

Legislative & Public Safety Committee Minutes
December 9, 2015

Present: Milton Maxwell, Dan Bost, Steven Bost, Tamiko Mueller, Julie Peterson and Andrew Erbes

Absent: Keith Larkin

Also Present: Ed Ford, Bart Hagston, Derek Misener and Denise Light

Legislative & Public Safety Committee Acting Chair Tamiko Mueller called the meeting to order at 5:00 p.m.

The committee reviewed the Legislative & Public Safety Committee minutes of November 10, 2015. Motion by Peterson, seconded by Maxwell, to approve the Legislative & Public Safety Committee minutes of November 10, 2015, as presented, motion carried.

Mr. Bart Hagston, Environmental Health Division Director of the Jackson County Health Department informed the committee that with the support from the County Board, the Health Department is continuing to operate five days a week.

Clinic hours have been changed to help serve the target populations.

The Health Department has just received a federal grant. They are working in collaboration with the City of Carbondale on promoting bike paths and will be offering a workshop to smaller communities on building healthier communities. They are also working with SIH and Foodworks to increase access to healthy foods at farmer's markets and convenience stores. This is a continuation of the work they started several years ago and they expect the funding to last until September 2016.

The Health Department is still awaiting state funding and is expecting over \$500,000 on services already delivered. The department will be able to continue to pay bills for several more months with the receipt of property taxes.

Mr. Derek Misener, Emergency Management Coordinator updated the committee on the December 31, 2016, extension of the Hazard Mitigation Program Grant for the acquisition of Reed Station Mobile Home Park and the development of the Disaster Mitigation Plan. Motion by Erbes, seconded by Maxwell **to approve the Illinois Emergency management Agency State Local hazard Mitigation Grant Program Agreement Amendment (HMGP 4116)**, motion carried.

* The committee reviewed the November 2015 Ambulance Service claims in the amount of \$28,935.64. Motion by S. Bost, seconded by Erbes **to pay the Ambulance service claims in the amount of \$28,935.64**, motion carried.

The committee reviewed the Ambulance Service Activity Summary report for the month of October 2015.

The committee reviewed the revised board members compensation and discussed mileage reimbursement as outlined in the Jackson County By-Laws.

The committee reviewed the listing of questions, correspondence from the Jackson County Farm Bureau and correspondence from the Jackson County State's Attorney Office regarding the Community Bill of Rights. Mr. Ed Ford informed the committee that a response to the questions would be forthcoming.

The committee briefly discussed the governor's commission on down -sizing state and local government.

Motion to adjourn at 5:27 p.m. by S. Bost, seconded by Maxwell, motion carried.

Legislative and Public Safety Report—December 2015

Jackson County Health Department

- With support from the county board, we are continuing to operate 5 days a week. We have, also changed some clinic hours. Our late clinic for immunizations and family planning is now held on Tuesday, and we are offering immunizations on a walk-in basis any time we are open rather than specific times. We are also offering more late afternoon appointment times for WIC services which should help us serve the target population.
- We have just received a new federal grant. We are working in collaboration with the City of Carbondale on promoting bike paths and will be offering a workshop to smaller communities on building healthier communities. We are also working with SIH and Foodworks on increasing access to healthy foods at farmer's markets and convenience stores. This is a continuation of work we started several years ago and we expect this funding to last until September 2016.
- We are still waiting for our state funding and we are now owed over \$500K on services already delivered. Having just received property taxes, we are able to continue paying bills for several more months.

Jackson County Solid Waste Management Fees

Currently (2015)

\$1.27/ton	Solid Waste Management Fund (restricted use; restriction also applies to interest earned; maximum surcharge allowed under State law)
\$0.90/ton	County General Fund (unrestricted use; increases \$0.10/ton every 5 years until it reaches \$1.00/ton in 2020)
Total to = County	\$1.97/ton (thru Jan. 9, 2010) + \$50,000 annual HHW fee \$2.07/ton (Jan. 10, 2010 - Jan. 9, 2015) + \$50,000 annual HHW fee \$2.17/ton (Jan. 10, 2015 - Jan. 9, 2020) + \$50,000 annual HHW fee \$2.27/ton (Jan. 10, 2020 - End of Capacity) + \$50,000 annual HHW fee

Fees to solid waste management fund are set by County Ordinance, adopted in accordance with the Illinois Environmental Protection Act.

Fees to County general revenue fund due to Host Agreement signed between Jackson County and Southern Illinois Regional Landfill in 2001.

Annual Household Hazardous Waste (HHW) fee of \$50,000 also a result of Host Agreement. Funds specifically earmarked for Jackson County to address HHW management.

In addition to the above financial benefits, the County has also negotiated several other host-community benefits with Southern Illinois Regional Landfill.

These benefits include free recycling collection at County government buildings, free disposal of waste dumped illegally on county and township roads & right-of-ways, and free recycling of tires and white goods dumped illegally on county and township roads & right-of-ways.



**OFFICE OF
COUNTY BOARD
JACKSON COUNTY, ILLINOIS**

November 17, 2015

Ron Davis
State Hazard Mitigation Officer
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

Dear Mr. Davis,

The purpose of this letter is to request an extension of the HMGP Planning Grant (FEMA-DR-4116-IL) to develop the Jackson County Disaster Mitigation Plan update. An extension of one year is requested, changing the project end date to December 31, 2016. The extension is necessary to allow ample time to complete deliverables as stated in the detailed scope of work provided in the e-grant application.

Respectfully,

John S. Rendleman, Chairman
Jackson County Board



ILLINOIS EMERGENCY MANAGEMENT AGENCY
STATE-LOCAL HAZARD MITIGATION GRANT PROGRAM
AGREEMENT AMENDMENT (HMGP 4116)

This Grant Agreement Amendment between the Illinois Emergency Management Agency (Grantee) and the County of Jackson (Subgrantee), Federal Taxpayer Identification Number 37-6001092, shall extend its terms to December 31st, 2016 for Planning Grant Agreement (FEMA-DR-4116-IL). All other provisions contained within the original Grant Agreement and any subsequent Amendments remain in effect. This time extension is effective upon the signature of all parties.

Obligations of the State will cease immediately without penalty of further payment being required if, in any fiscal year, the Illinois General Assembly or Federal funding source fails to appropriate or otherwise make available funds for this agreement.

Signature of Subgrantee's Authorized Representative:

_____ Date Signed: _____

Name Typed: John S. Rendleman Title: County Board Chair

Subgrantee Jurisdiction: Jackson County

Mailing Address for Disbursements: 1001 Walnut Street
Murphysboro, IL 62966

Signature(s) of the Grantee (Illinois Emergency Management Agency):

_____ Date Signed: _____
James K. Joseph
Director



November 6th, 2015

Mr. Derek Misener, Director
Jackson County EMA
1001 Walnut Street
Murphysboro, IL 62966

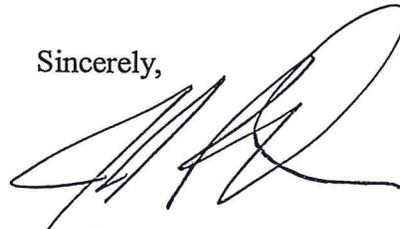
Dear Mr. Misener:

Enclosed is the Grant Agreement Amendment between the Illinois Emergency Management Agency (IEMA) and the Jackson County EMA (Subgrantee) for a Hazard Mitigation Planning Grant Extension. This Agreement extends provisions contained in the original Grant Agreement for an additional twelve months until 12/31/16.

