who usually consist of a single-family unit, and individual sleeping rooms will not be rented. The petitioner states that the home is anticipated to have, on average, 4 guests per visit with a maximum of 6 allowed. The average length of stay is 3 nights with a 2-night minimum and a 13-day maximum stay. The petitioner also states that check out time is before 10 AM and check in time is after 3 PM, and the home is equipped with security cameras and tech doors and locks to ensure safety of the guests and the surrounding premises. The petitioner's proposal is consistent with the UDO's overnight accommodation requirements.

**Environmental Impacts:** The subject parcel is located in an AE flood hazard area, which has a 1% chance of flooding each year. Assessments records show that the single-family dwelling and the attached garage at the property were built in 1950, so building permit records detailing the dwelling's construction are not available. Any new construction or alterations at the subject property must meet floodplain development standards in accordance with Section 20-7.14 ("Floodplain Regulations"). At the time of the Peoria City/County Health Department's review, no conditions were found that would cause the Department to recommend denial of the request. According to the Department's records, the existing onsite wastewater treatment is more than 50 years old. It is a recommendation of the Department for the property owner to leave information regarding their onsite wastewater disposal or potable water system(s) for their guests so that their systems are properly cared for and maintained. It is also recommended that the property owner have their guests notify them immediately of any problems with either their onsite wastewater disposal or potable water systems during the duration of their stay. Provided the requirements of the Peoria City/County Health Department are met, the petitioner's request to offer overnight accommodations at the subject parcel should have a minimal effect on the surrounding environment.

**Transportation Impacts:** The subject parcel has 83 feet of road frontage along the right of way of N. Front St., a township collector road. The subject property is accessed by a shared gravel driveway off N. Front St. Property records show this driveway to be 12 feet of even width, and the driveway is shared with four additional properties to the north. No new access points are proposed at this time. The 2017 IDOT Traffic Map does not show a vehicle trip count for N. Front St. The 8<sup>th</sup> Edition of the Trip Generation Report published by the Institute of Transportation Engineers cites an average rate of 9.44 vehicle trips on a weekday per single-family dwelling unit, and the rates observed in the study range from 4.81 trips to 19.39 trips. The Trip Generation Report also cites an average of 2.65 vehicle trips per resident on a weekday for the single-family detached housing land use. Were the maximum number of 6 guests to stay at the property, the approximate trip generation would be 15.9 trips, if each guest arrived in their own vehicle. Residential care homes are a permitted use in the "R-2" District. For the Assisted Living Land Use, the land use most similar in character to the Residential Care Home definition of the UDO, the Trip Generation Report cites an average of 4.14 vehicle trips on a weekday per occupied bed. Were an assisted living facility to support 6 residents, the weekday trip generation would be approximately 24.84 trips. Accordingly, the potential traffic generated by the proposed use is consistent with the observed rates for a single-family dwelling unit and less than the projected traffic generation for a residential care home, one of the R-2 district's permitted land uses. The petitioner's request should not have a negative impact on local traffic patterns. The County Highway Department will defer to the Chillicothe Township Road Commissioner, as N. Front St. is maintained by the road district. No comments have been received from the Chillicothe Township Road Commissioner.

**Land Use Form:** The Future Land Use Form Map in the Peoria County Comprehensive Land Use Plan designates this area as Unincorporated Center and Environmental Corridor. Unincorporated Centers have an almost entirely residential character, though small neighborhood commercial uses are occasionally present. The petitioner's request is consistent with the Unincorporated Center Land Use Form, as the proposed accommodations will be similar in use to a single-family dwelling while also providing small-scale commercial lodging for visitors to the area. The Environmental Corridor Land Use Form recognizes the value of environmental corridors as recreational, residential, and economic attractions, and the Land Use Plan also notes that these resources are a major contributor to the economy via eco-tourism and visitor attraction. The Illinois River lies directly east of the subject property, and the subject property has approximately 94 feet of frontage on the water. This proximity to the Illinois River provides recreational and eco-tourism opportunities, making the petitioner's request consistent with the goals of the Land Use Plan. The petitioner's request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, as visitors to the area would have an additional option for lodging.

## Conclusions

**Consistency with Adopted County Plan.** The request is consistent with the Unincorporated Center and Environmental Corridor Land Use designations of the Peoria County Future Land Use Form Map. Unincorporated Centers have an almost entirely residential character, though small neighborhood commercial uses are occasionally present. The petitioner's request is consistent with the Unincorporated Center Land Use Form, as the proposed accommodations will be similar to a single-family dwelling while also providing small-scale commercial lodging. The Environmental Corridor Land Use Form recognizes the value of environmental corridors as recreational, residential, and economic attractions, and the Land Use Plan also notes that these resources are a major contributor to the economy via eco-tourism and visitor attraction. The petitioner's request to offer overnight accommodations at the subject property is consistent with these goals, as the proximity to the Illinois River promotes visitor attraction through recreational and eco-tourism opportunities. The petitioner's request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, as visitors to the area would have an additional option for lodging.

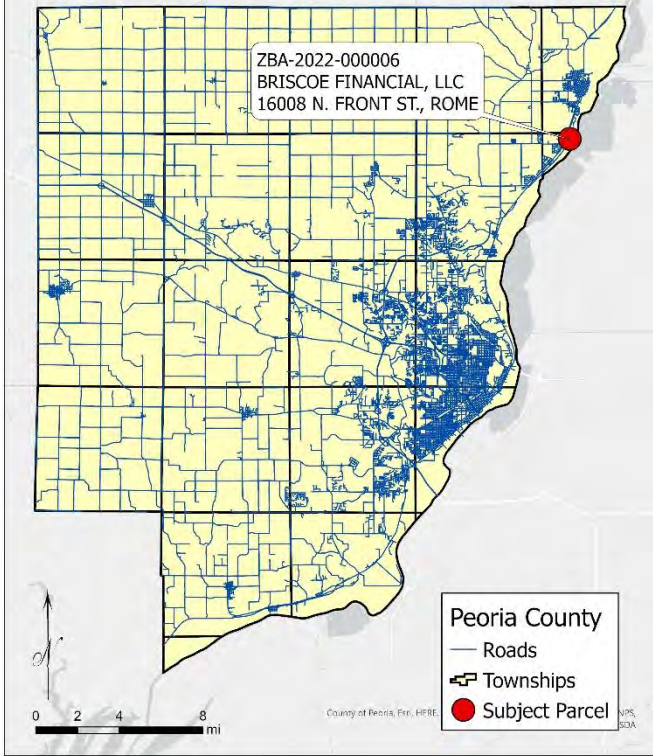
**Consistency with Community Character.** The subject parcels and all surrounding parcels are currently zoned "R-2" Medium Density Residential. The subject parcel contains a single-family dwelling and an attached garage. Single-family dwellings are the principal land use along this part of the Illinois River. The surrounding neighborhood also includes mixed commercial and recreational uses. The petitioner requests to offer the single-family dwelling at the subject property as a short-term rental for overnight accommodations. The entire house will be rented on a short-term basis rather than renting each room individually, so the use of the property will be similar to that of a single-family dwelling. The petitioner's request will be consistent with the surrounding area.

**Minimizing Adverse Effects.** The subject single-family dwelling includes 2 bedrooms that can accommodate 6 guests. According to the petitioner, the house will be rented to guests who usually consist of a single-family unit, and individual sleeping rooms will not be rented. The home is anticipated to have, on average, 4 guests per visit with a maximum of 6 allowed. The average length of stay will be 3 nights with a 2-night minimum and a 13-day maximum stay. The petitioner also states that check out time is before 10 am and check in time is after 3 pm, and the home is equipped with security cameras and tech doors and locks to ensure safety of the guests and the surrounding premises. The design of the petitioner's proposal will minimize adverse effects on adjacent properties.

**Presence of Natural/Historical Resources.** The request does not impact known natural or historical resources.

**Compliance with Additional Standards.** Building permits must be obtained for any future renovations at the property, and any new construction or alterations must meet floodplain development standards in accordance with Section 20-7.14 ("Floodplain Regulations"). Should the Special Use be granted, the proposed use must comply with the requirements for Overnight Accommodations listed in Section 20-7.8 of the Unified Development Ordinance. This includes Section 20-7.8.2, "Length of Stay," which requires that guests at overnight accommodations shall stay no more than the time limit specified by these regulations for each district; in the "R-2" district, this time limit is no more than 14 days. This also includes Section 20-7.8.5, "Record of Guests," which requires that the operator keep a log identifying the name, address, and telephone number of all guests, and Section 20-7.8.6, "Certificate of Occupancy," which requires that overnight accommodations shall not begin operation until a certificate of occupancy has been obtained from the Zoning Administrator in accordance with the provisions of Section 3.3 ("Certificate of Occupancy").

# Zoning Board of Appeals February 10, 2022



# Future Land Use Form



Disclaimer: Data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for use of the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division.

Map Scale  
1 inch = 42 feet  
12/10/2021



## Staff Recommendation

Based on the above information, the Department recommends **approval with the following restrictions:**

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No parking shall be allowed in the shared private driveway.
4. No more than six (6) overnight guests may be present at the subject parcel at any one time.
5. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
6. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
7. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, "Overnight Accommodations," of the Peoria County Unified Development Ordinance.
8. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

Respectfully submitted,

Taylor Armbruster  
Planner I

Kathi Urban  
Director

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MINUTES OF THE DELIBERATION OF THE  
PEORIA COUNTY ZONING BOARD OF APPEALS

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A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, February 10, 2022. The meeting was called to order by Linda O'Brien – Chairperson at 9:00 a.m.

PRESENT: Linda O'Brien – Chairperson, Andrew Keyt – Vice Chairperson, Greg Happ, Jim Bateman, Robert Asbell, J. Greg Fletcher

ABSENT: John Harms, Justin Brown

STAFF: Kathi Urban – Director  
Andrew Braun – Assistant Director  
Taylor Armbruster – Planner I  
Jack Weindel – Planner I  
Dana Hughes – Civil Assistant State's Attorney  
Sarah Cox – ZBA Administrative Assistant

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Case No. **ZBA-2022-000006** at 9:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **BRISCOE FINANCIAL, LLC** (*A limited liability company, Jason Briscoe – authorized agent, of 8747 E. Hansel Rd., Channahon, IL 60410, acting on its own behalf, a SPECIAL USE* request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short term rental basis in the "R-2" Medium Density Residential Zoning District.

**FINDINGS OF FACT FOR SPECIAL USES**

Section 20-3.5.4

When considering an application for a special use permit, the decision-making body shall consider the extent to which:

1. That the special use will be consistent with the purposes, goals, objectives, and standards of any officially adopted County plan and these regulations, or if not consistent, the factors which justify deviation;
  - The petitioner's request to offer overnight accommodations at the subject property is consistent with the Unincorporated Center and Environmental Corridor Land Use designations of the Peoria County Land Use Form Map. The proposed accommodations would be similar to that of a single-family dwelling, while providing small-scale commercial lodging. The proposed accommodations are in close proximity to the Illinois River and offer recreational, residential, and economic attractions, and in turn are a major contributor to the economy. Granting of the Special Use would allow visitors to the area an additional option for lodging.

2. That the special use will be consistent with the community character of the immediate vicinity of the parcel proposed for development, or if not consistent, the factors which justify the inconsistency:
  - The subject parcel and all surrounding parcels are zoned "R-2" Medium Density Residential. The subject parcel is a one-story 952 square foot single-family dwelling with a 280 square foot attached garage. Single-family dwellings are the principal land use along this stretch of the Illinois River. The entire house at the subject property will be rented rather than each room individually, so the use of. The property will be similar to that of other single-family dwellings in the area. The Special Use request is consistent with the community character of the area.
3. That the design of the proposed use will minimize adverse effects, including visual impacts on adjacent properties, except for land splits in the A-2 District and individual mobile homes;
  - The petitioners have stated that the 2-bedroom single family dwelling is anticipated to have an average of 4 guests per visit, with a maximum of 6 guests allowed. The average length of stay will be three nights, with a two-night minimum and a 13-day maximum. The petitioner has also stated that check-in time is after 3:00 pm and check-out time is before 10:00 am. The home is equipped with security cameras, as well as tech doors and locks to ensure safety of guests and surrounding premises. The design of the petitioner's proposal, as well as restrictions proposed by staff, will minimize adverse effects on adjacent properties.
4. That the development has been reviewed and approved by the Illinois Department of Natural Resources with regard to the presence of endangered species, and archaeological and/or historical resources, if applicable:
  - This request does not impact known natural or historical resources.
5. That the proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the ordinances of the County:
  - Building permits must be obtained for any future renovations at this property, and any new construction or alterations must meet floodplain development standards in accordance with Section 20-7.14. If the Special Use is granted, the proposed use must comply with the requirements for Overnight Accommodations listed in the Unified Development Ordinance, which includes "Length of Stay" which is no more than 14 days in the "R-2" district. Also included is "Record of Guests", which requires the operator to log names, addresses, and phone numbers of all guests. If the Special Use is granted, overnight accommodations shall not begin operation until a "Certificate of Occupancy" is obtained from the Zoning Administrator.

