

CASS COUNTY BOARD MEETING

March 9, 2020

The Cass County Board met in the Courthouse, in the Courtroom, on Monday, March 9, 2020 at the hour of 7:00 P.M.

Present: Michael Barnett  
Chairman

Attest: Shelly Wessel  
Cass County Clerk

The meeting was called to order by Chairman Barnett, who directs the Clerk to call roll.

The Clerk calls roll.

Roll Call:

Barnett	Present	Hance	Present	Noe	Present
Hagloch	Present	Starkey	Present	Schaefer	Present
Douglass	Present	Merriman	Present		
Wessel	Present	Brannan	Present		

As a result of the roll call the Clerk states that all board members are present.

Chairman Barnett declares there is a quorum.

Chairman Barnett now leads the board in the Pledge of Allegiance.

Chairman Barnett introduces Teresa Armstrong, Administrator, at the Cass County Health Department.

Armstrong gives an update on the latest information related to the Coronavirus Covid-19 Pandemic. Armstrong presents handouts from the Illinois Department of Public Health and the CDC. Armstrong states that the number of cases changes day to day, minute by minute. Cass County currently has no known cases. The Health Department has given guidance to the schools and the nursing homes.

Roger Lauder, Cass County ESDA Director, is also present. Lauder informs the board that Illinois is one of the first states to have 3 testing facilities. The testing facilities are located in Chicago, Carbondale, & Springfield.

During Public Comment, Lisa Riddle, an employee of the Beardstown School District, shares her concerns related to the request by JBS for a reduction in their property taxes. Riddle states that the district already struggles financially with trying to meet the needs of the diverse student body and cannot afford to lose more funding. Riddle thanks the board for allowing her to express her concerns.

Chairman Barnett next presents the minutes of the February 10, 2020 Cass County Board meeting for approval. Douglass makes a motion to approve the minutes and Brannan seconds the motion. The vote is by acclamation and declared carried.

Clerk Wessel informs the board that Brenda Cowan's father has passed away.

Correspondence is read and ordered filed.

Noe, Chairman of the Courthouse and Jail Committee, reports the committee met on March 5, 2020, and approved all bills as presented.

Hagloch, Chairman of the Road & Bridge Committee, reports the committee met on March 2, 2020 and approved all bills.

The new building construction is going well. Hagloch states that everyone should be impressed with the new building.

Merriman, Chairman of the Public Safety Committee, reports that the committee met on February 24, 2020.

A report was received from E.S.D.A. Director, Roger Lauder.

3 229

Merriman reports that the Animal Control Commission met on February 27, 2020. There were 8 dogs picked up, 4 returned to their owners, 2 were adopted and 2 were euthanized.

Merriman reports that the Beardstown Health Foundation has agreed to buy one new ambulance this year to be used in Beardstown and will purchase another new ambulance every three years. The slightly used ambulances will be brought to Virginia.

Schaefer reports that the Arenzville Rural Water Board is working on the paperwork for a 1.25 million dollar grant. The grant is for phase two of the Arenzville Rural Water District and will add 62 new customers. Schaefer states that easements are still being collected.

Brannan, reports that the Health Board met and received an update on the coronavirus. Policies were reviewed and the new Food Ordinance was adopted.

Brannan, reports that the Housing Authority Board met on February 20, 2020. Brannan states that Rushville is waiting on a voucher from Washington DC. Once the voucher is received they will be able to close on their housing project.

Brannan reports that on April 1, 2018, HUD initiated a "No Smoking Policy". A reminder is being sent out to all tenants. Brannan states that the budget was presented. President Trump has cut HUD funds by 15%

Merriman, Chairman of the Supervisor of Assessments Committee, reports the committee met on March 5, 2020 at 6:00pm.

Representatives from the Beardstown School District, City of Beardstown, and the Board of Review were present to discuss the request by JBS for a property tax reduction.

Following the Supervisor of Assessments meeting, Terri Cooper sent a copy of JBS's appraisal to a Mr. Spittler, a former employee

at the Illinois Department of Revenue in the Appraisal Department.  
Mr. Spittler is to review the appraisal and let Terri know his  
what his findings are following his review.