The state requests that you review the attached amendment and that the subgrantee's authorized representative sign the document and return to our office at 1035 Outer Park Dr. Springfield, IL 62704.

If you have any questions regarding this agreement, please do not hesitate to call me at (217) 782-8719.

Sincerely,



Jared Owen
Acting State Hazard Mitigation Planner



Claims Docket Report

JCAS November 2015 Accounts Payable

JCAS November 2015 Accounts Payable

Claim	Vendor	Name	Net Amount
Batch: 5802	1292	Ability Network Inc.	95.00
	23468	Alpha Home Health Care	1,207.75
	91933	Ameren	33.92
			13.19
			8.55
	90519	Anderson Overhead Door	70.00
	782	Arrow	1,100.00
	887	Big River Communications	63.36
	91379	Bound Tree Medical	64.70
			1,704.11
			14.78
			46.49
			263.60
			1,343.75
			46.56
			53.88
			1,152.63
			25.18
			133.80
			38.38
			251.99
			28.49
			16.50
			1,062.50
	1060	Building Services Supply	46.49
	92332	Channing/Bete Company	34.72
	4440	Chart Distribution Group	120.00
	6020	City of Ava	795.70
	6030	City of Carbondale	34.63
	22322	Clear Wave Communications	3,804.24
	843	Constellation	400.00
			8.64
			8.06
			2.15
			38.00
	80072	Custom Dry Cleaners	19.00

Claims Docket Report

JCAS November 2015 Accounts Payable

JCAS November 2015 Accounts Payable

Claim _____ Vendor Name _____
12250 Murdale True Value

12377 NAPA

<u>Net Amount</u>
4.64
8.98
7.15
19.98
16.99
43.87
15.96
7.69
40.13
14.49
6.49
6.38
7.22
206.91
16.04
9.99
35.35
10.49
27.98
226.95
1.18
207.90
17.69
72.66
7.49
22.37
2.17
6.51
43.74
15.27
17.98
2.75
44.56
117.62
5.59
230.56

Claims Docket Report

JCAS November 2015 Accounts Payable

JCAS November 2015 Accounts Payable

Claim	Vendor Name	Net Amount
	12377 NAPA	4.98
	92637 Personnel Concepts	-224.57
	112515 Plaza Motors	-207.90
	90938 PLP Battery Supply	-8.69
	10311 RICOH USA INC.	8.69
	90510 Rural King	6.88
	13480 Security Alarm Corp	65.80
	90660 Shell Credit Card Center	30.00
	1305 SHOE CARNIVAL	177.88
	13640 SilkWorm	131.19
	91437 Southern Bus & Mobility	54.89
	91331 Southern Illinois Pest Services	20.97
		670.00
		97.65
		89.98
		44.00
		41.32
		40.00
		20.00
		20.00
		40.00
	31715 The Fire Store	591.11
	90703 Tim Brumley	278.50
	31215 Uniform Leon Company	85.19
		207.37
		210.38
		189.38
		1,523.94
		166.53
		539.15
		97.05
		14.70
		123.06
		-200.00
		71.64
		-59.70
	895 Verizon Wireless	
	14558 Vic Koenig Chevrolet-Geo	
	14600 Vogler	

Claims Docket Report

JCAS November 2015 Accounts Payable

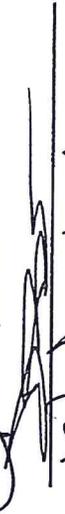
JCAS November 2015 Accounts Payable

Claim	Vendor Name	Net Amount
14600	Vogler	255.32
		14.75
		31.86
		510.64
		22.16
		265.00
		349.06
		28,935.64

14640 Walker Communications
14625 WALMART

Grand Total: 28,935.64

Authorized Signatures






Runs by Insurance Type with Service Level *(Multiple insurance types may have*

been marked on a run)

Type	BLS	%	ALS1	%	ALS2	%	SCT	%Rotary Wing	%Fixed Wing	%	Total	%
Supplemental	21	3.0%	36	5.1%	1	0.1%	N/A	N/A	N/A	N/A	58	8.2%
Auto Ins.	8	1.1%	8	1.1%	N/A	N/A	N/A	N/A	N/A	N/A	16	2.3%
Private Ins.	28	4.0%	52	7.3%	N/A	N/A	N/A	N/A	N/A	N/A	80	11.3%
Self Pay	3	0.4%	9	1.3%	1	0.1%	N/A	N/A	N/A	N/A	13	1.8%
Medicare HMO	2	0.3%	3	0.4%	N/A	N/A	N/A	N/A	N/A	N/A	5	0.7%
Medicaid HMO	4	0.6%	4	0.6%	N/A	N/A	N/A	N/A	N/A	N/A	8	1.1%
Medicare	80	11.3%	154	21.8%	1	0.1%	N/A	N/A	N/A	N/A	235	33.2%
Medicaid	83	11.7%	121	17.1%	4	0.6%	N/A	N/A	N/A	N/A	208	29.4%
	N/A	N/A	7	1.0%	N/A	N/A	N/A	N/A	N/A	N/A	7	1.0%
	N/A	N/A	2	0.3%	N/A	N/A	N/A	N/A	N/A	N/A	2	0.3%
None	173	24.4%	111	15.7%	6	0.8%	N/A	N/A	N/A	N/A	290	41.0%

Runs by Primary PI (Note - Primary PI is based on the ICD-9 priority setup in HealthEMS)

Description	#	%
Abdominal Pain	26	3.7%
Airway Obstruction	1	0.1%
Allergic Reaction	4	0.6%
Alt. Level Conscious	34	4.8%
Anxiety	8	1.1%
Asthma Symptoms	2	0.3%
Back Pain (No Trauma)	9	1.3%
Behavioral Disorder	4	0.6%
CVA/Stroke	5	0.7%
Cardiac Arrest	4	0.6%
Cardiac Symptoms	22	3.1%
Chest Pain	34	4.8%
Dehydration Symp.	1	0.1%
Depression (acute)	1	0.1%
Diabetic Symptoms	8	1.1%
Dizziness	12	1.7%
Dyspnea-SOB	40	5.6%
Elevated Temp/Fever	1	0.1%
Flu Symptoms	1	0.1%
GI -Bleed	3	0.4%
GI -Constipation	1	0.1%
Headache (no trauma)	6	0.8%
Hemorrhage-(severe medical)	2	0.3%
Hyperventilation	1	0.1%
Hypothermia	1	0.1%
Isolation Required	3	0.4%
Medication Reaction	2	0.3%
Monitoring Required	49	6.9%
Nausea	11	1.6%
No Medical Problem	63	8.9%
Nose Bleed	6	0.8%
OB/Gyn	1	0.1%
OB/Gyn (comp.)	1	0.1%
Pneumonia Symptoms	7	1.0%
Poisoning	1	0.1%
Positioning Required	5	0.7%
Post-Op Complication	3	0.4%
Psychiatric Emerg.	8	1.1%
Pulmonary Edema	2	0.3%
Respiratory Failure	2	0.3%
Seizure	11	1.6%
Syncope/Fainting	19	2.7%
Trauma Injury	93	13.1%