A motion to approve the Findings of Fact was made by Mr. Happ and seconded by Mr. Asbell. Six affirmative votes; (6-0) A motion to approve the special use with restrictions was made by Mr. Happ and seconded by Mr. Keyt. A vote was taken, and the motion was approved; (4-2)

Meeting adjourned 11:45 a.m.

Respectfully submitted,

Sarah Cox  
ZBA Administrative Assistant



TO THE HONORABLE COUNTY BOARD )  
 )  
COUNTY OF PEORIA, ILLINOIS )

Your Land Use Committee does hereby recommend passage of the following Resolution:  
RE: Approval of Special Use, Petition of Briscoe Financial, LLC.

### **RESOLUTION**

WHEREAS, the County of Peoria has enacted a Unified Development Ordinance, Chapter 20 of the Peoria County Code; and

WHEREAS, said ordinance requires a Special Use for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented, and rooms are not rented for a period of more than 14 days, in the R-2 Medium Density Residential District; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on February 10, 2022 in Case No. ZBA-2022-000006; a copy of the deliberation minutes of said hearing and a legal description of the subject property are attached; and

WHEREAS, the ZBA deliberated its decision on February 10, 2022, and voted to recommend approval of the Special Use with restrictions; a copy of the ZBA's findings of fact is attached; and

WHEREAS, your Committee met on February 28, 2022 to consider the ZBA's recommendation and voted to approve the Special Use with restrictions.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Special Use in Case No. ZBA-2022-000006 is hereby approved with the following restrictions:

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No parking shall be allowed in the shared private driveway.
4. No more than six (6) overnight guests may be present at the subject parcels at any one time.
5. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
6. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
7. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, "Overnight Accommodations," of the Peoria County Unified Development Ordinance.
8. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

NOTICE: Approval of this Special Use does not constitute approval of wells nor septic systems for the property required by the Peoria City/County Health Department.

RESPECTFULLY SUBMITTED,  
LAND USE COMMITTEE

A tract or parcel of land described as follows: Beginning at a point in the break of the bank of the Illinois River on the County of Peoria side Easterly of the Southeast corner of Lot 1, Block 4, Original Town of Rome. at a cross in the concrete wall as shown on a survey of M.H. Birren. County Surveyor of Peoria County, Illinois, made on August 6, 1950, thence Westerly parallel to the South line of lot 1, 82 feet; thence Northerly parallel to the East line of said Lot 1, 94.67 feet to a point thence Easterly to the West edge of the waters of the Illinois River; thence in a Southerly direction along said edge of waters to a point opposite to said cross in said concrete wall; thence Westerly parallel to the Southerly line of said Lot 1 to the Place of Beginning, said tract consisting of 94.67 feet frontage on the Illinois River, together with the perpetual right to the river front, being a part of the Northwest Quarter of Section 5, Township 10 North, Range 9 East of the Fourth Principal Meridian, situated in the County of Peoria and State of Illinois.  
**(Chillicothe Township 10-05-129-013)**

## AGENDA BRIEFING

**COMMITTEE:** Land Use  
**MEETING DATE:** February 28, 2022

**LINE ITEM:** N/A  
**AMOUNT:** N/A

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**ISSUE:** ZBA Case #ZBA-2022-000007. A Special Use request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis.

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**BACKGROUND/DISCUSSION:** This case is in District #13, which is County Board member Jim Fennell's district. The petitioner, **Briscoe Financial, LLC**, requests a Special Use from Section 20-5.5.2.2.c of the Unified Development Ordinance, which allows for a Special Use for Overnight Accommodations. The petitioner requests to offer an entire single-family dwelling for rent on a short-term basis through the websites Airbnb and VRBO. The parcel is located at 15326 N. River Beach Dr. in the Southwest Quarter of Section 5 in Chillicothe Township. There are 2 consents and 0 objections on file. The parcel is zoned "R-2" Medium Density Residential and consists of a single-family dwelling and an attached garage. All surrounding parcels are zoned "R-2." Single-family dwellings are located to the north and west of the parcel, and vacant lots owned by Peoria County and the Chillicothe Park district are located to the south. The Illinois River is located to the east. The petitioner's request is consistent with the residential character of the surrounding area. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO. No conditions were found that would cause the Peoria City/County Health Department to recommend denial of the request. The Department recommends that the property owner leave information on their water and wastewater systems for guests so that their systems are properly cared for and maintained. The Department also recommends that the property owner have guests notify them of any problems with these systems during their stay. The parcel has frontage on N. River Beach Dr., a township collector road. The Trip Generation Report shows a range of 4.81 to 19.39 trips on a weekday per single-family dwelling unit. The Report also cites an average of 2.65 trips per resident on a weekday, while the assisted living land use, similar to a residential care home, a permitted use in the R-2 District, shows an average of 4.14 trips on a weekday per occupied bed. The maximum number of 8 property guests would generate about 21.2 trips. An assisted living facility with 8 residents would generate about 33.12 trips. The potential traffic generated by the proposed use is consistent with the observed rates for a single-family dwelling unit and less than the projected traffic generation for a residential care home. The County Highway Department will defer to the Chillicothe Township Road Commissioner, as River Beach Dr. is maintained by the road district. No comments were received from the Chillicothe Township Road Commissioner. The petitioner's request is consistent with the Environmental Corridor and Unincorporated Center Land Use Form designations of the Peoria County Comprehensive Land Use Plan. The petitioner's request is also consistent with the Peoria County Growth Strategy for Economic Development.

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### COUNTY BOARD GOALS:



HEALTHY VIBRANT COMMUNITIES

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### STAFF RECOMMENDATION: *Approval with the following restrictions:*

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No more than eight (8) overnight guests may be present at the subject parcel at any one time.
4. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
5. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
6. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, "Overnight Accommodations," of the Peoria County Unified Development Ordinance.
7. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

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### ZBA RECOMMENDATION: *Approval with restrictions (6-0)*

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### COMMITTEE ACTION: **Approved (6-0)**

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**PREPARED BY:** Taylor Armbruster, Planner I

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**DEPARTMENT:** Planning & Zoning

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**DATE:** February 10, 2022

**Report to the Zoning Board of Appeals for the February 10, 2022 Public Hearing**

**Date:** February 1, 2022

**Case/Petitioner:** ZBA-2022-000007 Briscoe Financial, LLC (Jason Briscoe, Manager) / 8747 E. Hansel Rd., Channahon, IL 60410

**Request:** A Special Use request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis.

**Location:** SW 1/4 Section 5, Chillicothe Township / 15326 N. River Beach Dr., Chillicothe, IL 61523 / Parcel ID 10-05-302-031

**Land Use Form:** Environmental Corridor and Unincorporated Center

**Current Zoning:** “R-2” Medium Density Residential

**Present Use:** Residential

**Size of Site:** 0.33 acres

**Surrounding Zoning:** North: “R-2” Medium Density Residential  
 South: “R-2” Medium Density Residential  
 East: Illinois River  
 West: “R-2” Medium Density Residential

**Surrounding Land Uses:** North: Residential  
 South: Vacant  
 East: Illinois River  
 West: Residential

**Public Services:** Fire: Chillicothe Community FPD  
 Schools: Chillicothe IVC District #321  
 Water: Private well  
 Sewer: Private septic

**Transportation:** N. River Beach Dr., township collector road

**Pertinent Zoning Cases On Site:** None.

**Pertinent Zoning Cases In Surrounding Area:** Zoning Cases #ZBA-2021-000033, #ZBA-2021-000039, #ZBA-2021-000040, #ZBA-2021-000041, and #ZBA-2022-00006

**Department of Planning and Zoning Recommendation:** ***APPROVAL WITH RESTRICTIONS***

## Case Analysis

**Request and Location:** The petitioner, **Briscoe Financial, LLC**, requests a Special Use to provide Overnight Accommodations in the “R-2” Medium Density Residential Zoning District. Overnight accommodations may be established as a special use in the R-2 District provided that they meet the requirements set forth in Section 7.8 (“Overnight Accommodations”) and provided that no more than five rooms or suites are rented and that rooms are not rented for a period of more than fourteen days. The petitioner proposes to offer an entire single-family dwelling for rent on a short-term basis through the short-term rental websites Airbnb and VRBO. The subject parcel contains a single-family dwelling and an attached garage. The subject parcel is located at 15326 N. River Beach Dr. in the Southwest Quarter of Section 5 in Chillicothe Township.

**Pertinent Zoning Cases on Site:** None.

**Pertinent Zoning Cases in Surrounding Area:** Zoning case #ZBA-2021-000033 was a request for a Special Use to provide Overnight Accommodations at 13933 N. River Beach Dr., approximately 1.61 miles southwest of the subject property. The County Board approved this request with restrictions on November 11, 2021. Zoning case #ZBA-2021-000039 was a request for a Special Use to provide Overnight Accommodations at 11846 N. Riverview Rd., approximately 4 miles southwest of the subject property. The County Board approved this request with restrictions on January 13, 2022. Zoning case #ZBA-2021-000041 was also a request for a Special Use to provide Overnight Accommodations at 16212 N. Portage St., approximately 0.78 miles to the northeast of the subject property. The County Board approved this request with restrictions on January 13, 2022. In addition to the subject request, Briscoe Financial, LLC, is also the petitioner in cases #ZBA-2021-000040 and #ZBA-2022-000006, both requests to provide Overnight Accommodations in the “R-2” District. Case #ZBA-2021-000040 was located at 15414 N. River Beach Dr., approximately 0.05 miles northeast of the subject property. The County Board approved the request with restrictions on January 13, 2022. Case #ZBA-2022-000006 is located at 16008 N. Front St., approximately 0.55 miles northeast of the subject property. Case #ZBA-2022-000006 will receive a final vote at the March 10, 2022 County Board meeting.

**Surrounding Zoning and Land Use:** The subject parcel and all surrounding parcels are zoned “R-2” Medium Density Residential. The subject parcel contains a single-family dwelling and an attached garage located below the living space. This single-family dwelling consists of 1,256 square feet of living space and 3 bedrooms. To the north and west of the subject property are single-family dwellings. The Illinois River lies to the east, and the subject parcel has approximately 63 feet of frontage on the water. Four vacant lots are located to the south of the subject property; three of the lots are owned by Peoria County while the fourth lot is owned by the Chillicothe Park District. Single-family dwellings are the principal land use along N. River Beach Drive and this part of the Illinois River. The petitioner requests to offer the single-family dwelling at the subject property as an overnight accommodation on a short-term basis. The petitioner states that the house will be available for rent most weekends and weekdays varying on season, and the house would be occupied approximately 30-60% of available nights. The entire house will be rented rather than each room being rented individually, so the use of the property will be similar to that of a single-family dwelling. The petitioner’s request is consistent with the single-family residential character of the surrounding area.

**Technical Adequacy:** The subject parcel is currently zoned “R-2” Medium Density Residential. Permitted uses in the “R-2” Medium Density Residential District include single-family detached and two-family dwellings, childcare homes, and small or medium residential care homes. A residential care home is defined as a dwelling in which staff persons provide care, education, and participation in community activities for a group of unrelated individuals who have long-term disabilities or handicaps with the primary goal of developing or exercising basic skills for daily living. Medium residential care homes may support up to eight (8) residents. Section 20-5.5.2.2.c of the Unified Development Ordinance (UDO) allows for a special use for overnight accommodations in the R-2 district, provided that: 1. no more than five (5) rooms or suites are rented and 2. rooms are not rented for a period of more than fourteen (14) days. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO, and Section 20-7.8.1 states that the section applies to all overnight accommodations in the County, regardless of whether they are considered a “bed and breakfast establishment,” “hotel,” “motel,” “boarding house,” “rooming house,” or any other type of commercial establishment where rooms are rented at a daily rate to the general public. Section 20-7.8.5 also requires that the operator keep a log identifying the name, address, and phone number of all guests, and Section 20-7.8.6 requires that overnight accommodations not begin operation until a Certificate of Occupancy has been issued by the Zoning Administrator. The petitioner requests to offer overnight accommodations on a short-term basis through Airbnb and VRBO. According to the petitioner, the house will be rented to

guests who usually consist of a single-family unit, and individual sleeping rooms will not be rented. The petitioner states that the home is anticipated to have, on average, 6 guests per visit with a maximum of 8 allowed. The average length of stay is 3 nights with a 2-night minimum and a 13-day maximum stay. The petitioner also states that check out time is before 10 AM and check in time is after 3 PM, and the home is equipped with security cameras and tech doors and locks to ensure safety of the guests and the surrounding premises. The petitioner's proposal is consistent with the UDO's overnight accommodation requirements.