The next Supervisor of Assessments meeting will be held on  
April 20, 2020, at 6:00 p.m.

Hagloch, Chairman of the Insurance & Bonds Committee, reports  
that a meeting will be held on March 11, 2020, at T.O.'s with the  
county employees. Snedeker Risk Management representatives will  
present the updates to the Insurance Plan.

Schaefer, Liason of the Mental Health Board, reports that  
they are having a hard time getting a quorum together, but  
everything is running smoothly. The office in Jacksonville is now  
open.

Noe, reporting for the Overall Economic Development  
Commission, reports a meeting was held on March 5, 2020.

Ally Grady attended the meeting and discussed Broadband  
Grants & Programs that are available.

Cass County Engineer Tim Icenogle discussed the Sunrise FS  
project. Jim Burke, Hutchinson Engineering, reported that IDOT  
approved the Economic Development Program Funding for the road  
project for the Sunrise FS development.

There are no reports from the following committees:

Finance and Judiciary

Legislative

Cass Rural Water

Policies and Procedures

Liquor Control

Cooperative Extension

OEDC Tourism

TIF

The Chairman now moves on to New Business:

Chairman Barnett presents the appointment of Kevin Massie to fill the vacancy in County Board District No 1.

Mr. Massie was recommended by the Republican Party Chairperson, Terry Blakeman. A motion to approve the appointment of Kevin Massie is made by Wessel and seconded by Merriman. The vote is by acclamation and declared carried.

Massie is sworn in by Judge TJ Wessel.

Chairman Barnett welcomes Kevin Massie to the board.

Massie next addresses the board. Massie states that he is a native of Beardstown. He is the current owner of IFP in Beardstown. IFP was a company started by his father and Kevin purchased the company in 1984. Massie has always been interested in Economic Development and in 1996, Massie worked closely with June Conner. Massie later developed the Evergreen Industrial Park.

The Clerk next presents an Ordinance for a County Cannabis Retailers Occupation Tax. Chairman Barnett states that the board is not endorsing any type of operation. The ordinance will allow the county to receive revenue from the sales if there would be a retailer open up in Cass County. The county would receive a 3.75% tax off of the sales. A motion to approve the ordinance is made by Merriman and seconded by Starkey

The Chairman directs the Clerk to call roll.

The Clerk calls roll.

Roll Call:

Barnett	Yes	Hance	Yes	Noe	Yes
Massie	Yes	Hagloch	Yes	Starkey	Yes
Schaefer	Yes	Douglass	Yes	Merriman	Yes
Wessel	Yes	Brannan	Yes		

As a result of the roll call, the Clerk states all members present have voted in the affirmative. Chairman Barnett declares the motion carried.

(See Attached Ordinance)

**MODEL ORDINANCE  
COUNTY CANNABIS RETAILERS' OCCUPATION TAX**

**ORDINANCE NO. 03-2020**

**AN ORDINANCE ESTABLISHING A COUNTY CANNABIS RETAILERS'  
OCCUPATION TAX IN THE COUNTY OF CASS, ILLINOIS**

**WHEREAS**, the County of CASS, a body politic and corporate of the state of Illinois (" CASS County") is a non-home rule unit of local government pursuant to Article VII, § 8 of the 1970 Illinois Constitution; and

**WHEREAS**, Public Act 101-0027, which is a comprehensive revision of State statutes regulating the adult use of cannabis in Illinois, was signed into law on June 25, 2019 with many of its provisions effective January 1, 2020; and

**WHEREAS**, Public Act 101-0363 was subsequently signed into law increasing the rate of tax that may be imposed by counties upon persons engaged in the business of selling cannabis in a municipality located in that county; and

**WHEREAS**, Public Act 101-593 amended the County Cannabis Retailers' Occupation Tax Law (55 ILCS 5/5-1006.8) (the "Act") to provide "An ordinance or resolution imposing or discontinuing a tax under this Section or effecting a change in the rate thereof that is adopted on or after June 25, 2019 \* \* \* and for which a certified copy is filed with the Department on or before April 1, 2020 shall be administered and enforced by the Department beginning on July 1, 2020"; and