Unconscious	3	0.4%
Unknown Medical	69	9.7%
Urinary Bleeding	2	0.3%
Urination Problem	1	0.1%
Vomiting	9	1.3%
Vomiting Blood	1	0.1%
Weakness	22	3.1%
<i>Left Blank</i>	83	11.7%
<i>Total</i>	708	100.0%

Runs by Dispatch (EMD) Code

<u>Description</u>	<u>#</u>	<u>%</u>
01A01 ABDOMINAL PAIN	5	0.7%
01C03 ABD PAIN/MALES/ABOVE NAVEL/>35	1	0.1%
02A02 A/R/ENV/SPIDER BITE/PREV REAC	1	0.1%
02B01 A/R/ENV/UNKNOWN STATUS	2	0.3%
02C01 A/R/ENV/SPECIAL MEDS/INJ USED	3	0.4%
02C02 A/R/ENV/DIFFICULTY BREATH/SWALLOW	1	0.1%
04B01 ASST/SEXUAL ASST/POSS DANG INJ	1	0.1%
04B02 ASST/SEXUAL ASST/SERIOUS HEM	1	0.1%
04B03 ASST/SEXUAL ASST/UNK STATUS	2	0.3%
05A01 BACK PAIN/NON-TRUAMATIC	5	0.7%
06C01 BREATHING PROB/ ABNORM BREATH	17	2.4%
06D01 BREATH PROB/SEV RESP DISTRESS	4	0.6%
06D02 BREATHING PROB/NOT ALERT	14	2.0%
07A01 BURN/EXP/<18% BSA	1	0.1%
07C03 BURNS/EXP/BURN => 18% BSA	1	0.1%
09B01 CARD ARREST/OBVIOUS DEATH	1	0.1%
09E01 CARD ARREST/NOT BREATHING	2	0.3%
10A01 CHEST PAIN/BREATHIN NORM/12-34	3	0.4%
10C01 CHEST PAIN/ABNORMAL BREATHING	3	0.4%
10C02 CHEST PAIN/CARDIAC HISTORY	2	0.3%
10C04 CHEST PAIN/BREATHING NORM =>35	3	0.4%
10D01 CHEST PAIN/SEVERE RESPIR DIST	2	0.3%
10D02 CHEST PAIN/NOT ALERT	8	1.1%
12A01 SEIZURE/NOTSEIZ NOW/BREATH REG	2	0.3%
12B01 SEIZURE/BREATH REG NOT VER/<35	2	0.3%
12C04 SEIZURES/CARDIAC HISTORY	1	0.1%
12D02 SEIZURE/CONTINUOUS/MULTIPLE	8	1.1%
12D03 SEIZURE/IRREGULAR BREATH	1	0.1%
12D04 SEIZURE/BREATH REG NOT VER >35	2	0.3%
13A01 DIABETIC/A&O/BEHAVNORM/W/O 1ST	4	0.6%
13C01 DIABETIC/NOT ALERT	5	0.7%
13D01 DIABETIC/UNCONSCIOUS	1	0.1%
17A01 FALL/NOT DANGEROUS PROXIMAL	11	1.6%
17A02 FALL/NON-RECENT INJ-ALPHA	3	0.4%
17B01 FALL/POSS DANGEROUS AREA	14	2.0%
17B03 FALL/UNKNOWN STATUS	8	1.1%
17D03 FALL/UNCONSC ORNOT ALERT	7	1.0%
18A01 HEADACHE/BR. NORM/NO 1ST PARTY	1	0.1%
18C04 HEADACHE/SUDDEN ONSET/<3 HRS	1	0.1%
19C02 HEART PROB/ABNORMAL BREATHING	2	0.3%
19C04 HEART PROB/CARDIAC HX	1	0.1%
19D01 HEART PROB/SEVERE RESP. DISTRE	1	0.1%
21A01 HEM/LAC/NOT DANG/W/O 1/2 CONT	3	0.4%
21B01 HEM/LAC/POSS DANGEROUS HEMM	7	1.0%
21B02 HEM/LAC/SERIOUS HEMORRHAGE	4	0.6%
21C01 HEM/LAC/HEMORR THROUGH TUBES	1	0.1%
21D03 HEM/LAC/ABNORMAL BREATHING	1	0.1%
23B01 OD/OVERDOSE W/O PRI SYMPTOM	1	0.1%
23C01 OD/POISON/VIOLENT	2	0.3%
23C02 OD/POISON/NOT ALERT	1	0.1%
23C07 OD/POISON/ACID OR ALKALI(LYE)	5	0.7%
24B01 PREG/LABOR/DEL NOT IMMIN >5 MO	1	0.1%
24B02 PREG/CHILDBIRTH/UNKNOWN STATUS	2	0.3%
24D03 PREG/BIRTH/IMMIN DELIVERY/>5MO	1	0.1%
25A02 PSYCH/NON-THREATING/W/O 1ST	1	0.1%
25B02 PSYCH/SUICIDE/NON DANG/MIN HEM	2	0.3%
25B03 PSYCH/SUICIDE/THREATENING	1	0.1%
25B06 PSYCH/SUICIDE/UNKNOWN SIT	5	0.7%
25D01 PSYCH/ABN BEHAV/SUIC/NOT ALERT	2	0.3%
26A01 SICK/NO PRI SYMPTOMS 3RD PARTY	24	3.4%