**Environmental Impacts:** The subject parcel is located in an AE flood hazard area, which has a 1% chance of flooding each year. Building permit #55895 was issued by the Department of Planning and Zoning on July 16, 2012, to elevate the single-family dwelling at the subject property, build a new garage below the house, and add decks and a carport. The project received a Certificate of Occupancy from the Department of Planning and Zoning on August 8, 2013. Any new construction or alterations at the subject property must meet floodplain development standards in accordance with Section 20-7.14 ("Floodplain Regulations"). At the time of the Peoria City/County Health Department's review, no conditions were found that would cause the Department to recommend denial of the request. It is a recommendation of the Department for the property owner to leave information regarding their onsite wastewater disposal or potable water system(s) for their guests so that their systems are properly cared for and maintained. It is also recommended that the property owner have their guests notify them immediately of any problems with either their onsite wastewater disposal or potable water systems during the duration of their stay. The Department found no files pertaining to the property's onsite wastewater system. Provided the requirements of the Peoria City/County Health Department are met, the petitioner's request to offer overnight accommodations at the subject parcel should have a minimal effect on the surrounding environment.

**Transportation Impacts:** The subject parcel has 60 feet of road frontage along N. River Beach Dr., a township collector road, and the subject property is accessed by an existing gravel driveway off N. River Beach Dr. No new access points are proposed at this time. The 2017 IDOT Traffic Map shows an average of 575 vehicle trips in a 24-hour period for this section of N. River Beach Dr. The 8<sup>th</sup> Edition of the Trip Generation Report published by the Institute of Transportation Engineers cites an average rate of 9.44 vehicle trips on a weekday per single-family dwelling unit, and the rates observed in the study range from 4.81 trips to 19.39 trips. The Trip Generation Report also cites an average of 2.65 vehicle trips per resident on a weekday for the single-family detached housing land use. Were the maximum number of 8 guests to stay at the property, the approximate trip generation would be 21.2 trips, if each guest arrived in their own vehicle. Residential care homes are a permitted use in the "R-2" District. For the Assisted Living Land Use, the land use most similar in character to the Residential Care Home definition of the UDO, the Trip Generation Report cites an average of 4.14 vehicle trips on a weekday per occupied bed. Were an assisted living facility to support 8 residents, the weekday trip generation would be approximately 33.12 trips. Accordingly, the potential traffic generated by the proposed use is consistent with the observed rates for a single-family dwelling unit and less than the projected traffic generation for a residential care home, one of the R-2 district's permitted land uses. The petitioner's request should not have a negative impact on local traffic patterns. The County Highway Department will defer to the Chillicothe Township Road Commissioner, as this portion of River Beach Dr. is maintained by the road district. No comments have been received from the Chillicothe Township Road Commissioner.

**Land Use Form:** The Future Land Use Form Map in the Peoria County Comprehensive Land Use Plan designates this area as Unincorporated Center and Environmental Corridor. Unincorporated Centers have an almost entirely residential character, though small neighborhood commercial uses are occasionally present. The petitioner's request is consistent with the Unincorporated Center Land Use Form, as the proposed accommodations will be similar in use to a single-family dwelling while also providing small-scale commercial lodging for visitors to the area. The Environmental Corridor Land Use Form recognizes the value of environmental corridors as recreational, residential, and economic attractions, and the Land Use Plan also notes that these resources are a major contributor to the economy via eco-tourism and visitor attraction. The Illinois River lies directly east of the subject property, and the subject property has approximately 64 feet of frontage on the water. This proximity to the Illinois River provides recreational and eco-tourism opportunities, making the petitioner's request consistent with the goals of the Land Use Plan. The petitioner's request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, as visitors to the area would have an additional option for lodging.

## Conclusions

**Consistency with Adopted County Plan.** The request is consistent with the Unincorporated Center and Environmental Corridor Land Use designations of the Peoria County Future Land Use Form Map. Unincorporated Centers have an almost entirely residential character, though small neighborhood commercial uses are occasionally present. The petitioner's request is consistent with the Unincorporated Center Land Use Form, as the proposed accommodations will be similar to a single-family dwelling while also providing small-scale commercial lodging. The Environmental Corridor Land Use Form recognizes the value of environmental corridors as recreational, residential, and economic attractions, and the Land Use Plan also notes that these resources are a major contributor to the economy via eco-tourism and visitor attraction. The petitioner's request to offer overnight accommodations at the subject property is consistent with these goals, as the proximity to the Illinois River promotes visitor attraction through recreational and eco-tourism opportunities. The petitioner's request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, as visitors to the area would have an additional option for lodging.

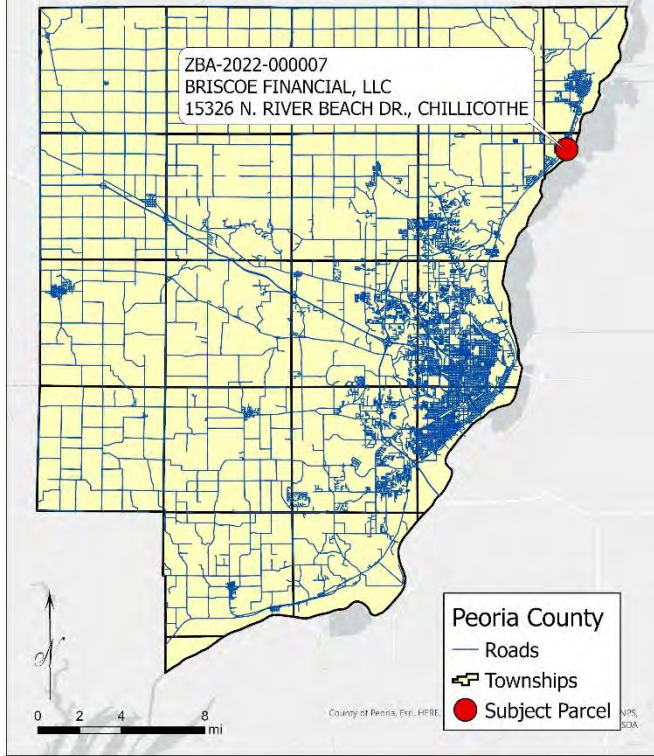
**Consistency with Community Character.** The subject parcels and all surrounding parcels are currently zoned "R-2" Medium Density Residential. The subject parcel contains a single-family dwelling and an attached garage located below the living space. Single-family dwellings are the principal land use along N. River Beach Dr. and this part of the Illinois River. The petitioner requests to offer the single-family dwelling at the subject property as a short-term rental for overnight accommodations. The entire house will be rented on a short-term basis rather than renting each room individually, so the use of the property will be similar to that of a single-family dwelling. The petitioner's request will be consistent with the surrounding area.

**Minimizing Adverse Effects.** The subject single-family dwelling includes 3 bedrooms that can accommodate 8 guests. According to the petitioner, the house will be rented to guests who usually consist of a single-family unit, and individual sleeping rooms will not be rented. The home is anticipated to have, on average, 6 guests per visit with a maximum of 8 allowed. The average length of stay will be 3 nights with a 2-night minimum and a 13-day maximum stay. The petitioner also states that check out time is before 10 am and check in time is after 3 pm, and the home is equipped with security cameras and tech doors and locks to ensure safety of the guests and the surrounding premises. The design of the petitioner's proposal will minimize adverse effects on adjacent properties.

**Presence of Natural/Historical Resources.** The request does not impact known natural or historical resources.

**Compliance with Additional Standards.** Building permits must be obtained for any future renovations at the property, and any new construction or alterations must meet floodplain development standards in accordance with Section 20-7.14 ("Floodplain Regulations"). Should the Special Use be granted, the proposed use must comply with the requirements for Overnight Accommodations listed in Section 20-7.8 of the Unified Development Ordinance. This includes Section 20-7.8.2, "Length of Stay," which requires that guests at overnight accommodations shall stay no more than the time limit specified by these regulations for each district; in the "R-2" district, this time limit is no more than 14 days. This also includes Section 20-7.8.5, "Record of Guests," which requires that the operator keep a log identifying the name, address, and telephone number of all guests, and Section 20-7.8.6, "Certificate of Occupancy," which requires that overnight accommodations shall not begin operation until a certificate of occupancy has been obtained from the Zoning Administrator in accordance with the provisions of Section 3.3 ("Certificate of Occupancy").

# Zoning Board of Appeals February 10, 2022



## Future Land Use Form



Disclaimer: Data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Map Scale  
1 inch = 42 feet  
12/10/2021



https://data.peoria.gov/datasets/arcgis/rest/services/Peoria\_IL/Peoria\_IL/FeatureServer/0

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## Staff Recommendation

Based on the above information, the Department recommends **approval with the following restrictions:**

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No more than eight (8) overnight guests may be present at the subject parcel at any one time.
4. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
5. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
6. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, "Overnight Accommodations," of the Peoria County Unified Development Ordinance.
7. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

Respectfully submitted,

Taylor Armbruster  
Planner I

Kathi Urban  
Director

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MINUTES OF THE DELIBERATION OF THE  
PEORIA COUNTY ZONING BOARD OF APPEALS

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A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, February 10, 2022. The meeting was called to order by Linda O'Brien – Chairperson at 9:00 a.m.

PRESENT: Linda O'Brien – Chairperson, Andrew Keyt – Vice Chairperson, Greg Happ, Jim Bateman, Robert Asbell, J. Greg Fletcher

ABSENT: John Harms, Justin Brown

STAFF: Kathi Urban – Director  
Andrew Braun – Assistant Director  
Taylor Armbruster – Planner I  
Jack Weindel – Planner I  
Dana Hughes – Civil Assistant State's Attorney  
Sarah Cox – ZBA Administrative Assistant

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Case No. **ZBA-2022-000007** at 9:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **BRISCOE FINANCIAL, LLC** (*A limited liability company, Jason Briscoe – authorized agent, of 8747 E. Hansel Rd., Channahon, IL 60410, acting on its own behalf, a SPECIAL USE* request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short term rental basis in the "R-2" Medium Density Residential Zoning District.

**FINDINGS OF FACT FOR SPECIAL USES**

Section 20-3.5.4

When considering an application for a special use permit, the decision-making body shall consider the extent to which:

1. That the special use will be consistent with the purposes, goals, objectives, and standards of any officially adopted County plan and these regulations, or if not consistent, the factors which justify deviation;
  - The petitioner's request to offer overnight accommodations at the subject property is consistent with the Unincorporated Center and Environmental Corridor Land Use designations of the Peoria County Land Use Form Map. The proposed accommodations would be similar to that of a single-family dwelling while providing small-scale commercial lodging. The proposed accommodations are in close proximity to the Illinois River and offer recreational, residential and economic attractions, and in turn are a major contributor to the economy. Granting of the Special Use would allow visitors to the area an additional option for lodging.

2. That the special use will be consistent with the community character of the immediate vicinity of the parcel proposed for development, or if not consistent, the factors which justify the inconsistency:
  - The subject parcel and all surrounding parcels are zoned "R-2" Medium Density Residential. The subject parcel is a one-story, approximately 1,256 square foot single-family dwelling with an attached garage of the same size located below the living space. Single-family dwellings are the principal land use along this stretch of the Illinois River. The entire house at the subject property will be rented rather than each room individually, so the use of the property will be similar to that of other single-family dwellings in the area. The Special Use request is consistent with the community character of the area.
3. That the design of the proposed use will minimize adverse effects, including visual impacts on adjacent properties, except for land splits in the A-2 District and individual mobile homes;
  - The petitioners have stated that the 3-bedroom single family dwelling can accommodate 8 guests. The home is anticipated to have, on average, 6 guests per visit with a maximum of 8 allowed. The average length of stay will be three nights, with a two-night minimum and a 13-day maximum. The petitioner has also stated that check-in time is after 3:00 pm and check-out time is before 10:00 am. The home is equipped with security cameras, as well as tech doors and locks to ensure safety of guests and surrounding premises. The design of the petitioner's proposal, as well as restrictions proposed by staff, will minimize adverse effects on adjacent properties.
4. That the development has been reviewed and approved by the Illinois Department of Natural Resources with regard to the presence of endangered species, and archaeological and/or historical resources, if applicable:
  - This request does not impact known natural or historical resources.
5. That the proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the ordinances of the County:
  - Building permits must be obtained for any future renovations at this property, and any new construction or alterations must meet floodplain development standards in accordance with Section 20-7.14. If the Special Use is granted, the proposed use must comply with the requirements for Overnight Accommodations listed in the Unified Development Ordinance, which includes "Length of Stay" which is no more than 14 days in the "R-2" district. Also included is "Record of Guests", which requires the operator to log names, addresses, and phone numbers of all guests. If the Special Use is granted, overnight accommodations shall not begin operation until a "Certificate of Occupancy" is obtained from the Zoning Administrator

A motion to approve the Findings of Fact was made by Mr. Fletcher and seconded by Mr. Bateman. Six affirmative votes; (6-0) A motion to approve the special use with restrictions was made by Mr. Happ and seconded by Mr. Keyt. A vote was taken, and the motion was approved; (6-0)

Meeting adjourned 11:45 a.m.

