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MINUTES

SANGAMON COUNTY BOARD

SEPTEMBER 13, 2016

The Sangamon County Board met in Regular Statutory Session on September 13, 2016. Chairman Van Meter called the meeting to order at 7:00 p.m. Mr. Smith gave the Invocation and asked for a moment of silence in remembrance of September 11th. Mrs. Ruzic led the County Board in the Pledge of Allegiance.

ROLL CALL

Chairman Van Meter asked County Clerk Gray to call the roll. There were 27 Present – 2 Absent. Mr. Madonia and Mr. O'Neill were excused.

PROCLAMATIONS

Mr. Stumpf presented a Proclamation to Linda Wheeland, upon her retirement, for over 31 years of service with the Regional Planning Commission. Mrs. Wheeland was recognized for her efforts and outstanding service with the office. She accepted the Proclamation and expressed her appreciation for the recognition. Her parents were both teachers, and they instilled in her and her sisters the idea of doing public service. She feels very lucky that she was able to work in a career doing work that she loved. She worked with great people in the Regional Planning Commission and other county departments with supportive administrative administration and a supportive board. She is a little overwhelmed and appreciates their kindness.

Mr. Preckwinkle presented a Proclamation to Ryan Held, after winning Gold in the Olympic Games, in recognition of his outstanding achievements both in and out of the water. Ryan Held's parents, Randy and Cheryl Held, were present to accept the Proclamation. Mrs. Held accepted the Proclamation and thanked everyone. They really do love Springfield, and this has been a great privilege. When Ryan came home the weekend before last, he was so warmly welcomed, and it was very touching.

All the enthusiasm and love and support he received when he came home was wonderful, and they are very thankful for that. This is a great privilege.

MINUTES

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the minutes of August 9, 2016. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

A motion was made by Mr. Bunch, seconded by Mr. Montalbano, to place correspondence on file with the County Clerk. A voice vote was unanimous.

RESOLUTION 1

1. Resolution approving a petition for a culvert replacement on Shaler Road in Springfield Township.

A motion was made by Mr. Fraase, seconded by Mr. Ratts, to place Resolution 1 on the floor. Chairman Van Meter asked County Clerk Gray to call the roll. Upon a roll call vote, there were 26 Yeas – 0 Nays.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 2 – 3

2. Resolution requesting IDOT approval to reappoint the County Engineer.

A motion was made by Mr. Fraase, seconded by Mr. Bunch, to place Resolution 2 on the floor. A motion was made by Mr. Bunch, seconded by Mrs. Deppe and Mr. Mendenhall, to consolidate Resolutions 2 and 3. Chairman Van Meter asked County Clerk Gray to read Resolution 3.

3. Resolution reappointing the County Engineer.

Mr. Bunch encouraged all the members to approve the reappointment of County Engineer Tim Zahn, who has done outstanding work over the years. A voice vote was unanimous on the consolidation. A motion was made by Mr. Preckwinkle that the roll call vote for Resolution 1 stands as the roll call vote for Resolutions 2 and 3, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

RESOLUTION 4

- 4. 2016-026 – The Rock Yard, LLC, 3605 Chatham Road, Springfield – Granting a Rezoning. County Board Member – Sam Montalbano, District #13.

A motion was made by Mr. Montalbano, seconded by Mr. Stumpf, to place Resolution 4 on the floor. A motion was made by Mr. Stumpf to waive the reading of the professional staff’s report. There were no objections. A voice vote was unanimous for the adoption of Resolution 4.

MOTIONS CARRIED
RESOLUTION ADOPTED

WAIVER OF TEN-DAY FILING PERIOD

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to waive the ten-day filing period. A voice vote was unanimous.

MOTION CARRIED
TEN-DAY FILING PERIOD WAIVED

RESOLUTION 5

- 5. Resolution approving the list of contracts for employee benefits for 2017.

A motion was made by Mr. Krell, seconded by Mr. DelGiorno, to place Resolution 5 on the floor. A motion was made by Mr. Preckwinkle that the roll call vote for Resolution 1 stands as the roll call vote for Resolution 5. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 6

- 6. Resolution authorizing renewal of the contract for medical case management services with Encore Unlimited, LLC.

A motion was made by Mr. Krell, seconded by Mrs. Small, to place Resolution 6 on the floor. A motion was made by Mr. Preckwinkle that the roll call vote for Resolution 1 stands as the roll call vote for Resolution 6. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTION ADOPTED

OLD BUSINESS

There was no old business.

NEW BUSINESS

A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of Jeff Vose to the Community Services Block Grant Advisory Board for a term expiring September, 2019.

Appointment of David Mendenhall to the Sangamon County Central Dispatch System for a term expiring September 2017.

Appointment of Dr. Brian D. Miller to the Sangamon County Board of Health for a term expiring February, 2019.