26A03 SICK PERS BUMPS NON TRAUMA	3	0.4%
26A05 SICK PERS NO URINATE NO ABD PN	5	0.7%
26A08 SICK CRAMP/SPASM/JOINT PAIN	1	0.1%
26A09 SICK PERS CUT OFF RING REQUEST	1	0.1%
26A10 SICK PERS DEAFNESS	4	0.6%
26A11 SICK PERS DEFECATION/DIARRHEA	2	0.3%
26A19 SICK PERS NERVOUS	1	0.1%
26A27 SICK PERS TRANSPORTATION	10	1.4%
26B01 SICK PERSON/UNKNOWN STATUS	4	0.6%
26C01 SICK/ALTERED LEVEL OF CONSCIOUS.	17	2.4%
26C02 SICK PERSON/CARDIAC HISTORY	12	1.7%
26D01 SICK PERSON/NOT ALERT	4	0.6%
27D05 STAB/GSW/PEN /MULTIPLE VICTIMS	2	0.3%
28C01 STROKE/CVA/NOT ALERT	2	0.3%
28C04 STROKE/CVA/NUMBNESS/TINGLING	1	0.1%
28C05 STROKE/VISION PROBLEMS	1	0.1%
28C08 STROKE/BREATHING NORMALLY>35	1	0.1%
29A01 TRAFFIC A/1ST PTY/NOT DAN PROX	1	0.1%
29B01 TRAFFIC ACC/INJURIES	14	2.0%
29B04 TRAFFIC ACC/SERIOUS HEMORRHAGE	9	1.3%
29B06 TRAFFIC ACC/UNKNOWN SITUATION	1	0.1%
29D02 TRAFFIC ACC/HIGH MECHANISM	4	0.6%
30A01 TRAUMA INJ/NOT DANG PROXIMAL	4	0.6%
30A02 TRAUMA/NON RECENT INJURY	4	0.6%
30B01 TRAUMA INJ/POSS DANG AREA	9	1.3%
30D02 TRAUMA INJ/UNCONSC OR NOT ALERT	2	0.3%
31C01 FAINT/ALERT/ABNOR BREATH	1	0.1%
31C02 FAINT/NEAR/CARDIAC HIST	1	0.1%
31C03 FAINT/NEAR/MULT EPISODES	1	0.1%
31D02 UNCON/FAINT/SEVERE RESP DIST	7	1.0%
31D03 UNCON/FAINT/NEAR/NOT ALERT	9	1.3%
31E01 UNCON/FAINT/INEFFECTIVE BREATH	1	0.1%
32B02 UNK PROB/MEDICAL ALERT NOTIFY	4	0.6%
32B03 UNK PROB/UNKNOWN STATUS	1	0.1%
33A03 INTER/PALL CARE/ ACUITY III	3	0.4%
<i>Left Blank</i>	339	47.9%
<i>Total</i>	708	100.0%

Transport From (Category)

	#	%
Residence (Home)	253	35.7%
Scene of Accident or Acute Event	158	22.3%
Residential, Custodial Facility	14	2.0%
--Left Blank--	283	40.0%
<i>Total</i>	708	100.0%

Transport From (Facility)

	#	%
--Left Blank--	454	64.1%
MEMORIAL HOSPITAL OF CDALE	110	15.5%
ST JOSEPH MEMORIAL HOSP	55	7.8%
MANOR COURT OF CARBONDALE	31	4.4%
Big Muddy Assisted Living	10	1.4%
Carbondale Nursing Rehab Center (CNRC)	9	1.3%
CENTER FOR MEDICAL ARTS	5	0.7%
CARBONDALE POLICE DEPARTMENT	4	0.6%
Integrity nursing (Helia)	3	0.4%
LIBERTY VILLAGE	2	0.3%
Other-in Narrative	2	0.3%
FRESENIUS MEDICAL CARE	2	0.3%
Residence	1	0.1%
CARBONDALE COMMUNITY HIGH	1	0.1%
CARBONDALE MIDDLE SCHOOL	1	0.1%
CENTURY ASSISTED LIVING	1	0.1%
GOOD SAMARITAN REHAB	1	0.1%
GOOD SAMARITIAN HOUSE	1	0.1%
HARRISBURG MEDICAL CTR (INPT)	1	0.1%
HERRIN HOSPITAL (INPT)	1	0.1%
JACKSON COUNTY SHERIFF'S DEPT	1	0.1%
MEMORIAL HOSP C'DALE (INPT)	1	0.1%
MURPHYSBORO POLICE DEPARTMENT	1	0.1%
PINCKNEYVILLE COM HOSP OUTPT)	1	0.1%
SI AIRPORT	1	0.1%
SIU POLICE DEPARTMENT	1	0.1%
SIU REC CENTER	1	0.1%
SOUTHERN IL UNIV HEALTH SERV	1	0.1%
UNION COUNTY HOSPITAL (INPT)	1	0.1%
VILLA HEALTHCARE	1	0.1%
WOMEN'S CENTER	1	0.1%
Carbondale Rehab and Nursing Center	1	0.1%
Prairie Living Carbondale	1	0.1%
<i>Total</i>	708	100.0%

Transport To (Destination Facility)

	#	%
MEMORIAL HOSPITAL OF CDALE	363	51.3%
--Left Blank--	143	20.2%
ST JOSEPH MEMORIAL HOSP	89	12.6%
MANOR COURT OF CARBONDALE	16	2.3%
BARNES HOSPITAL (INPT)	14	2.0%
Residence	12	1.7%
HERRIN HOSPITAL (INPT)	10	1.4%
ST LOU CHILDREN'S HOSP (INPT)	7	1.0%
SI AIRPORT	6	0.8%
Carbondale Nursing Rehab Center (CNRC)	4	0.6%
CARDINAL GLENNON HOSP (INPT)	3	0.4%
FAIRVIEW NURSING CENTER	2	0.3%
PARKWAY MANOR MARION	2	0.3%
SOUTHERN ILLINOIS AIRPORT	2	0.3%
ST LOUIS UNIV HOSP (INPT)	2	0.3%

CARRIER MILLS NURSING HOME	1	0.1%
CHESTER MEMORIAL HOSP (INPT)	1	0.1%
FAIRACRES	1	0.1%
FOUNTAIN VIEW NURSING HOME	1	0.1%
Marion Rehab and Nursing	1	0.1%
Shawnee Rose Care Center	1	0.1%
HEARTLAND REGIONAL MEDICAL CNT	1	0.1%
HELIA HEALTHCARE ENERGY	1	0.1%
HELIA HEALTHCARE - BENTON	1	0.1%
Integrity nursing (Helia)	1	0.1%
HERRIN HOSPITAL (OUTPT)	1	0.1%
LANDMARK HOSPITAL	1	0.1%
MARION VA HOSPITAL (INPT)	1	0.1%
MARSHALL BROWNING HOSP (INPT)	1	0.1%
MEMORIAL HOSP C'DALE (INPT)	1	0.1%
PICKNEYVILLE COM HOSP (INPT)	1	0.1%
RIDGEWAY MANOR	1	0.1%
ROSICLARE HEALTH CARE CENTER	1	0.1%
SAINT FRANCIS HOSPITAL	1	0.1%
SALINE CARE CENTER	1	0.1%
SELECT SPECIALTY HOSPITAL STL	1	0.1%
SEMO HOSPITAL (INPT)	1	0.1%
SHAWNEE CHRISTIAN NURSING HOME	1	0.1%
SOUTHEAST MISSOURI HOSP (OUTPT)	1	0.1%
Chester Rehab and Nursing Center (ST ANN'S)	1	0.1%
ST FRANCIS MED CTR (INPT)	1	0.1%
ST FRANCIS MEDICAL CTR (OUTPT)	1	0.1%
UNION COUNTY HOSP SKILLED CARE	1	0.1%
UNION COUNTY HOSPITAL (INPT)	1	0.1%
Big Muddy Assisted Living	1	0.1%
Other-in Narrative	1	0.1%
Prairie Living Carbondale	1	0.1%
BARNES JEWISH WEST COUNTY	1	0.1%
<i>Total</i>	708	100.0%

JACKSON COUNTY BY-LAWS

Article I The County Board

Section 1: Name

The powers of the County as a body corporate and politic shall be exercised by a County Board designated as "The Jackson County Board".