Respectfully submitted,

Sarah Cox  
ZBA Administrative Assistant

TO THE HONORABLE COUNTY BOARD )  
 )  
COUNTY OF PEORIA, ILLINOIS )

Your Land Use Committee does hereby recommend passage of the following Resolution:  
RE: Approval of Special Use, Petition of Briscoe Financial, LLC.

**RESOLUTION**

WHEREAS, the County of Peoria has enacted a Unified Development Ordinance, Chapter 20 of the Peoria County Code; and

WHEREAS, said ordinance requires a Special Use for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented, and rooms are not rented for a period of more than 14 days, in the R-2 Medium Density Residential District; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on February 10, 2022 in Case No. ZBA-2022-000007; a copy of the deliberation minutes of said hearing and a legal description of the subject property are attached; and

WHEREAS, the ZBA deliberated its decision on February 10, 2022, and voted to recommend approval of the Special Use with restrictions; a copy of the ZBA's findings of fact is attached; and

WHEREAS, your Committee met on February 28, 2022 to consider the ZBA's recommendation and voted to approve the Special Use with restrictions.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Special Use in Case No. ZBA-2022-000007 is hereby approved with the following restrictions:

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No more than eight (8) overnight guests may be present at the subject parcels at any one time.
4. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
5. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
6. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, "Overnight Accommodations," of the Peoria County Unified Development Ordinance.
7. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

NOTICE: Approval of this Special Use does not constitute approval of wells nor septic systems for the property required by the Peoria City/County Health Department.

RESPECTFULLY SUBMITTED,  
LAND USE COMMITTEE

A part of Lot 3 of UNDERHILL'S SUBDIVISION OF ROME FARMS, and situated in the Southwest Quarter of Section 5, Township 10 North, Range 9 East of the Fourth Principal Meridian, described as a strip of ground of even width of 60 feet extending from State Bond Issue Route 29 to the Illinois River and lying adjacent to and bounded on the Southwesterly side by the Southwesterly line extended, to the Illinois River of the property deeded by Alfred S. Proctor and Elizabeth G. Proctor to Wallace J. Nash by Warranty Deed dated October 17, 1891 and recorded in the Recorder's Office of Peoria County, Illinois, in Book "GG" at page 31, situated in Peoria County, Illinois. **(Chillicothe Township 10-05-302-031)**

## AGENDA BRIEFING

**COMMITTEE:** Land Use  
**MEETING DATE:** February 28, 2022

**LINE ITEM:** N/A  
**AMOUNT:** N/A

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**ISSUE:** ZBA Case #ZBA-2022-000012. A Special Use request from Section 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the "A-1" Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment") of these regulations are met. The petitioner proposes to construct a 40mW utility-scale Solar Energy Generation Facility.

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**BACKGROUND/DISCUSSION:** This case is in District #14, which is County Board member Brian Elsasser's district. The petitioner, **Cornwell Solar, LLC**, requests a Special Use for a 40 MWac Solar Energy Generation Facility in the "A-1" Agricultural Preservation Zoning District, covering approximately 250 acres of the three parcels' combined 272.5 acres. The parcels are located along W. Laura Rd. in the SE 1/4 of Section 21 and the N ½ of Section 28, Princeville Township. There are 2 consents and 0 objections on file. All three parcels are zoned "A-1" and consist of cropland. The request proposes to connect to the Ameren Monica Switching Station, located adjacent to the northern and eastern parcels on W. Laura Rd. The site plan shows that solar panels will cover the entirety of the eastern and western parcels and the part of the northern parcel south of the railroad. The petitioner states that, where feasible, the solar project will utilize pollinator-friendly landscaping, vegetation maintenance that limits runoff, and other management practices that are in keeping with the community, adjacent uses, and the local ecosystem. The proposed facility is intended to operate for at least 25 years. Section 20-5.1.3.2.f of the (UDO) allows for a special use for a Solar Energy Generation Facility in the "A-1" district, provided that the conditions in Section 20-7.17 are met. If granted, the petitioner must obtain building and stormwater and erosion control permits prior to construction. Section 20-7.17.5 ("Decommissioning Plan") requires that the petitioner maintain a decommissioning plan with financial security. The plan must state how the facility will be removed, including restoring the land to a condition reasonably similar to its condition before the development and the replacement of topsoil. The LESA score was 207 out of 300, which is a medium rating for agricultural protection. The petitioner shall enter into an Agricultural Impact Mitigation Agreement with the Department of Agriculture outlining standards to preserve any agricultural land impacted by the request. No conditions were found that would cause the Health Department to recommend denial of the request. Following construction, the request will generate minimal traffic. The petitioner has provided correspondence from the Peoria County Highway Department and the Princeville Township Road Commissioner, and road use agreements for the repair of any damaged roads will be obtained from the appropriate road official prior to the start of construction. The Peoria County Future Land Use Form Map designates this area as Agriculture Preservation. Solar Energy Generation Facilities are not an identified use in the Peoria County Comprehensive Land Use Plan. The request will not disrupt adjacent agricultural operations. The request is also consistent with the Peoria County Growth Strategy for Rural Areas.

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### COUNTY BOARD GOALS:



HEALTHY VIBRANT COMMUNITIES

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### STAFF RECOMMENDATION: *Approval with the following restrictions:*

1. Ground under solar arrays shall be planted and maintained in perennial vegetative ground cover.
  2. All transformers and inverters must be located at least 150 feet from the nearest existing residentially used property to mitigate the noise heard on adjacent residential properties.
  3. Required permits, including building permits, electrical permits, fence permits, and stormwater and erosion control permits, must be obtained from the Peoria County Department of Planning and Zoning prior to construction.
  4. The applicant must obtain all required overweight and access permits from the Peoria County Highway Department and the Princeville Township Road Commissioner.
  5. The Solar Energy Generation Facility shall be required to have a decommissioning plan that meets the requirements of Section 20-7.17.5 ("Decommissioning Plan") of the Unified Development Ordinance. Said plan shall be submitted and approved prior to the issuance of the building permit. Financial security must remain valid through the life of the project. Through the life of the project, the owner of the Solar Energy Generation Facility must provide the Zoning Administrator an updated decommissioning plan, including updated estimated costs and updated financial security, every four years.
  6. Except during a valid permit period or scheduled maintenance, which may or may not require a permit, the special use does not include the outdoor storage of equipment or materials.
  7. Execution of an Agricultural Impact Mitigation Agreement (AIMA) pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147) shall be required. A copy of this agreement shall be submitted to the Peoria County Department of Planning and Zoning prior to issuance of a building permit.
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### ZBA RECOMMENDATION: *Approval with restrictions (6-0)*

### COMMITTEE ACTION: *Approved (7-0) (Mr. Elsasser voted via teleconference)*

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**PREPARED BY:** Taylor Armbruster, Planner I

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**DEPARTMENT:** Planning & Zoning

**DATE:** February 10, 2022

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**Amended Report to the Zoning Board of Appeals for the February 10, 2022 Public Hearing**

**Date:** February 2, 2022

**Case/Petitioner:** ZBA-2022-000012 / Cornwell Solar, LLC / P.O. Box 310, Highland Park, IL 60035  
(owner, Harmon Farms, Inc., 11301 N. Brimfield Rd., Brimfield, IL 61517, and owner, Matthew A. Lauber, 1607 Greystone Ct., Chillicothe, IL 61523)

**Request:** A Special Use request from Section 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the "A-1" Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment") of these regulations are met. The petitioner proposes to construct a 40mW utility-scale Solar Energy Generation Facility.

**Location:** PIN 02-21-400-019 / Address not assigned / 118.123 acres / Northernmost parcel  
PIN 02-28-100-007 / Address not assigned / 74.41 acres / Westernmost parcel  
PIN 02-28-200-003 / Address not assigned / 80 acres / Easternmost parcel

**Land Use Form:** Agriculture Preservation

**Current Zoning:** "A-1" Agricultural Preservation

**Present Use:** Agriculture

**Size of Site:** 272.5 acres

**Surrounding Zoning:** North: "A-1" Agricultural Preservation  
South: "A-1" Agricultural Preservation  
East: "A-1" Agricultural Preservation  
West: "A-1" Agricultural Preservation

**Surrounding Land Uses:** North: Agriculture; Residential; Commercial Grain Facility  
South: Agriculture  
East: Agriculture  
West: Agriculture

**Public Services:** Fire: Akron-Princeville FPD Water: None  
Schools: Princeville CUSD #326 Sewer: None

**Transportation:** N. Daily Rd., County non-primary highway; W. Laura Rd., County non-primary highway;  
W. Laura Rd., township collector road; N. Elliott Rd., township collector road

**Pertinent Zoning Cases On Site:** None.

**Pertinent Zoning Cases In Surrounding Area:** Zoning Case #2018-080-U

**Department of Planning and Zoning Recommendation:** ***APPROVAL WITH RESTRICTIONS***



## Case Analysis

**Request and Location:** The petitioner, **Cornwell Solar, LLC**, requests a Special Use to operate a 40 MWac Solar Energy Generation Facility in the “A-1” Agricultural Preservation Zoning District. Solar Energy Generation Facilities may be established as a special use in the “A-1” District provided that they meet the conditions of Section 20-7.17, “Ground Mounted Solar Energy Equipment.” According to the petitioner’s site plan, the proposed equipment requires approximately 250 acres of the three parcels’ combined approximately 272.5 acres. The petition states that Cornwell Solar, LLC is a wholly owned indirect subsidiary of Trajectory Energy Partners, LLC, which brings together communities, organizations, and landowners to develop clean energy projects with strong local support. The request includes three parcels: PIN 02-21-400-019, the northernmost parcel, comprises 118.123 acres and is owned by Harmon Farms, Inc.; PIN 02-28-100-007, the westernmost parcel, comprises 74.41 acres and is also owned by Harmon Farms, Inc.; and PIN 02-28-200-003, the easternmost parcel, comprises 80 acres and is owned by Matthew A. Lauber. The subject parcels are currently in agricultural production. The subject parcels are located along W. Laura Rd. in the Southeast Quarter of Section 21 and the North Half of Section 28 in Princeville Township.

**Pertinent Zoning Cases on Site:** None.

**Pertinent Zoning Cases in Surrounding Area:** Special use case #080-18-U was a special use request to operate a 4-megawatt Solar Energy Generation Facility in the “A-1” Agricultural Preservation Zoning District on approximately 55.3 acres of an 80-acre parcel. The subject parcel in case #080-18-U is located approximately 0.25 miles to the east of the easternmost subject parcel along W. Laura Rd. On December 13, 2018, the Zoning Board of Appeals recommended approval of the case with restrictions, and the County Board approved the request with restrictions on January 10, 2019. This proposed solar project has not yet been developed.

**Surrounding Zoning and Land Use:** The northernmost subject parcel (PIN 02-21-400-19) consists of approximately 118.123 acres and is zoned “A-1” Agricultural Preservation. This parcel is bisected by a railroad belonging to the AT&SF Railroad Company; the northern piece consists of approximately 22.23 acres while the southern piece consists of approximately 95.893 acres.

The northern piece is located west of N. Elliott Rd. and is currently in row-crop agricultural production. Surrounding parcels to the north, south, east, and west are zoned “A-1” Agricultural Production. To the north and east are agricultural fields, to the south is the AT&SF Railroad, and to the west is a single-family dwelling. Farther west from the northern piece is a 16.85-acre tract zoned “I-1” Light Industrial, and this is the location of the Monica Elevator Company, an agriculturally related business. Beyond the Monica Elevator Company, continuing west is the unincorporated Town of Monica. Based on the petitioner’s site plan, no solar panels are proposed on the 22.23-acre northern piece of parcel 02-21-400-019.

The southern piece is located north of W. Laura Rd. between N. Daily Rd. and N. Elliott Rd. and is currently in agricultural production. All surrounding parcels are zoned “A-1” Agricultural Preservation. To the north is the AT&SF Railroad and agricultural fields are located to the south, west, and east. The Ameren Illinois Monica Switching Station, the proposed site of interconnection, is also immediately adjacent to this parcel to the southeast. Based on the petitioner’s site plan, solar panels would cover the entirety of this piece, excluding the required setback areas.

The westernmost subject parcel (PIN 02-28-100-007) is located on the south side of W. Laura Rd. between N. Kraft Rd. and N. Daily Rd. This parcel consists of approximately 74.41 acres and is currently in row-crop agricultural production. This parcel is zoned “A-1” Agricultural Preservation. All surrounding parcels are zoned “A-1” Agricultural Preservation. Two single-family dwellings are located adjacent along W. Laura Rd., and an additional single-family dwelling is located adjacent to the east. All other land uses surrounding this parcel are agricultural. Based on the petitioner’s site plan, solar panels would cover the entirety of the parcel excluding the required setback areas.