**WHEREAS**, the County has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety and welfare of its citizens; and

**WHEREAS**, this Ordinance is adopted pursuant to the provisions of the Act; and

WHEREAS, this Ordinance is intended to impose the tax authorized by the Act providing for a county cannabis retailers' occupation tax which will be collected by the Illinois Department of Revenue;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF CASS, ILLINOIS, THAT THIS ORDINANCE ESTABLISHING A COUNTY CANNABIS RETAILERS' OCCUPATION TAX BE AND HEREBY IS ADOPTED AS FOLLOWS:

**SECTION I: Recitals.**

The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance

**SECTION II: Tax imposed; Rate.**

(a) A tax is hereby imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act, at retail locations in the County on the gross receipts from these sales at the following rates:

(i) WHEREAS 3.75% of the gross receipts from these sales made in the course of that business in unincorporated areas of CASS County; and

(ii) WHEREAS 3.00% of the gross receipts of sales made in a municipality located in CASS county; and

(b) The imposition of this tax is in accordance with the provisions of the County Cannabis Retailers' Occupation Tax Law (55 ILCS 5/5-1006.8).

**SECTION III: Collection of tax by retailers.**

(a) The tax imposed by this Ordinance shall be remitted by such retailer to the Illinois Department of Revenue (the "Department"). Any tax required to be collected pursuant to or as authorized by this Ordinance and any such tax collected by such retailer and required to be remitted to the Department shall constitute a debt owed by the retailer to the State.



Retailers may reimburse themselves for their seller's tax liability hereunder by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with any State tax that sellers are required to collect.

(b) The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department. The Department shall have full power to administer and enforce the provisions of this article.

**SECTION IX: Severability.** The provisions and sections of this Ordinance shall be deemed separable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

**SECTION V: Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law. Copies of this Ordinance shall be certified and sent to the Illinois Department of Revenue prior to April 1, 2020

Passed by the County Board this 9<sup>th</sup> day of MARCH, 2020.

AYES: 11  
NAYS: 0  
PRESENT: 11  
ABSTAIN/ABSENT: 0

Approved this 9<sup>th</sup> day of MARCH, 2020.

[Signature]  
CHAIRPERSON, ADAMS COUNTY

ATTEST:  
[Signature]  
COUNTY CLERK

The Clerk next presents a Cass County Trustee Resolution.  
A motion to approve the resolution is made by Schaefer and  
seconded by Starkey. The vote is by acclamation and declared  
carried.

(See Attached Resolution)

230 230  
2-1

Resolution List/Resolution Instructions:

**Finance Committee:**

County Treasurer Travis Cox presents a **Trustee Resolution List to be signed by the Finance Committee members for approval**; stating that it would be to the best interest of the County to accept the bids of \$900.00 from **James Rodden** for;

*Said property* as identified as mobile home number 02-008 for the 2015 taxes sold.

Whereas, the Finance Committee now recommends the adoption of the Resolution authorizing the County Board Chairman to cancel Certificate #**002920** and accept monies collected and paid to the Treasurer to be disbursed according to law. \*

**This resolution is to be signed by the Chairman, dated, sealed and attested by the County Clerk.**

**County Clerk:**

**Please return the Resolution List with the Finance Committee signatures to Travis; along with two copies of the executed master resolution as soon as possible, so that I may forward to our Agent and sign the checks held for deposit.**

Thank you.

**Travis Cox  
Cass County Treasurer**

03-20-002



**RESOLUTION**

002979

WHEREAS, The County of Cass, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid pursuant to 35 ILCS 200/21-90, and

AND WHEREAS, Pursuant to this program, the County of Cass, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

LOT 10 BLK 41 ORIGINAL TOWN (56' X 100')

PERMANENT PARCEL NUMBER: 03-099-007-00 sold on November 02, 2016

Commonly known as: 406 WASHINGTON ST.  
and it appearing to the Finance Committee that the redemption/reconveyance party, Maria J Guijosa, For Ambrieix R Terrero Valdez, has defaulted a time payment contract.