Section 2: Location

The principal office of The Jackson County Board shall be located in the Jackson County Courthouse, Murphysboro, Illinois.

Section 3: Board Members

- A. Number: The Jackson County Board shall consist of fourteen (14) members.
- B. Districts: Jackson County has been divided into seven (7) County Board Districts. The boundaries of the Districts shall remain as now established until the same be changed according to law.
- C. Election: Two members shall be elected from each County Board District in November, 1982, and one member shall be elected from each County Board District every two years thereafter. The term of office for each member shall be four years and shall commence on the first Monday in December following the election, except the members elected in 1982 and every ten years thereafter shall determine by lot which member from each District shall serve for two years and which member from each District shall serve for four years.
- D. Vacancies: If a vacancy occurs on the Jackson County Board, said vacancy shall be filled according to law.
- E. Compensation:
 - a) The Chair and the Board Members shall receive such compensation as adopted by resolution of the Board unless otherwise specified in the by-laws. Changes in compensation shall become effective only when members commence their terms after a general election.

- b) Present rates of Board members' compensation and reimbursement is as follows:
1. ~~A per diem of \$35~~ Effective December 3, 2018, a per diem of \$55 may be charged for every committee meeting of the Board to which he/she is assigned and attends. The same per diem may be charged for attendance at:
 - a) any board or agency meeting to which the member is appointed;
 - b) any meeting which has been authorized by the Committee Chair or County Board Chair and
 - c) any function or event that furthers the County's business and that is authorized by the County Board Chair or Committee Chair. (i.e. landfill visitations, highway review tours, inter-governmental meetings, etc.)
 2. Mileage may be charged for round trip travel from the members' home to the meeting place at a rate of \$.50 per mile.
 3. Approved travel shall be reimbursed. Actual costs for lodging, meals, and incidental expenses shall be reimbursed at the current IRS rates.

Section 4: Powers and Duties

Jackson County and The Jackson County Board shall have such powers and duties as are conferred upon them by law. The Jackson County Board may pass all ordinances, resolutions, and make all rules and regulations proper or necessary to carry into effect the powers granted to it and to Jackson County.

**HEALTH, SAFETY & SOLID WASTE COMMITTEE
MEETING MINUTES
October 21, 2015
Jackson County Health Department**

Present: Brian Chapman, Andrew Erbes, Milton Maxwell, Tamiko Mueller

Absent: Liz Hunter

Also: Bart Hagston, Don Terry, Derek Misener, Kerri Gale, Miriam Link-Mullison,
Lloyd Nelson

Guests: See attached list of guests attending the committee meeting.

Meeting was called to order by Chairwoman Mueller at 4:30 p.m.

Mr. Erbes made a motion to reorganize the agenda and move Old Business to the top of the agenda. Mr. Maxwell seconded the motion. The motion passed with unanimous voice vote.

Old Business

Community Bill of Rights (CBOR) – Protection Against Fracking and Related Activity
Ms. Jessica Grammer submitted a letter on behalf of the Jackson County Farm Bureau opposing the Community of Bill of Rights (see attached). There was discussion among attendees regarding Hydraulic Fracturing and the farming community.

One of the attendees presented a news article (see attached).

Ms. Mueller presented the Community Bill of Rights opinion from the State's Attorney (see attached). The committee then addressed the attendees regarding their opinions on the CBOR document. Ms. Mueller also stated the County Board would like the following questions answered:

- Can a list of the reported 200 communities that have passed a CBOR be provided to the Board? How many of these entities are counties?
- Are there any communities or counties in Illinois that have passed a CBOR? Are there any others considering CBOR's?
- Of the communities that have adopted CBOR's how many contain language similar to the ordinance proposed for Jackson County as it relates to enforcement and the pre-emption of State or Federal laws?
- How many of the communities with CBOR's have been challenged and if so, how many successfully defended the ordinance? Also ask for the name of these entities.
- How would the group propose that the County defend an ordinance with pre-emptive language? Would we direct the Sheriff's Office to shut down an operation that had been permitted by the State? If sued by the State, a corporation or a citizen group, etc. how would the County pay for a defense of the ordinance?

The committee stated they will wait to hear from the CBOR group responses to questions that were presented from the County Board. **Mr. Erbes made a motion to table action on the Community Bill of Rights – Protection Against Fracking and Related Activity. Mr. Maxwell seconded the motion. The motion passed with unanimous voice vote.**



JACKSON COUNTY STATE'S ATTORNEY
Michael C. Carr, State's Attorney

Jackson County Courthouse • 1001 Walnut • Third Floor • Murphysboro, IL 62966
(618) 687-7200 • FAX (618) 687-7215

Tuesday, September 22, 2015

To: Jackson County Board
Re: Proposed Community Bill of Rights

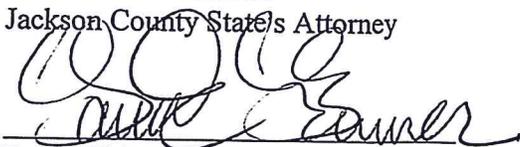
Our office has been requested by the County Board to address the proposed Jackson County Community Bill of Rights (a copy of which is attached). The County Board addressed a similar issue three years ago. It was our office's opinion then and it remains our opinion today that the County does not have the authority to enact the proposal. The County cannot adopt the proposed ordinance because 1) it has no expressed statutory authority given by the legislature to enact the measures in the ordinance; and 2) the ordinance is preempted by State and Federal law.

The ordinance proposes to create a new system of government because the current government has become "illegitimate." It proposes the right of the County's residents to be free from "chemical trespass" caused by "unsustainable energy." If a corporation or governmental entity violates the provisions of the ordinance they will be required to pay the maximum fine. The ordinance also provides that if the County fails to enforce such provisions, the citizens of the County may enforce the ordinance through "non-violent actions." The ordinance additionally provides for the right of the people to deem illegitimate any attempts by the Courts or Illinois General Assembly to overturn the proposed ordinance.

Since the County Board last visited these issues, Illinois adopted the Hydraulic Fracturing Regulatory Act, 235 ILCS 732/1-1 et. seq. It is comprehensive legislation. The Act contains many of the features the ordinance proposes. The Hydraulic Fracturing Regulatory Act provides, among other things, for hydraulic fracturing permit requirements, water quality investigation and enforcement, criminal offenses if there are any violations to the Act, and other relief for damages. For permit applications, the new legislation mandates detailed public notice requirements, adjudicatory and review processes that must be followed. For all the reasons above it is the opinion of the Jackson County State's Attorney's Office that the proposed ordinance would be improper and not in accordance with the County's authority.

Sincerely,

MICHAEL C. CARR
Jackson County State's Attorney



DANIEL BRENNER
Assistant State's Attorney
Jackson County, Illinois

encl.