The easternmost subject parcel (PIN 02-28-200-003) is located on the south side of W. Laura Rd. between N. Daily Rd. and N. Elliott Rd. This parcel consists of approximately 80 acres and is currently in row-crop agricultural production. This parcel is zoned “A-1” Agricultural Preservation. All surrounding parcels are zoned “A-1” Agricultural Preservation. All surrounding land uses are agricultural. The Monica Switching Station is also located immediately adjacent to the north. Based on the petitioner’s site plan, solar panels would cover the entirety of the parcel excluding the required setback areas.

The petitioner requests to construct a 40-megawatt utility-scale solar facility covering approximately 250 acres of the three subject parcels’ combined approximately 272.5 acres. The petitioner states that the facility will include rows of photovoltaic cell panels mounted on posts driven into the ground, and the panels will be installed in a north-south configuration on a

mounting system that will rotate the panels to track the sun throughout the day. In order to minimize adverse impacts on neighboring residential properties, the panels will include an anti-reflective coating to minimize glare, and a 7-foot chain link fence will enclose all the panels and electrical equipment on site, which will be accessed by a locked gate. The petitioner also states that the solar panels are almost inaudible, and careful placement of the inverters and transformers in relation to any adjacent residential areas will make noise levels less than 50 decibels when measured at the applicable property line. This decibel level is comparable to a conversation. The petitioner also states that, where feasible, the solar project will utilize pollinator-friendly landscaping, vegetation maintenance that limits runoff, and other management practices that are in keeping with the community, adjacent uses, and the local ecosystem. The petitioner states that the proposed facility is intended to operate for a period of at least 25 years and will be constructed with solar panels with long-term warranties and very low expected rates of replacement. The petitioner also states that the solar project will benefit the community through new tax revenues for Peoria County, steady income to the subject landowners, economic activity through local construction, materials, and services, and production of clean, non-polluting electricity. The petitioner's request is consistent with the agriculturally productive land uses and zoning of the surrounding area, as it will not disrupt adjacent agricultural operations.

**Technical Adequacy:** The subject parcels are currently zoned "A-1" Agricultural Preservation. Section 20-5.1.3.2.f of the Unified Development Ordinance (UDO) allows for a special use for a solar energy generation facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment") are met. The UDO defines a solar energy generation facility as a facility consisting of ground mounted solar collectors and supplementary solar energy equipment used to produce electric power that is either the stand alone use or one of the principal uses for the parcel of land on which it is located. In a Solar Energy Generation Facility, the electric power may be used onsite, but its primary purpose is to generate electric power for offsite utility bill credit, subscription sale, retail sale, or wholesale. The petitioner requests to construct a 40-megawatt utility-scale solar energy generation facility.

Section 7.17.3 ("Standards for a Solar Energy Generation Facility"), sections 1-3, address the setbacks, height, and minimum conditions for a special use permit for a Solar Energy Generation Facility. The petitioner addresses these standards as listed here:

- *Setbacks.* All solar energy equipment and accessory structures of the facility, excluding perimeter fencing, must comply with road, side, and rear setbacks established in the underlying zoning district. In agricultural zoning districts, the setback for non-residential structures shall apply. The horizontal separation distance from the solar energy generation facility to the nearest principal residential dwelling shall be at least seventy-five (75) feet. The required road setbacks from N. Daily Rd. and W. Laura Rd., both non-primary County highways, is 125 feet from the center of the right of way. The required road setbacks from W. Laura Rd. and N. Elliott Rd., both township collector roads, is 65 feet from the right of way. The required side and rear setbacks are 30 feet. The petitioner's site plan, attached within the petition as Exhibit A, demonstrates that the solar project will comply with road, side, and rear setback requirements, as well as the horizontal separation distance to the nearest residential dwelling.
- *Height.* All solar collectors, transformers, equipment or maintenance structures shall comply with the height restriction of the underlying zoning district. The petitioner states that the height of the solar panels will range from 12 to 20 feet at maximum tilt over the lifespan of the project, and the panels will be no higher than 20 feet at maximum tilt. This complies with the 36-foot height limit in the "A-1" district.
- *Design and Installation.* Solar collectors shall be designed and located to avoid glare or reflection toward any inhabited buildings on adjacent parcels. Solar collectors shall be designed and located to avoid glare or reflection toward any adjacent roadways and shall not interfere with traffic or create a traffic safety hazard. The petitioner states that the solar panels will be constructed with an anti-reflective coating to minimize glare or reflection toward any inhabited buildings on adjacent parcel from the solar project. The solar panels will track the sun throughout the day, and together with the anti-reflective coating, their east to west orientation, the neighboring land use and the existing setbacks, direct glare or reflection towards inhabited buildings will be prevented.
- *Lighting.* Lighting shall be limited to the extent required for security and safety purposes and to meet applicable federal, state, or local requirements. Except for federally required lighting, lighting shall be reasonably shielded from adjacent properties and, where feasible, directed downward to reduce light pollution. The petitioner states that the solar project does not require lighting, and no lighting will be installed.
- *Security Fencing:* Facility equipment and structures shall be fully enclosed and secured by a perimeter fence with a height of six (6) to eight (8) feet. Lock boxes and keys shall be provided at locked entrances for emergency personnel. The petitioner states that pursuant to the ordinance and National Electrical Code requirements, the solar

project will be fully enclosed and secured with a 7 ft high chain link fence and will have a lock box and keys at the locked, gated entrance specified on the site plan.

- *Warning Signage.* A visible warning sign of "High Voltage" shall be posted at all points of site ingress and egress and along the perimeter fence of the facility, at a maximum of three hundred (300) feet apart. A sign that includes the facility's 911 address and 24-hour emergency contact number shall be posted near all entrances to the facility. The petitioner states that the solar project will comply with the warning signage requirements of the UDO.
- *Utility Connection.* The applicant shall submit with the special use application a copy of a letter from the electric utility company confirming the review of the application for interconnection has started. The petitioner has included Ameren Illinois' pre-application report with the special use application. Based on this report, the likely substation to serve the proposed point of interconnection (POI) for this project is the Monica Switching Substation, and this Switching Station is fed from both the Fargo and Hallock Substations in a networked system. Ameren must still review the full interconnection, which will be completed prior to obtaining any building permits.
- *Fire Safety.* It is the responsibility of the applicant to coordinate with the local fire protection district. The applicant shall submit with the special use application an approval letter from the local fire protection district. The petitioner has included a letter from Chief Randy Haley of the Akron-Princeville Fire District stating that the District finds no cause for objection at this time for the proposed solar project.
- *Roads.* Any roads that will be used for construction purposes and egress or ingress shall be identified and approved by the road jurisdiction. All applicable road and bridge weight limits shall be met during construction and maintenance. All applicable permits shall be acquired from the road jurisdiction prior to start of construction. The applicant shall submit with the special use application an approval letter from the road jurisdiction(s). The petitioner has included a letter from County Engineer Amy McLaren stating that the County Highway Department does not have an objection to the solar project moving forward in the Peoria County Zoning process, but, before access to the subject property is granted, representatives from Trajectory Energy Partners will need to meet with Peoria County Highway Department staff for access permits and road use agreements. The petitioner has also included a letter from Princeville Township Highway Commissioner Darrell Fuchs stating that the Commissioner finds no cause for objection at this time to the proposed solar project, but, prior to the start of construction of the solar project, representatives from Cornwell Solar, LLC will finalize and execute the draft road use agreement, contained within Exhibit D of the petition, regarding the use, repair, and maintenance of roadways and rights-of-way used by Cornwell Solar, LLC for the construction of the solar project within the Township's jurisdiction.
- *Endangered Species and Wetlands.* Applicant shall seek natural resource consultation with the Illinois Department of Natural Resources (IDNR). The applicant shall submit with the special use application the results of the IDNR EcoCAT consultation. The cost of the EcoCAT consultation shall be paid by the applicant. The petitioner has included a copy of the results of the IDNR EcoCAT consultation. IDNR reviewed and terminated the consultation based on the results of such review.
- *Compliance with Additional Regulations.* It shall be the responsibility of the applicant to coordinate with the FAA or other applicable federal or state authority to attain any additional required approval for the installation of a solar energy generation facility. The applicant shall submit with the special use application an approval letter from any federal or state authority requiring permit or approval. The petitioner has included the receipt of notice submitted to the Federal Aviation Administration pursuant to 14 CFR Section 77.7. The Federal Aviation Administration conducted an aeronautical study of the solar project, and the study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation. In addition, the petitioner will work with Peoria County and the relevant federal and state authorities in connection with obtaining the required building permits.

Section 20-7.17.3.4, "Minimum Conditions for a Building Permit," also requires that the petitioner obtain the necessary building permits and stormwater and erosion control permits. Additionally, an Illinois licensed professional engineer shall certify that the construction and installation of the solar energy generation facility meets or exceeds the manufacturer's construction and installation standards and the officially adopted codes of Peoria County.

Pursuant to Section 20-7.17.5, "Decommissioning Plan," the petitioner must submit and maintain a decommissioning plan with financial security to ensure the solar project is properly removed upon the end of the project life or facility abandonment. The decommissioning plan shall include the removal of all structures, including solar energy equipment and fencing, and debris to a depth of four (4) feet, restoration of the soil, and restoration of vegetation within six (6) months of the end of project life or facility abandonment. The owner shall restore the land to a condition reasonably similar to its condition before the development of the solar project, including the replacement of topsoil. Additionally, financial security

must remain valid through the life of the project, and an updated decommissioning plan including estimated costs prepared by an Illinois licensed professional engineer and financial security must be submitted to the Zoning Administrator every four (4) years.

A LESA was conducted on the parcel. The site scored 85.8 out of 100 for the agland evaluation and 121.2 out of 200 for the site assessment component. The overall LESA score was 207 out of 300, which is a medium rating for agricultural protection. The ground will not be in agricultural production for the life of the project, which the petitioner proposes to be a period of at least 25 years.

**Environmental Impacts:** The proposed use was reviewed and approved by the Illinois Department of Natural Resources (IDNR) with regard to the presence of endangered species, archaeological resources, and/or historical resources. An EcoCAT (Ecological Compliance Assessment Tool) report was conducted on the subject property. According to the report, the Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location. The IDNR consultation was terminated, based on the results of the review. Per 505 ILCS 147, Renewable Energy Facilities Agricultural Impact Mitigation Act, the petitioner shall enter into an agricultural impact mitigation agreement with the Department of Agriculture outlining construction and deconstruction standards and policies designed to preserve the integrity of any agricultural land that is impacted by the solar project. According to the Cornwell Solar Screening Plan, which was made available to visitors of an open house on December 8, 2021, regarding the project, a vegetative buffer with native tall grass prairie species and trees will create a natural screening area along with the areas where the project borders residential homes. The petitioner also states that no well and septic systems exist at the subject properties. The petitioner's request should not have a negative impact on the surrounding environment. At the time of the Peoria City/County Health Department's review, no conditions were found that would cause the Department to recommend denial of the request.

**Transportation Impacts:** The northernmost subject parcel has road frontage along N. Daily Rd., a non-primary County highway, W. Laura Rd., a township collector road, and N. Elliott Rd., a township collector road. The westernmost subject parcel has road frontage along W. Laura Rd., a non-primary County highway. The easternmost subject parcel has road frontage along W. Laura Rd. and N. Elliott Rd., both township collector roads. The 2017 IDOT Traffic Map shows an average of 175 vehicle trips in a 24-hour period for this section of N. Daily Rd., 325 vehicle trips for the County portion of W. Laura Rd., and 375 vehicle trips for the township portion of W. Laura Rd. 3 new gravel driveways are proposed off W. Laura Rd. onto each subject parcel for access to the solar energy generation facility.

The petitioner anticipates that the total construction period for the solar project will be approximately 12 months with a peak construction period of approximately 6 months during which most of the construction-related activities will occur. Construction will require trucks to deliver materials to the site, and onsite equipment will be used to drive pilings into the ground and install the panels, supports, and tracking equipment. Concrete pads will be poured to support electrical equipment. The petitioner also states that the performance of the solar project will be continuously monitored, and engineers and maintenance technicians will visit the solar project periodically throughout the year for routine maintenance and any required repairs. Following construction, the solar project will generate minimal traffic, solely in connection with ongoing operations and maintenance.

The petitioner has included a letter from County Engineer Amy McLaren stating that the County Highway Department does not have an objection to the solar project moving forward in the Peoria County Zoning process. Before access to the subject property is granted, representatives from Trajectory Energy Partners will need to meet with Peoria County Highway Department staff for access permits and road use agreements. The petitioner has also included a letter from Princeville Township Highway Commissioner Darrell Fuchs stating that the Commissioner finds no cause for objection at this time to the proposed solar project. Prior to the start of construction of the solar project, representatives from Cornwell Solar, LLC will finalize and execute the draft road use agreement, contained within Exhibit D of the petition, regarding the use, repair, and maintenance of roadways and rights-of-way used by Cornwell Solar, LLC for the construction of the solar project within the Township's jurisdiction. Given the existing traffic volumes along N. Daily Rd., W. Laura Rd., and N. Elliott Rd., the petitioner's request should have a minimum impact on local traffic volumes. The petitioner has additionally been in contact with both the Peoria County Highway Department and Princeville Township, and road use agreements for the repair of any damaged roads will be obtained from the appropriate road official prior to the start of construction.