Of the total amount due of \$6,243.46, the redemption/reconveyance party has only paid \$4,828.00. After several attempts to collect the balance, the Finance Committee feels that the above mentioned party has defaulted on the contract and the funds collected should be disbursed.

WHEREAS, your Finance Committee recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF CASS COUNTY, ILLINOIS, that the sum paid under this defaulted contract for redemption/reconveyance be disbursed as follows:

\$0.00 to be paid to the County Clerk to reimburse the revolving account for the charges advanced from this account, \$1,215.08 is to be paid to the Agent for his services under his contract and the balance, \$3,612.92, shall be paid to the Treasurer of Cass County, Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 9th day of March, 2020

ATTEST:

Shelly Wessel  
CLERK

[Signature]  
COUNTY BOARD CHAIRMAN

DEFAULTED SURRENDER

03-20-002

293

RESOLUTION



RESOLUTION AUTHORIZING THE COUNTY BOARD CHAIR TO ASSIGN MOBILE HOME TAX SALE CERTIFICATE OF PURCHASE

WHEREAS, pursuant to the authority of 35 ILCS 516/35 the County of Cass, as Trustee for the Taxing Districts, has undertaken a program to collect delinquent mobile home taxes;

AND WHEREAS, pursuant to this program the County of Cass, as Trustee for the Taxing Districts, has obtained a Tax Sale Certificate of Purchase as to the following described mobile home:

707 W RICHARDS ST LOT 27

PERMANENT PARCEL NUMBER: 02-008

As described in certificates(s) : 002920 sold November 2015

AND WHEREAS, pursuant to public auction sale, James Rodden, Lexi Rodden, Purchaser(s), has/have deposited the total sum of \$900.00 for the purchase of the said Certificate of Purchase and has/have requested that the County of Cass assign to said Purchaser(s) the said Certificate of Purchase and all of the rights of Cass County to obtain a Tax Certificate of Title as to the said mobile home and further, from said payment the County shall receive \$300.00 as a return for its certificates(s) of Purchase. The County Clerk shall receive \$0.00 for cancellation of certificate(s) and to reimburse for the charges advanced therefrom; the Auctioneer shall receive \$0.00 for services rendered; the Illinois Secretary of State shall receive the sum of \$150.00 for issuance of the Tax Certificate Title to said Purchaser(s); The remainder is the amount due the Agent under his contract for services;

AND WHEREAS, it appears to the Finance Committee that Cass County and its taxing districts will be best served by assigning its said Tax Sale Certificate of Purchase to said Purchaser(s) in exchange for the aforesaid payment;

NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF CASS COUNTY, ILLINOIS, that the County Board Chair is authorized to assign the abovesaid Tax Sale Certificate of Purchase as to the above described mobile home in exchange for payment to the Treasurer of Cass County, Illinois, of the sum of \$300.00, which shall be disbursed according to law. This resolution shall be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

PRESENTED, ADOPTED, APPROVED and RECORDED this March 9th 2020 day of

Shelly Wood  
CLERK

*[Signature]*  
COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER

244

The Clerk next presents the monthly reports of the County Clerk, Circuit Clerk, Treasurer, Sheriff, Maintenance, Death Examiner and Zoning Officer. Douglass makes a motion to receive the monthly reports and Noe seconds the motion. The vote is by acclamation & declared carried.

The approval of claims is next presented to the board. A motion to approve the claims is made by Hagloch and seconded by Brannan. Chairman Barnett directs the Clerk to call roll.

The Clerk calls roll.

Roll Call:

Barnett	Yes	Hance	Yes	Noe	Yes
Massie	Yes	Hagloch	Yes	Starkey	Yes
Schaefer	Yes	Douglass	Yes	Merriman	Yes
Wessel	Yes	Brannan	Yes		

As a result of the roll call, the Clerk states all members present have voted in the affirmative. Chairman Barnett declares the motion carried.

Chairman Barnett states there are no matters to discuss in Executive Session.

At approximately 7:47 p.m., a motion to adjourn and reconvene on the night of April 13, 2020 is made by Wessel and seconded by Douglass. The vote is by acclamation and declared carried.



Shelly Wessel

Clerk

215