Jackson County Community Bill of Rights
Plain English Summary

Preamble (“We the People” Statements) - The intent and justification of the law. The goal of the ordinance is to secure and to protect the rights of people and natural communities that would be harmed by unsustainable energy infrastructure related to oil and gas extraction.

Section 1. Definitions - The meanings of certain words and phrases contained within the ordinance. The definition of “unsustainable energy infrastructure” includes both hydraulic fracturing and its related infrastructure.

Section 2. Statements of Law - Local Bill of Rights

Section 2(a). Right of county residents, communities, and ecosystems to clean water.

Section 2(b). Right of county residents to clean water for agriculture purposes.

Section 2(c). Right of county residents, communities, and ecosystems to clean air.

Section 2(d). Rights of ecosystems and natural communities to exist and flourish.

Section 2(e). Right to non-harmful, sustainable energy systems within the county.

Section 2(f). Right of county residents to peaceful enjoyment of their homes.

Section 2(g). Right of county residents to be free from chemical trespass caused by unsustainable energy infrastructure.

Section 2(h). Right of county residents to a legitimate government that protects rights.

Section 2(i). Right of Self-Government. Corporate “rights” cannot subjugate peoples’ rights.

Section 2(j). Right of county residents to legislate via their local government.

Section 2(k). No further legislation is needed to secure the rights asserted in this Ordinance.

Section 3. Statements of Law - Prohibitions Necessary to Secure the Bill of Rights

Section 3(a). No corporation or governmental entity may site unsustainable energy systems within the County, as defined in the “Definitions” section.

Section 3(b). Chemical trespass, caused by a corporation or government engaging in the activities identified in Section 3(a), is prohibited.

Section 3(c). Neighboring governments and corporations, that facilitate or participate in the activities prohibited by this Ordinance, and as a result cause chemical trespass to County residents and communities, are liable for the harm caused.

Section 3(d). No corporation or governmental entity may violate the rights asserted in this Ordinance.

Section 3(e). Any permit issued to corporations that allow activities that would violate the Ordinance within the County are invalid.

Section 4. Enforcement

Section 4(a). Corporations or governmental entities that violate the provisions of the Ordinance are required to pay the maximum fine.

Section 4(b). Citizens may enforce the Ordinance by seeking the court’s enforcement of the law. Anyone enforcing the Ordinance may recoup the costs of litigation.

Section 4(c). Ecosystems and natural communities may enforce their rights. Violations of the Ordinance that cause harm to the environment require the violator to pay damages to restore the environment to its original health.

Section 4(d). If the county or courts fail to enforce the ordinance, citizens may enforce the ordinance through non-violent direction action.

Section 5. Enforcement -- Corporate Powers

Section 5(a). Corporations that violate the Ordinance shall not have certain protections, including the rights of “persons,” within the County, which could be used to violate community rights.

Section 5(b). All laws in Illinois are assumed to be the law within the County, unless they violate the rights enumerated in the Ordinance or the prohibitions that protect those rights.

Section 6. Effective Date and Existing Permit Holders - The Ordinance takes effect immediately after its enactment by county board members.

Section 7. People's Right to Self-Government - If the courts or Illinois General Assembly attempt to overturn the Ordinance, such attempts will be deemed illegitimate. If such an attempt occurs, the County will hold community meetings to determine next steps.

Section 8. State and Federal Constitutional Changes - County residents call for changes to the Illinois and federal Constitutions that further secure and protect community rights.

Section 9. Severability - If any part of this Ordinance is declared invalid, the remaining sections stand.

Section 10. Repealer - Other existing County laws will be repealed as far as necessary for compliance with this Ordinance.

Section 11. Interpretation - This Ordinance's language must be read by the courts so as to achieve the goals listed in the Preamble.

Community Bill of Rights
Jackson County, Illinois

**ESTABLISHING A COMMUNITY BILL OF RIGHTS FOR THE PEOPLE OF JACKSON COUNTY, WHICH PROHIBITS
ACTIVITIES AND PROJECTS THAT WOULD VIOLATE THE BILL OF RIGHTS, AND WHICH PROVIDES FOR
ENFORCEMENT OF THE BILL OF RIGHTS AGAINST CORPORATIONS ENGAGED IN THOSE ACTIVITIES AND
PROJECTS**

When people and communities find that laws ostensibly enacted to protect them, and to foster their health, prosperity, and fundamental rights, do neither; and that the very air, land, and water – on which their lives and happiness depend – are threatened, it becomes necessary for the people to reaffirm, reclaim, and assert their inalienable rights.

Therefore, We the People of Jackson County, in the State of Illinois, affirm Article 1, Sections 1, 23, and 24 of the Illinois State Constitution, which state respectively:

“All men are by nature free and independent and have certain inherent and inalienable rights among which are life, liberty and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed.”

“A frequent recurrence to the fundamental principles of civil government is necessary to preserve the blessings of liberty. These blessings cannot endure unless the people recognize their corresponding individual obligations and responsibilities.”

“The enumeration in this Constitution of certain rights shall not be construed to deny or disparage others retained by the individual citizens of the State.”

We the People of Jackson County, in the State of Illinois, affirm Article 11, Sections 1 and 2 of the Illinois State Constitution, which state respectively:

“The public policy of the State and the duty of each person is to provide and maintain a healthful environment for the benefit of this and future generations...”

“Each person has the right to a healthful environment. Each person may enforce this right against any party, governmental or private ...”

As citizens of Jackson County, we recognize that while our state government has recognized these rights, it actively denies us the power to protect these rights, seeking to reserve that power for itself;

As citizens of Jackson County, we recognize that while our state government seeks to monopolize the power to secure and protect our rights, our state government simultaneously passes laws that violate the rights it supposedly protects;

As citizens of Jackson County, we recognize our responsibility – and that of our county representatives – to enforce and protect our inalienable rights, including our right to a healthful environment, through the enactment of this ordinance;

We recognize that the duty “to provide and maintain a healthful environment for the benefit of this and future generations,” as set forth in our state Constitution, is a duty held both by local elected officials of Jackson County, as well as by citizens of Jackson County;

As citizens of Jackson County, we recognize the quality of life for county residents would be irreparably harmed if hydraulic fracturing for oil or gas occurs, or associated infrastructure is sited, within the county;

And since all power of governance is inherent in the people, We, the People of Jackson County, Illinois, declare and

enact the following civil rights law:

We the people of Jackson County find that our current system of government fails to recognize our self-governing authority because corporations may assert their “rights” to override our laws; our local government and elected representatives can be preempted by state or federal government even when our elected representatives act to protect our community’s health, safety, and welfare; and our local government is banned from adopting and enforcing laws that have not been authorized by the state; and

We the people of Jackson County assert that the operation of those legal doctrines renders our county government unable to protect our rights, and the application of those doctrines renders us powerless to exercise our self-governing authority; and

We the people of Jackson County possess the constitutional right to change our current system of government because that system of government fails to recognize our self-governing authority and it has been rendered unable to secure our rights; and

We the people of Jackson County hereby declare that our current system of government is illegitimate and that we adopt this law to create a new system of county governance that recognizes our self-governing authority while securing and protecting our rights.