**Land Use Form:** The Future Land Use Form Map designates this area as Agriculture Preservation. Land Uses allowable in the Agriculture Preservation Land Use Form are Agriculture and Open Space. Solar Energy Generation Facilities are not

an identified Land Use in the Peoria County Comprehensive Land Use Plan, which was adopted in 2009. The petitioner's request to operate a solar energy generation facility will keep all three subject parcels, comprising approximately 118 acres, 74 acres, and 80 acres, as intact agricultural parcels which can return to agricultural usage following the decommissioning of the project. As opposed to other forms of development which may permanently remove farmland from production, the solar project is expected to have minimal impact on the farmland during its operation, and the solar project will also provide the landowners with a steady source of income while their farmland is not in production. Additionally, the petitioner will be required to submit and maintain a decommissioning plan with financial security prior to the issuance of a building permit, and this decommissioning plan will ensure that the solar energy generation facility is properly removed at the end of the project life or facility abandonment and the land is restored to a similar condition to that prior to development. The petitioner's request is consistent with the subject parcels' designated Land Use Form, as the land can be returned to agricultural production. The petitioner's request is also consistent with the Land Use Plan's Environmental Stewardship Principle 1, which states that preservation and protection of the natural environment is a high priority in all new developments, and Environmental Stewardship Principle 3, which states that environmentally friendly technology that yields long term cost savings is utilized by the County and private entities. Environmental Stewardship Principle 3 includes the strategy of establishing incentives for renewable energy sources, such as geo-thermal, wind, and solar energy systems. The Land Use Plan also notes that Peoria County and Central Illinois are particularly well suited to capitalize on new sources of energy. The petitioner's request is consistent with the Comprehensive Land Use Plan. The petitioner's request is also consistent with the Rural Areas Growth Strategy of the Peoria County Board. One of the Rural Areas Growth Strategy's goals is that when major infrastructure facilities pass through rural areas in Peoria County, they should be designed not to negatively impact the rural character of the area. The low-impact design of the proposed solar project will fit with the rural character of the surrounding area, as it will not disrupt adjacent agricultural operations.

## Conclusions

**Consistency with Adopted County Plan.** The request is consistent with the Agricultural Preservation Land Use designation of the Peoria County Future Land Use Form Map. The Land Use Plan notes that Peoria County has a strong desire to help agricultural operators preserve the family farm, so preservation must be balanced with reasonable opportunities for new development. The petitioner's request to operate a solar energy generation facility will keep all three subject parcels as intact agricultural parcels which can return to agricultural usage following the decommissioning of the project. The petitioner's request is also consistent with the Land Use Plan's Environmental Stewardship Principle 1, which states that preservation and protection of the natural environment is a high priority in all new developments, and Environmental Stewardship Principle 3, which states that environmentally friendly technology that yields long term cost savings is utilized by the County and private entities. The petitioner's request is also consistent with the Growth Strategies of the Peoria County Board, as the petitioner's request will collect solar energy for the production of clean, non-polluting electricity, and the low-impact design of the proposed solar project will be consistent with the rural character of the surrounding area.

**Consistency with Community Character.** The three subject parcels and almost all surrounding parcels are zoned "A-1" Agricultural Preservation. A 16.85-acre tract to the northwest of the northernmost parcel is zoned "I-1" Light Industrial, and this parcel is the location of the Monica Elevator Company, an agriculturally related business. All three subject parcels are currently in row-crop agricultural production. Row-crop agriculture is the predominant surrounding land use. The Town of Monica is located to the northwest of the northernmost subject parcel, and three single-family dwellings are located to the northeast and east of the westernmost subject parcel. The petitioner requests to construct a 40-megawatt utility-scale solar facility covering approximately 250 acres of the three subject parcels' combined approximately 272.5 acres. The petitioner's request is consistent with the agriculturally productive land uses and zoning of the surrounding area, as it will not disrupt adjacent agricultural operations.

**Minimizing Adverse Effects.** The petitioner's request is designed to minimize adverse impacts on adjacent properties. The solar panels will include an anti-reflective coating to minimize glare, and a 7 ft chain link fence will enclose all of the panels and electrical equipment on site, which will be accessed by a locked gate. A vegetative buffer with native tall grass prairie species and trees will create a natural screening area along with the areas where the project borders residential homes. The project will also utilize pollinator-friendly landscaping and vegetation maintenance that limits runoff. The request will comply with right-of-way, side, rear, and residential setback requirements. No lighting will be installed. The petitioner must submit a decommissioning plan with financial security prior to the issuance of a building permit. The total construction period for the solar project will be approximately 12 months with a peak construction period of approximately 6 months. The petition states that following construction, the solar project will generate minimal traffic, solely in connection with ongoing operations and maintenance. The petitioner has been in contact with both the Peoria County Highway Department and Princeville Township, and road use agreements for the repair of any damaged roads will be obtained from the appropriate road official prior to the start of construction.

**Presence of Natural/Historical Resources.** The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location. The request should not impact any known natural or historical resources.

**Compliance with Additional Standards.** The petitioner's site plan meets all requirements for a Solar Energy Generation Facility in accordance with the Unified Development Ordinance. Should the special use permit be granted, the petitioner is responsible for obtaining all building permits, electrical permits, and erosion control and stormwater permits necessary from the Department of Planning and Zoning. A decommissioning plan with financial security pursuant to Section 20-7.17.5 of the UDO must also be submitted prior to the issuance of a building permit. This decommissioning plan with financial security must be updated every four years. Access permits must also be obtained through the County Highway Department and Princeville Township, and the petitioner has submitted evidence of correspondence with both road jurisdictions.



## Staff Recommendation

Based on the above information, the Department recommends **approval with the following restrictions:**

1. Ground under solar arrays shall be planted and maintained in perennial vegetative ground cover.
2. All transformers and inverters must be located at least 150 feet from the nearest existing residentially used property to mitigate the noise heard on adjacent residential properties.
3. Required permits, including building permits, electrical permits, fence permits, and stormwater and erosion control permits, must be obtained from the Peoria County Department of Planning and Zoning prior to construction.
4. The applicant must obtain all required overweight and access permits from the Peoria County Highway Department and the Princeville Township Road Commissioner.
5. The Solar Energy Generation Facility shall be required to have a decommissioning plan that meets the requirements of Section 20-7.17.5 (“Decommissioning Plan”) of the Unified Development Ordinance. Said plan shall be submitted and approved prior to the issuance of the building permit. Financial security must remain valid through the life of the project. Through the life of the project, the owner of the Solar Energy Generation Facility must provide the Zoning Administrator an updated decommissioning plan, including updated estimated costs and updated financial security, every four years.
6. Except during a valid permit period or scheduled maintenance, which may or may not require a permit, the special use does not include the outdoor storage of equipment or materials.
7. Execution of an Agricultural Impact Mitigation Agreement (AIMA) pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147) shall be required. A copy of this agreement shall be submitted to the Peoria County Department of Planning and Zoning prior to issuance of a building permit.

Respectfully submitted,

Taylor Armbruster  
Planner I

Kathi Urban  
Director



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MINUTES OF THE DELIBERATION OF THE  
PEORIA COUNTY ZONING BOARD OF APPEALS

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A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, February 10, 2022. The meeting was called to order by Linda O'Brien – Chairperson at 9:00 a.m.

PRESENT: Linda O'Brien – Chairperson, Andrew Keyt – Vice Chairperson, Greg Happ, Jim Bateman, Robert Asbell, J. Greg Fletcher

ABSENT: John Harms, Justin Brown

STAFF: Kathi Urban – Director  
Andrew Braun – Assistant Director  
Taylor Armbruster – Planner I  
Jack Weindel – Planner I  
Dana Hughes – Civil Assistant State's Attorney  
Sarah Cox – ZBA Administrative Assistant

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Case No. **ZBA-2022-000012** at 10:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **CORNWELL SOLAR, LLC** (*A limited liability company, P.O. Box 310, Highland Park, IL 60035*), acting on behalf of **HARMON FARMS, INC. (owner) and MATTHEW A. LAUBER (owner)**, a **SPECIAL USE** request from 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the "A-1" Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment"), of these regulations are met. The petitioner proposes to construct a 40mW utility-scale Solar Energy Generation Facility.

**FINDINGS OF FACT FOR SPECIAL USES**

Section 20-3.5.4

When considering an application for a special use permit, the decision-making body shall consider the extent to which:

1. That the special use will be consistent with the purposes, goals, objectives, and standards of any officially adopted County plan and these regulations, or if not consistent, the factors which justify deviation;
  - The Special Use request is consistent with the Agricultural Preservation Land Use designation of the Peoria County Future Land use form which indicates Peoria County has a strong desire to help agricultural operators in preserving the family farm while at the same time allow .for reasonable opportunities for new development. The proposed solar project will allow all three subject parcels to remain agricultural, and following decommissioning, return to agricultural use. The requested Special Use is consistent with the Plan's Environmental Stewardship Principle' 1 which states preservation and protection of the environment is a high priority in all new developments. The request is also consistent with Principal 3 that states environmentally-friendly technology yields long-term cost savings which is utilized-

by County and private entities. The proposed solar project will provide clean energy generation while minimizing impact on the landscape.

2. That the special use will be consistent with the community character of the immediate vicinity of the parcel proposed for development, or if not consistent, the factors which justify the inconsistency:
  - The three subject parcels and almost all surrounding parcels are zoned "A-1" Agricultural Preservation. The proposed solar project will consist of a 40-megawatt utility scale solar facility covering approximately 250 acres of the three subject parcels' combined approximately 272.5 acres. The petitioner's request is consistent with the agriculturally productive land uses and zoning of the area.
3. That the design of the proposed use will minimize adverse effects, including visual impacts on adjacent properties, except for land splits in the A-2 District and individual mobile homes;
  - The petitioner's request is designed to minimize adverse effects and visual impacts on adjacent properties. The solar panels will be constructed with an anti-reflective coating to minimize glare. A 7 ft chain link fence, with privacy screening, will surround all of the panels as well as electrical equipment, and will be secured with a locked gate. The project will also consist of pollinator-friendly landscaping and vegetation maintenance in order to limit runoff. The petitioner will comply with right-of-way, side, rear and residential setback requirements. No lighting will be installed. A decommissioning plan with financial security must be submitted prior to the issuance of a building permit. Construction of the solar project will take approximately 12 months, with peak construction lasting 6 months. The petitioner has stated that post-construction will generate minimal traffic, solely in connection with ongoing operations and maintenance. The petitioner has been in contact with the Peoria County Highway Department, as well as the Princeville Township, in regard to prior notification of construction travel and repair' of any damaged roads.
4. That the development has been reviewed and approved by the Illinois Department of Natural Resources with regard to the presence of endangered species, and archaeological and/or historical resources, if applicable:
  - The Illinois Natural Heritage Database indicates there is no record of State-listed threatened or endangered species, Illinois Natural Inventory sites, dedicated Illinois Nature Preserves or registered Land and Water Reserves in the vicinity of the proposed project location. The request should have no bearing on any known natural or historical resources.
5. That the proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the ordinances of the County; and
  - The petitioner's site plan meets all requirements for a Solar Energy Generation Facility in accordance with the Unified Development Ordinance. Should the Special Use permit be granted, the petitioner will be responsible for obtaining all required permits from the department of Planning and Zoning, as well as the County Highway Department and Princeville Township. A decommissioning plan with financial

security must be submitted prior to the issuance of a building permit. If this special use is granted, the petitioner will also abide by the restrictions set for the by the Peoria County Department of Planning and Zoning.

A motion to approve the Findings of Fact was made by Mr. Keyt and seconded by Mr. Fletcher. Six affirmative votes; (6-0) A motion to approve the special use with restrictions was made by Mr. Happ and seconded by Mr. Bateman. A vote was taken, and the motion was approved; (6-0)

Meeting adjourned 11:45 a.m.

Respectfully submitted,

Sarah Cox  
ZBA Administrative Assistant

TO THE HONORABLE COUNTY BOARD )  
 )  
COUNTY OF PEORIA, ILLINOIS )

Your Land Use Committee does hereby recommend passage of the following Resolution:  
RE: Approval of Special Use, Petition of Cornwell Solar, LLC.

**RESOLUTION**

WHEREAS, the County of Peoria has enacted a Unified Development Ordinance, Chapter 20 of the Peoria County Code; and

WHEREAS, said ordinance requires a Special Use for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 (“Ground Mounted Solar Energy Equipment”) are met, in the “A-1” Agricultural Preservation Zoning District; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on February 10, 2022 in Case No. ZBA-2022-000012; a copy of the deliberation minutes of said hearing and a legal description of the subject property are attached; and

WHEREAS, the ZBA deliberated its decision on February 10, 2022, and voted to recommend approval of the Special Use with restrictions; a copy of the ZBA’s findings of fact is attached; and

WHEREAS, your Committee met on February 28, 2022 to consider the ZBA’s recommendation and voted to approve the Special Use with restrictions.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Special Use in Case No. ZBA-2022-000012 is hereby approved with the following restrictions:

1. Ground under solar arrays shall be planted and maintained in perennial vegetative ground cover.
2. All transformers and inverters must be located at least 150 feet from the nearest existing residentially used property to mitigate the noise heard on adjacent residential properties.
3. Required permits, including building permits, electrical permits, fence permits, and stormwater and erosion control permits, must be obtained from the Peoria County Department of Planning and Zoning prior to construction.
4. The applicant must obtain all required overweight and access permits from the Peoria County Highway Department and the Princeville Township Road Commissioner.
5. The Solar Energy Generation Facility shall be required to have a decommissioning plan that meets the requirements of Section 20-7.17.5 (“Decommissioning Plan”) of the Unified Development Ordinance. Said plan shall be submitted and approved prior to the issuance of the building permit. Financial security must remain valid through the life of the project. Through the life of the project, the owner of the Solar Energy Generation Facility must provide the Zoning Administrator an updated decommissioning plan, including updated estimated costs and updated financial security, every four years.
6. Except during a valid permit period or scheduled maintenance, which may or may not require a permit, the special use does not include the outdoor storage of equipment or materials.
7. Execution of an Agricultural Impact Mitigation Agreement (AIMA) pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147) shall be required. A copy of this agreement shall be submitted to the Peoria County Department of Planning and Zoning prior to issuance of a building permit.

RESPECTFULLY SUBMITTED,  
LAND USE COMMITTEE

PARCEL 1:

LOTS 1 AND 2 AND THE EAST HALF OF LOT 3 IN CORNWELL'S SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 21, IN TOWNSHIP 11 NORTH, RANGE 6 EAST, OF THE FOURTH PRINCIPAL MERIDIAN, EXCEPTING THE RIGHT-OF-WAY OF THE CHICAGO, SANTA FE AND CALIFORNIA RAILROAD COMPANY. AND ALSO EXCEPTING A TRACT LYING IN THE NORTHWEST CORNER OF SAID LOT 1 DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, RUNNING THENCE SOUTH 16 RODS, THENCE EAST 30 RODS, THENCE NORTH 16 RODS, THENCE WEST 30 RODS TO THE PLACE OF BEGINNING, AND ALSO EXCEPTING THAT PORTION OF THE ABOVE DESCRIBED TRACT FALLING WITHIN THE FOLLOWING DESCRIBED TRACT:

A PART OF LOT 1 IN CORNWELL'S SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH, RANGE 6 EAST, OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON MONUMENT AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 21, THENCE NORTH 00 DEGREES 04 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 2025.41 FEET, THENCE SOUTH 89 DEGREES 39 MINUTES 00 SECONDS WEST, A DISTANCE OF 1735.63 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE NORTH 0 DEGREES 50 MINUTES 41 SECONDS EAST, A DISTANCE OF 151.18 FEET; THENCE NORTH 88 DEGREES 54 MINUTES 00 SECONDS WEST, A DISTANCE OF 401.65 FEET; THENCE SOUTH, A DISTANCE OF 221.80 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 00 SECONDS EAST, A DISTANCE OF 398.13 FEET; THENCE NORTH 0 DEGREES 50 MINUTES 41 SECONDS EAST, A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING, SITUATED IN THE COUNTY OF PEORIA, IN THE STATE OF ILLINOIS; AND FURTHER EXCEPTING THEREFROM:

A PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH, RANGE 6 EAST, OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS, AND BEARINGS ARE ASSUMED FOR THE PURPOSE OF DESCRIPTION ONLY: BEGINNING AT AN IRON ROD AT THE NORTHEAST CORNER OF THE WEST HALF OF LOT 3 OF CORNWELL'S SUBDIVISION; THENCE SOUTH 88 DEGREES 54 MINUTES 00 DEGREES EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21, A DISTANCE OF 60.01 FEET TO AN IRON ROD; THENCE SOUTH 0 DEGREES 08 MINUTES 00 SECONDS EAST PARALLEL TO AND 60 FEET EQUIDISTANT FROM THE EAST LINE OF THE WEST HALF OF SAID LOT 3 OF CORNWELLS SUBDIVISION, A DISTANCE OF 604.04 FEET TO AN IRON ROD; THENCE NORTH 88 DEGREES 54 MINUTES 00 SECONDS WEST PARALLEL TO AND 60 FEET EQUIDISTANT FROM THE SOUTH LINE OF SAID LOT 3 OF CORNWELL'S SUBDIVISION, A DISTANCE OF 477.59 FEET TO AN IRON ROD; THENCE NORTH 0 DEGREES 50 MINUTES 41 SECONDS EAST, A DISTANCE OF 60.00 FEET TO AN IRON

ROD; THENCE SOUTH 88 DEGREES 54 MINUTES 00 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOT 3 OF CORNWELL'S SUBDIVISION, A DISTANCE OF 416.55 FEET TO AN IRON ROD AT THE SOUTHEAST CORNER OF THE WEST HALF OF SAID LOT 3 OF CORNWELL'S SUBDIVISION; THENCE NORTH 0 DEGREES 08 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF THE WEST HALF OF SAID LOT 3 OF CORNWELL'S SUBDIVISION, A DISTANCE OF 544.03 FEET TO THE POINT OF BEGINNING, CONTAINING 1.407 ACRES, MORE OR LESS.

AND ALSO FURTHER EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED REAL ESTATE:

A PART OF LOT NO. 2 OF "CORNWELLS SUBDIVISION" (PLAT RECORDED IN BOOK B-2, PAGE 118, AT THE PEORIA COUNTY COURTHOUSE, PEORIA, ILLINOIS) OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE FOURTH PRINCIPAL MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT: COMMENCING AT AN IRON PIPE MARKING THE SOUTHEAST CORNER OF SAID SECTION 21, ALSO BEING THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE DESCRIBED; THENCE NORTH 89 DEGREES 00 MINUTES WEST ALONG THE SOUTH LINE OF SAID SECTION 21, A DISTANCE OF 241.71 FEET TO A POINT; THENCE DUE NORTH A DISTANCE OF 111.25 FEET TO A PIPE; THENCE CONTINUING DUE NORTH A DISTANCE OF 208.71 FEET TO A PIPE; THENCE SOUTH 89 DEGREES 00 MINUTES EAST A DISTANCE OF 208.71 FEET TO A PIPE ON THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD; THENCE CONTINUING SOUTH 89 DEGREES 00 MINUTES EAST A DISTANCE OF 33.0 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 21; THENCE DUE SOUTH ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 319.96 FEET TO THE POINT OF BEGINNING, CONTAINING 1.775 ACRES, MORE OR LESS.

PARCEL 2:

THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS,

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE WEST 905.77 FEET; THENCE SOUTH 268 FEET; THENCE EAST 908.3 FEET; THENCE NORTH 268 FEET; THENCE EAST 908.3 FEET; THENCE NORTH 268 FEET TO THE POINT OF BEGINNING. **(Princeville Township 02-28-100-007 and 02-21-400-019)**

THE EAST HALF OF THE NORTH EAST QUARTER OF SECTION 28, TOWNSHIP 11  
NORTH, RANGE 6 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY,  
ILLINOIS. (**Princeville Township 02-28-200-003**)

## AGENDA BRIEFING

COMMITTEE: Land Use  
MEETING DATE: February 28, 2022

LINE ITEM: N/A  
AMOUNT: N/A

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### ISSUE:

Case #ZBA-2022-000013, A Text Amendment to amend Chapter 20, **Appendix A “Fee Schedule”** of the Peoria County Code.

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### BACKGROUND/DISCUSSION:

In February 2022, Peoria County adopted amended regulations for Special Use submittal requirements pertaining to Wind Energy Conversion Systems (WECS). The amendments clarified definitions within the Peoria County Unified Development Ordinance for the “participating property” and “project area” terminology used within in Section 20-3.5. As a result of a newspaper publication issue, the proposed amendment to Appendix A was not included in the original amendment.

These terms were defined to clarify the calculation of Special Use filing fees related to Wind Energy Conversion System projects. The proposed amendment is consistent with the intent of Article 1, **Section 1.6 “Review Fees” of this ordinance**, which is to ensure that the payment of fees defray the costs incurred by the County in reviewing the application. The **proposed amendment will not adversely affect the County’s ability to attract Wind Energy Conversion System** development and siting proposals as the fee is not being changed. The amendment provides clarification in determining the area used in the calculation of the Special Use filing fee.

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### COUNTY BOARD GOALS:



**SAFE AND HEALTH  
COMMUNITY**

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STAFF RECOMMENDATION: Approval

ZBA RECOMMENDATION: *Approval (6-0)*

COMMITTEE ACTION: *Approved (7-0) (Mr. Elsasser voted via teleconference)*

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PREPARED BY: Andrew Braun, Assistant Director

DEPARTMENT: Planning & Zoning

DATE: February 15, 2022



## Appendix A – Fee Schedule

Special Use	
Less than 100 acres	\$690.00 plus recording fee
100 acres or greater	\$690.00 plus recording fee, plus \$7.00 per acre over 100 acres. <u>For Wind Energy Conversion System projects, acreage is determined by project area as defined in Section 11.1 Definitions.</u>

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MINUTES OF THE DELIBERATION OF THE  
PEORIA COUNTY ZONING BOARD OF APPEALS

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A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, February 10, 2022. The meeting was called to order by Linda O'Brien – Chairperson at 9:00 a.m.

PRESENT: Linda O'Brien – Chairperson, Andrew Keyt – Vice Chairperson, Greg Happ, Jim Bateman, Robert Asbell, J. Greg Fletcher

ABSENT: John Harms, Justin Brown

STAFF: Kathi Urban – Director  
Andrew Braun – Assistant Director  
Taylor Armbruster – Planner I  
Jack Weindel – Planner I  
Dana Hughes – Civil Assistant State's Attorney  
Sarah Cox – ZBA Administrative Assistant

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Case No. **ZBA-2022-000013** at 10:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **PEORIA COUNTY, acting on its own behalf, a TEXT AMENDMENT** to amend Chapter 20, Appendix A ("Fee Schedule") of the Peoria County Code.

**FINDINGS OF FACT FOR TEXT AMENDMENTS**

**Section 20-3.6.4**

In evaluating a proposed text amendment, the following factors shall be considered, not one of which shall be controlling:

1. The proposed amendment corrects an error or inconsistency or meets the challenge of some changing condition;
  - The proposed amendment corrects an inconsistency regarding the assessments of Special Use filing fees related to Wind Energy Conversion System projects. This amendment will clarify what area is specifically included in the acreage calculation for the Special Use filing fee.
2. The proposed amendment is consistent with the purpose and intent of this ordinance;
  - The proposed amendment is consistent with the intent of Article 1, Section 1.6 "Review Fees" of this ordinance, which is to ensure that the payment of fees defray the costs incurred by the County in reviewing the application.
3. The proposed amendment will not adversely affect health, safety, morals, and general welfare of the public;
  - The proposed amendment will not adversely affect health, safety, morals, and general welfare of the public.

4. The proposed amendment is required because of a change in State or Federal law;
  - The proposed amendment is not required because of a change in state or federal law.

A motion to approve the Findings of Fact was made by Mr. Happ and seconded by Mr. Keyt. Six affirmative votes; (6-0) A motion to approve the proposed text amendment was made by Mr. Fletcher and seconded by Mr. Keyt. A vote was taken, and the motion was approved; (6-0)

Meeting adjourned 11:45 a.m.

Respectfully submitted,

Sarah Cox  
ZBA Administrative Assistant



## AGENDA BRIEFING

**COMMITTEE:** Finance, Audit & Legislative Affairs Committee  
**MEETING DATE:** March 1, 2022

**LINE ITEM:**  
**AMOUNT:**

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### ISSUE:

For RESOLUTION: Sale of County-owned Property, specifically Heddington Oaks

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### BACKGROUND:

Typically, the sale of county-owned property would come through the Infrastructure Committee, but pursuant to the 2021-2022 County Board Rules of Order the specific sale and disposal of Heddington Oaks was assigned to the Finance, Audit & Legislative Affairs Committee. As is the case whenever the county is looking to acquire or dispose of land, we typically brief you in a closed session about the details which is permissible to do as an exemption under the Open Meetings Act. As part of the decision to close the operations of Heddington Oaks two years ago, the County Board gave the administration three (3) specific policy directives, as follows:

- Obtain the maximum sale price regardless of market conditions.
- Maximize the county's ability to reduce the outstanding bond debt issued for the original construction.
- If possible, convince a community anchor to be the purchaser.