Therefore, we the people of Jackson County hereby exercise our inherent and inalienable right of local community self-governance to adopt this Community Bill of Rights law, in order to assert and enforce our fundamental civil, human, and environmental rights.

Section 1 – Definitions

(a) “Chemical Trespass” means the involuntary deposition of toxic substances or potentially toxic substances within a human body, natural community, or ecosystem.

(b) “Corporation,” for purposes of this law, includes any corporation, or other business entity, organized under the laws of any state or any country.

(c) “Ecosystem” includes, but is not limited to, wetlands, streams, rivers, aquifers, and other water systems, as well as naturally occurring habitats that sustain humans, wildlife, flora and fauna, and soil-dwelling or aquatic organisms.

(d) “Extraction” means the digging, drilling, conversion, or operation of a well for the purpose of exploring for, developing, removing, or producing oil or gas.

(e) “Natural Communities” means wildlife, flora, fauna, soil-dwelling and aquatic organisms, as well as humans and human communities that have established sustainable interdependencies within a proliferating and diverse matrix of organisms, within an ecosystem.

(f) “Sustainable energy” means energy that is produced without violating the rights of the human and natural community, which is specifically not derived from fossil fuels or nuclear fission, which does not expand reliance upon fossil fuels or nuclear fission, and which is generated in an economically decentralized manner. This term means energy derived from existing energy flows generated by on-going natural processes, including, but not limited to, energy generated from the sun, flowing water, wind flows, and geothermal heat flows. The term does not include any source of energy generated from an increase in the use of fossil fuels, nuclear fission, or any derivative of those energy sources.

(g) “Toxic Substances and Potentially Toxic Substances,” for purposes of this Ordinance, includes chemicals or chemical compounds, sludge and waste, radioactive ores, mine tailings, millings, waste liquors and radioactive substances, particulate matter, or gasses that have been found to cause adverse effects to animals, humans, or ecosystems. This term includes chemicals, chemical compounds, sources of radiation, and all other substances deemed to be mutagenic, neurotoxic, carcinogenic, teratogenic, reproductive or developmental toxicants, or any

other toxic chemical or hazardous substance the County identifies by resolution to be subject to this Ordinance. The phrase specifically includes, but is not limited to, frack water and materials used in, and resulting from, the extraction of oil or gas.

- (h) “Unsustainable energy infrastructure” means any structure, vehicle, or equipment, for use in:
- (i) the extraction of oil or gas; the importation or extraction of water or any other substance, including but not limited to, propane, sand, and other substances used in the extraction of oil or gas, into or out of Jackson County or its watershed(s) for use in the extraction of oil or gas; the deposition, storage, “treatment,” injection, transportation, or processing of waste water, “produced” water, “frack” water, brine or other materials, chemicals or by-products used in the extraction of oil or gas, in or onto the land, streets, air or waters within Jackson County; or
 - (ii) the siting of extraction, production, or delivery infrastructures within Jackson County, or the construction or maintenance of infrastructure related to the extraction of oil or gas within Jackson County or its watershed(s). Such infrastructures include, but are not limited to, pipelines; processing facilities; waste storage structures; compressors; storage and transportation facilities used to support the corporate extraction, production, or distribution of oil or gas; and housing for workers involved in extraction, production, and distribution of oil or gas.

Section 2 – Statements of Law – A Community Bill of Rights

(a) Right to Clean Water. All residents, natural communities, and ecosystems in Jackson County possess a right to sustainably access, use, consume, and preserve clean water, untainted by toxic substances or potentially toxic substances, and drawn from natural water cycles that provide water necessary to sustain life within the County.

(b) Right of Water for Agriculture. All residents of Jackson County possess the right to unpolluted water to produce healthy food, and to sustain human life, pastured livestock, and the land.

(c) Right to Clean Air. All residents, natural communities and ecosystems in Jackson County possess a right to breathe air untainted by toxic substances or potentially toxic substances.

(d) Rights of Nature. Ecosystems and natural communities within Jackson County possess the right to exist, flourish, and naturally evolve.

(e) Right to a Sustainable Energy Future. All residents, natural communities, and ecosystems within Jackson County possess a right to a sustainable energy future, which includes, but is not limited to, the development, production, and use of energy from renewable fuel sources in a decentralized fashion.

(f) Right to Peaceful Enjoyment of Home. Residents of Jackson County possess a right to the peaceful enjoyment of their homes, free from interference, intrusion, nuisances, or impediments to access and occupation, caused by unsustainable energy infrastructure.

(g) Right to be Free from Chemical Trespass. All residents, natural communities, and ecosystems within Jackson County possess a right to be free from chemical trespass caused by unsustainable energy infrastructure.

(h) Right to a Legitimate Government. The people of Jackson County possess a right to a legitimate government. All legitimate governments in the United States owe their existence to the people of the community those governments serve, and governments exist to secure and protect the rights of the people and those communities. Any system of government that becomes destructive of those ends is not legitimate, lawful, or constitutional.

(i) Right of Local Community Self-Government. The people of Jackson County possess both a collective and individual right to self-government in their local community, a right to a system of government that embodies that right, and the right to a system of government that protects and secures their human, civil, and collective rights.

(j) Right to Assert the Right of Self-Government. The people of Jackson County possess the right to use their local government to make law, and the making and enforcement of law by the people through a municipal corporation, county, or any other institution, shall not eliminate, limit, or reduce their sovereign right of local community

self-government.

(k) Rights as Self-Executing. All rights secured by this law are inherent, fundamental, and inalienable, and shall be self-executing and enforceable against both private and public actors. Further implementing legislation shall not be required for the County, the residents of Jackson County, or the ecosystems and natural communities protected by this law, to enforce all of the provisions of this law.

Section 3 – Statements of Law – Prohibitions Necessary to Secure the Bill of Rights

(a) It shall be unlawful within Jackson County for any corporation or government to engage in the operation or siting of any new unsustainable energy infrastructure.

(b) It shall be unlawful within Jackson County for any corporation or government to cause chemical trespass through any new unsustainable energy infrastructure.

(c) Corporations and persons using corporations to engage in oil or gas extraction, or to support the activity of oil or gas extraction, in a neighboring municipality, county, or state shall be strictly liable for the violation of rights recognized by this ordinance, and for all harms consequently caused to natural water sources, ecosystems, and human and natural communities within Jackson County and its jurisdiction. Government agencies and units of government, including counties, municipalities, and other local governments, that issue permits or allow the extraction of oil or gas, shall be held liable for the violation of the rights of Jackson County residents, ecosystems, and natural communities if a chemical trespass results.

(d) It shall be unlawful for any corporation or government to violate the rights recognized and secured by this law.

(e) No permit, license, privilege, charter, or other authorization issued to a corporation, by any state or federal entity, that would violate the prohibitions of this law or any rights secured by this law, shall be deemed valid within Jackson County.