In December of 2020, Chairman Rand, Vice Chairman Fennell (as Chairman of this Committee), Member Williams (as Chairwoman of County Health Committee) and the County Administrator executed a non-disclosure agreement with Methodist Medical Center of Illinois (MMCI) for the express purpose of investigating a real estate transaction for Heddington Oaks. Since then, a significant amount of due diligence has been performed. We are now at a point in the process where a public approval is necessary. The attached resolution authorizes the County Administrator to complete the remaining due diligence, and the County Board Chairman or County Administrator, where appropriate and with the approval of the States Attorney, to execute any and all documents necessary to the sale of Heddington Oaks. In prior communications to the Board and described, below, there is a component of the sale that ties directly back to our outstanding debt from the construction of Heddington Oaks. The attached resolution does not grant authority for the refunding (refinancing) of the current Series 2012 bonds. That will come in a separate authorizing ordinance. Lastly and as part of the refunding process, there is a need to appropriate monies from the General Fund reserves. These monies will be combined with the property sale proceeds to make a cash deposit as part of the bond refunding process. The attached resolution includes the appropriation from the General Fund reserves.

There are three primary components to the sale of the Heddington Property.

1. At the time of development, the City of West Peoria was instrumental in assisting the county gain site control. As part of that process, roughly an acre (0.93 acres to be exact) on the west side of the property was deeded to West Peoria for the purpose a future City Hall. Additionally, separate utilities were extended to this acre for this purpose. The purchaser desires to have site control of this acre, and there is no objection from the City of West Peoria for this. At the time of development, West Peoria paid the County \$41,000 for the parcel. To be able to include this parcel in the current sale, the County needs to purchase the parcel back from West Peoria. The City is agreeable to a sale at the original purchase price of \$41,000 with no adjustment for inflation. For this component, the resolution appropriates \$41,000 from the unrestricted reserves of the General Fund into the applicable line item in the Heddington Oaks budget for the payment to West Peoria and authorizes the County Board Chairman or the County Administrator to execute all documents to effectuate the purchase.
2. For approximately three to five (3-5) years, we have had recurring storm water issues on the north side of the property. The property extends all the way to Farmington Road to the north, which is approximately a 110-foot change in elevation over 300-feet of lineal distance. During significant rain events, mud and sand from the eroding hillside has been known to wash onto and across Farmington Road creating dangerous conditions for the motoring public and IDOT (Farmington Road's jurisdiction). In 2021, the County retained a local consulting engineer to evaluate the situation and

propose a solution, including a construction cost estimate. The estimate for work to be done this construction season is \$145,000. The attached resolution does not appropriate funds for this project nor is the County obligated to implement the consulting engineer's recommendation. It is provided here in the interests of full disclosure.

3. With site control and disclosure of the storm water issue noted, the third component is the sale of the land and buildings that comprise Heddington Oaks. Buildings include the primary structure, which was used as a skilled nursing facility; an accessory structure used to store landscape maintenance and associated equipment; and a gazebo that was original to the St. Mary's nursing home that was demolished to make way for Heddington Oaks.

- a. Maximum Sale Price: At the beginning of the disposal process you awarded a contract to a commercial real estate broker that specializes in healthcare real estate. After learning from the broker what the County would expect to see in either a healthcare real estate transaction or a traditional commercial real estate transaction and for the purpose of allowing the recommended sale to develop, the contract with the broker was never executed. This was done with the broker's full knowledge. Based on what other counties in Illinois had sold their nursing homes for and the commercial real estate market locally, we deduced that such a sale would fetch \$3 million at most, which many of you shared privately was not acceptable. The offer from MMCI has a sale price ranging from \$8 million to \$10 million, depending on the award of any state or federal funding support. Previously, the anchor institution had included the successful completion of a capital campaign by their foundation which will go public in March as another contingency. However, given the urgency of rising municipal bond market rates, the anchor institution is foregoing this contingency.

The sale price of \$8 million to \$10 million is an attractive offer for the county in light of the market information described above regarding similar transactions in Illinois. Additionally, the other county nursing home sales were for facilities still in operation with an active census of residents which added value to their sales. Having no residents decreases the value of our facility for the express purpose of another skilled nursing facility.

- b. Maximize Reduction of Outstanding Bond Principle: An outcome of maximizing the sale price is making a larger cash deposit on the bonds as they are refunded (refinanced) to generate maximum savings to the taxpayers during the term (life) of the refinanced bonds. A combination of sale proceeds and use of some of the General Fund reserves, will result in a \$15.75 million cash deposit on the principal balance of the Heddington Oaks bonds.

Whenever the County issue bonds or any type of debt, there are two payments made annually. The first is typically in May and is interest only. The second is typically in December and is both principal and interest. Unlike a car loan or mortgage, the County is strictly prohibited from making extra payments because the bond holders expect a full rate of return on their investment in our project and extra payments prevent that from occurring. The current outstanding principle is approximately \$37.2 million. At the current tax-exempt rates, a \$15.75 million cash deposit on the principle of the bonds would allow for the original term of the 2011 bonds to remain in place. If no cash deposit is made, then we would need to extend the term of the new bonds out 40-years for the nursing home levy to cover the annual debt service. Again, at current rates, the savings to the taxpayers between these two scenarios is approximately \$19.3 million.

The timing of the sale of Heddington Oaks sale and the refunding of the bonds is critical. Once the bond rates are locked-in, the County has a maximum of 45-days to close on the new bonds and make the \$15.75 million cash deposit on the principle of the bonds. The timing is also critical in that municipal bonds markets are trending upward, and the cost of borrowing will increase as the Federal Reserve Board of Governors considers interest rate increases throughout 2022. Even though the Fed has not yet increased interest rates, market activity has started to see increased costs of borrowing since the most recent briefing to the Board. To effectuate a footprint refunding,

the County's financial advisor has estimated that \$15.75 million is needed at current rates; \$16.6 million is needed with a 25-basis point (1/4%) increase in rates; or \$17.1 million is needed with a 50-basis point (1/2%) increase in rates.

A final note on the refunding of the bonds is that you or your constituents might ask if the County could apply some or all of its American Rescue Plan Act (ARPA) funds to the outstanding principle so that taxpayer relief could come even sooner. In talking with other county administrators and the National of Association of Counties (NACo) staff that meets weekly with the ARPA team at Treasury, there is NO creative governmental accounting method that will permit use of ARPA dollars anywhere related to this transaction.

- c. Ideally Partner with A Community Anchor: In rank order this priority is last, but still of importance because the residents of the City of West Peoria and by extension the West Bluff of the City of Peoria do expect a neighborhood anchor that will be a good neighbor. MMCI is a community partner that the County can be assured will be good caretakers of the property and good neighbors. Additionally, the proposed use is one that will be transformational to our community.

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**COUNTY BOARD GOALS:**

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**STAFF RECOMMENDATION:**

APPROVAL

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**COMMITTEE ACTION:**

**Approved 3/1/22 (14-0 votes)** Mr. Rosenbohm voted aye via teleconference; Mr. Rieker absent

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**PREPARED BY:** Scott A. Sorrel, County Administrator

**DEPARTMENT:** County Administration

**DATE:** February 24, 2022

TO THE HONORABLE COUNTY BOARD )  
 )  
COUNTY OF PEORIA, ILLINOIS )

Your Finance, Audit & Legislative Affairs Committee does hereby recommend passage of the following Resolution.

Re: Actions to Effectuate the Sale and Disposal of Heddington Oaks and Associated Costs of Refunding the Series 2011 Alternate Revenue Source Bonds Issued for the Construction of Heddington Oaks Nursing Home

**RESOLUTION**

**WHEREAS**, the County of Peoria delivered skilled nursing services in one form or another to the residents of Peoria County for 172 years, and;

**WHEREAS**, under the authority granted to it under 55 ILCS 5/5-21001 §5 and 55 ILCS 5/5-21001 §7 of the Counties Code, the Peoria County Board voted on April 23, 2020, by a vote of 17-0 to initiate the steps necessary to close Heddington Oaks, a skilled nursing facility owned and operated by the County, and;

**WHEREAS**, by August 2020 every resident of Heddington Oaks had voluntarily discharged themselves from Heddington Oaks, and;

**WHEREAS**, under the authority of 55 ILCS 5/5-21001 §9 of the Counties Code and due to the voters' approval of four prior referenda that jointly created the requirement for Peoria County's voters to approve a referendum for the County Board to be able to sell or dispose of the nursing facility, the voters did, with eighty-four percent (84%), ratify the referendum question at the November 3, 2020, General Election, and;

**WHEREAS**, the County of Peoria entertained interest from and negotiated with Methodist Medical Center of Illinois (MMCI) that proposes to purchase and use Heddington Oaks for medical purposes that will be greatly beneficial to the health of the Peoria Community, and;

**WHEREAS**, MMCI's offer is contingent upon several factors, including but not limited to successful granting of regulatory approvals, and;

**WHEREAS**, MMCI's proposed purchase price is greater than what a likely commercial real estate transaction would bring, and;

**WHEREAS**, MMCI's offer is at a minimum of Eight Million Dollars (\$8,000,000.00) and as high as Ten Million Dollars (\$10,000,000.00) depending on successfully securing federal or state grants, and;



**WHEREAS**, the County Board will consider in a separate action the refunding of the Series 2011 Alternate Revenue Source Bonds Issued for the Construction of Heddington Oaks Nursing Home, and;

**WHEREAS**, the proceeds of the sale of Heddington Oaks, taken in combination with an appropriation from the unrestricted funds of the Corporate General Fund of the County of Peoria, will permit a significant cash deposit on the outstanding principal resulting in substantial interest savings to the taxpayers of Peoria County during the remaining life of the refunded bonds, and;

**WHEREAS**, during the development of and acquisition of the land on which Heddington Oaks was developed, the City of West Peoria paid the County the sum of Forty-One Thousand Dollars (\$41,000.00) in exchange for 0.93 acres of land (PIN 18-06-404-013) for the original intent of one day constructing a new city hall, and;

**WHEREAS**, the City of West Peoria no longer has a need to construct a new city hall and MMCI wishes to have complete site control which necessitates the County purchase the 0.93 acres back from the City of West Peoria, and;

**WHEREAS**, the City of West Peoria seeks their original investment back with no adjustment for inflation, and;

**WHEREAS**, this Committee was charged in the 2021-2022 Peoria County Board Rules of Order with the disposal of Heddington Oaks and given direction to do so for the highest possible sale price; maximum possible cash deposit in the refunding of the Series 2011 Alternate Revenue Source Bonds Issued for the Construction of Heddington Oaks Nursing Home; and to a buyer that will be a good neighbor to the citizens of West Peoria, and;

**WHEREAS**, this Committee has achieved these three goals to the best of their ability.

**NOW, THEREFORE, BE IT RESOLVED**, by the County Board of Peoria County the following is hereby authorized or appropriated, respectively:

**Section 1.** The County Administrator is authorized and directed to complete all remaining due diligence related to the sale of Heddington Oaks.

**Section 2.** The County Board Chairman or County Administrator is authorized and directed to execute any and all documents including but not limited to purchase agreements, deeds of conveyance, and easements to consummate the purchase of 0.93 acres (PIN 18-06-404-013) from the City of West Peoria; and purchase agreements, deeds of conveyance, and easements to consummate the sale of Heddington Oaks to Methodist Medical Center of Illinois and the 16.09 acres of land on which it sits (PINs 18-06-404-007, 18-06-404-012, and 18-06-404-013) upon review and approval of the Peoria County States Attorney.

**Section 3.** A maximum of, depending on final sale price, \$7,550,000 is appropriated from the unrestricted reserves of the General Corporate Fund of the County of Peoria as follows:

**Section 3.1.** To 175-6-175-6-638-55181: \$41,000.00 to be used in the purchase of 0.93 acres (PIN 18-06-404-013) from the City of West Peoria.

**Section 3.2.** To 175-6-175-6-638-57010: up to \$7,500,000.00 to be used towards a cash deposit in the refunding of the Series 2011 Alternate Revenue Source Bonds Issued for the Construction of Heddington Oaks Nursing Home.

**Section 4.** Any unspent dollars noted in Section 3, herein, shall revert back to the reserves of the General Corporate Fund of the County of Peoria upon closing of the refunding of the Series 2011 Alternate Revenue Source Bonds Issued for the Construction of Heddington Oaks Nursing Home.

RESPECTFULLY SUBMITTED,  
FINANCE, AUDIT & LEGISLATIVE AFFAIRS COMMITTEE

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COVID-19**

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INTENTIONALLY LEFT  
BLANK FOR  
PROCLAMATION  
EXTENDING  
DECLARATION OF  
EMERGENCY DUE TO  
COVID-19**