Section 4 – Enforcement

(a) Any corporation or government that violates any provision of this law shall be guilty of an offense and, upon conviction thereof, shall be sentenced to pay the maximum fine allowable under State law for that violation. Each day or portion thereof, and violation of each section of this law, shall count as a separate violation.

(b) The County, or any resident of Jackson County, may enforce the rights and prohibitions of this law through an action brought in any court possessing jurisdiction over activities occurring within Jackson County. In such an action, the County or the resident shall be entitled to recover all costs of litigation, including, without limitation, expert and attorney's fees.

(c) Ecosystems and natural communities within Jackson County may enforce their rights, as well as this law's prohibitions, through an action brought by the County or residents of Jackson County in any court possessing jurisdiction over activities occurring within Jackson County, in the name of the ecosystem or natural community as the real party in interest. Damages shall be measured by the cost of restoring the ecosystem or natural community to its state before the injury, and shall be paid to Jackson County to be used exclusively for the full and complete restoration of the ecosystem or natural community.

(d) If Jackson County fails to enforce or defend this law, or a court fails to uphold this law's limitations on corporate power, the law shall not be affected by the failure to enforce or defend, or by the failure to uphold the limitations on corporate power, and any person may then enforce the rights and prohibitions of the law through direct action. If enforcement through direct action is commenced, this law shall prohibit any private or public actor from filing a civil or criminal action against those participating in direct action. If filed in violation of this provision, the applicable court must dismiss the action promptly, without further filings being required of direct action participants. "Direct action" as used by this provision shall mean any non-violent activities or non-violent actions carried out to directly enforce the rights and prohibitions contained within this law.

Section 5 – Enforcement – Corporate Powers

(a) Corporations that violate this law, or that seek to violate this law, shall not be deemed to be “persons” to the extent that such treatment would interfere with the rights or prohibitions enumerated by this law, nor shall they possess any other legal rights, powers, privileges, immunities, or duties that would interfere with the rights or prohibitions enumerated by this law, including standing to challenge this law, the power to assert state or federal preemptive laws in an attempt to overturn this law, or the power to assert that the people of Jackson County lack the authority to adopt this law.

(b) All laws adopted by the legislature of the State of Illinois, and rules adopted by any State agency, shall be the law of Jackson County only to the extent that they do not violate the rights or prohibitions of this law.

Section 6 – Effective Date and Existing Permit Holders

This law shall be effective immediately on the date of its enactment, at which point the law shall apply to any and all actions that would violate this law regardless of the date of any applicable local, state, or federal permit.

Section 7 – People’s Right of Self-Government

Use of the courts or the Illinois legislature in any attempt to overturn the provisions of this law shall be rejected by Jackson County, deemed an illegitimate effort to subvert the people’s right to local self-government, and considered null and void. Use of the courts or the Illinois legislature in attempts to overturn the provisions of this law shall require the County Board to hold public meetings that focus on the adoption of other measures and changes to local governance that would further secure the people’s fundamental and inalienable right of local community self-government. County residents shall have the right to participate in these public meetings by bringing forth proposals and by making arguments for and against proposals, without limitation upon the duration or content.

Section 8 – State and Federal Constitutional Changes

Through the adoption of this law, the people of Jackson County call for amendment of the Illinois Constitution and the federal Constitution to recognize a right of local community self-government free from governmental preemption and nullification by corporate “rights.”

Section 9 – Severability

The provisions of this law are severable. If any court decides that any section, clause, sentence, part, or provision of this law is illegal, invalid, or unconstitutional, such decision shall not affect, impair, or invalidate any of the remaining sections, clauses, sentences, parts, or provisions of the law. This law would have been enacted without the invalid sections.

Section 10 – Repealer

All inconsistent provisions of prior laws adopted by Jackson County are hereby repealed, but only to the extent necessary to remedy the inconsistency.

Section 11 – Interpretation

Any reviewing court must liberally interpret this law’s provisions to achieve the goals stated in the preamble.

ENACTED AND ORDAINED this ___ day of _____, 2015, by Jackson County, Illinois.

By:



JACKSON COUNTY FARM BUREAU®
220 North 10th Street
Murphysboro, Illinois • 62966

October 20, 2015

TO: Members of the Jackson County Board

FROM: Jackson County Farm Bureau Board of Directors

SUBJECT: Community Bill of Rights

Members of the Jackson County Board,

The Jackson County Farm Bureau (JCFB) Board of Directors has been closely following the issue brought forth by the Southern Illinois Community Rights group concerning the Community Bill of Rights. After reviewing the bill of rights and considering comments made by the supporting group, the JCFB Board of Directors decided to oppose the proposed "community bill of rights".

The JCFB is concerned that the "community bill of rights" seeks to ban lawful activities and may violate both the U.S. and Illinois Constitution. While the "community bill of rights" quotes various sections of the Illinois Constitution, it fails to recognize limitations imposed on local governments also included in the Illinois Constitution. Units of local government that are not home rule have only the powers granted to it by state law. Many of the powers and prohibitions included in the "community bill of rights" are regulated by state and federal law and therefore, Jackson County does not have the authority to regulate them.

We are also concerned that the "community bill of rights" could be used to severely restrict or even end some agricultural practices. Although the proposed ordinance appears to be directed at oil and gas drilling, the definition of "toxic substances and potentially toxic substances" includes particulate matter. Dust is a particulate matter. If the proposed bill of rights were implemented, one could argue that dust from farming practices could be considered "potentially toxic substances" and seek to ban these farming practices. The implementation of this proposal would subject farmers to lawsuits from any resident of Jackson County, regardless of whether that resident were impacted by an action or not. The legal expenses and fines farmers may face simply for using recognized farming practices could be extremely expensive.

We believe that implementation of the "community bill of rights" would constitute a taking of property rights by Jackson County. The proposed ordinance states that it is unlawful to engage in the operation or siting of any new "unsustainable energy infrastructure". This would include the development of mineral interests like oil, gas, or other natural resources. Mineral interests are a property right, so banning their development represents an unfair taking of that right from mineral interest owners.

Finally, the "community bill of rights" allows individuals to enforce its provisions via a "direct action" if the county or even the courts decide to not enforce it. If an individual does so, according to the "bill of rights", no civil or criminal charge can be brought against them. A "direct action" is defined as any non-violent activities or actions carried out to enforce the rights and prohibitions. This would mean an individual could trespass, destroy property, or conduct other illegal activities in the name of the "community bill of rights".

The Jackson County Farm Bureau urges you to consider the implications that this "community bill of rights" could create for farmers. As the voice for the agricultural community in Jackson County, we oppose this "bill of rights" and ask the Jackson County Board to discontinue discussion on its implementation. We welcome discussion from board members, so please feel free to contact us should you have any questions.

Sincerely,

Jackson County Farm Bureau Board of Directors

Gary Tretter, President
Larry Dierks, Vice President
Donald Shannon, Secretary
Glenn Schlimpert, Treasurer
Barbara Arbeiter
Homer Bates
James Benz
Martin McNitt
Robert Varner
Carl Karg
Fred Alstat
Gerald Rosenberger