Appointment of Dr. Bart Troy to the Sangamon County Board of Health for a term expiring February, 2019.

Appointment of Robert Wesley to the Sangamon County Board of Health for a term expiring February, 2019.

Appointment of Deborah Grant to the Sangamon County Board of Health for a term expiring February, 2019.

Appointment of Dean Williams to the Sangamon County Historic Preservation Commission for a term expiring September, 2019.

Appointment of Jeanette Goza to the Sangamon County Historic Preservation Commission for a term expiring September, 2017.

**REPORTS OF COUNTY OFFICIALS, REPORTS OF STANDING COMMITTEES,
REPORTS OF SPECIAL COMMITTEES, COMMITTEE REPORT ON CLAIMS**

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to place the reports on file with the County Clerk. A voice vote was unanimous.

MOTION CARRIED
REPORTS FILED

PUBLIC COMMENT

Chairman Van Meter allowed for public comment at this time.

Tony W. Parkhurst, residing at 102 Illinois Street in Springfield, addressed the County Board. Chairman Van Meter stated that Mr. Parkhurst had signed up to speak. They have 15 minutes allotted for this. Since they have no other speakers, Mr. Parkhurst may use the entire 15 minutes to speak.

Mr. Parkhurst stated he is coming to the board tonight to discuss a matter, he believes, of constitutional proportion. For 23 years, per Illinois Minimum Courtroom Standards, provisions shall be made for the electronic recording of the proceedings. That has not occurred, and is still not in compliance. It is the responsibility of the County Board to ensure that this policy or standard has been instituted. Without that, that rules there is no record being made in court proceedings. Anybody can go into a courtroom and say anything, and it's especially egregious in what he has experienced. Not only has it been done, but it has been done outside his presence. Ex parte communications at an ex parte hearing. An officer of a court of law having communications with one of the litigants outside the presence of that litigant and it not being recorded. It has numerous, he can name at least five, harms and/or injuries. He intends to take this before the Illinois Supreme Court. At least three departments, and people this board employees, Sangamon County employees, has hindered him and obstructed him. Now they intend, it is believed, to attempt to challenge his fitness, but they have been too late. When he puts in a motion for a substitution of judges for a cause, per statute, a hearing shall be heard or conducted before another judge not named. Since he has named the entire 7th Circuit to include the Chief Judge Belz, who is required by this Illinois Minimum Courtroom Standard, that if need be, to put in a waiver, which is not an open-ended waiver. And, when this statute will be complied with, decides not to follow even that statutory mandatory language. When a statute or our Constitution states in plain, clear, unambiguous language; our Supreme Court seems to think it's mandatory in nature.

See People V Geiler, 2016 this year, come down from the Illinois Supreme Court. See the petition litigation, of which it's a little confusing, since Judge Belz wrote the opinion stating that it was constitutional, and part of that came out from the Illinois Supreme Court was the plain, clear unambiguous language of our Constitution. Now that just doesn't stop here at the board level. He can take certain of this and challenge certain actions of their legislatures, who are violating the Illinois State Constitution, the plain language, by the uses of the word forbidden. He has seen local governments, to include Sangamon County and the City of Springfield, use public funds for sectarian or religious groups. Per their Constitution, that is forbidden. Back when that Constitution was adopted by the people, and a Constitution is not the government's ability to limit the people, it's the people's ability to limit the government. When that was adopted, and is now what he believes to be criminal in nature and not just in violation or criminality of their Constitution. He intends to seek this before the Illinois Supreme Court. When he had a state's attorney obstructing justice and not upholding the law. When he had a state's attorney telling people they can drink and drive depending on certain circumstances or preferential treatment or the appearance thereof.

Some of these, he believes, are fireable and jailable, and for this body to either continue to be unaware or not taking action on at least the Illinois Minimum Courtroom Standards and letting these courtrooms offer some semblance of a court of law, let alone a constitutionally constituted court of law. He will be presenting certain arguments and he just expects that certain employees here that have a severe conflict of interest would voluntarily recuse themselves, or at least have the common human decency to allow a United States citizen, a citizen of the State of Illinois, of Sangamon County, of the City of Springfield, a Veteran who served his country honorably, because what's appearing to occur up there by certain of the alleged offices of the court of law is they think they are above the law. They have a library here in town and they celebrate, all the time, different events around this individual. One of his quotes was "We the people are the guardians of the courts and legislators, not to overthrow the Constitution, but to overthrow the men that would pervert the Constitution". He believes such perversions have occurred, are occurring and continue to occur. He's had enough.

This has been going on for four years. This started on 6/6/2012 when an individual was allowed to come into a Sangamon County courtroom, before an alleged officer of the court of law, swear out some complaint or say something because the petition is granted and I or you or anybody else will never be able to know what was said on that exact date and time. That's not constitutional. That doesn't even make any sense. And, if they can do it to him that means he can go in there and say it to any one of you guys. It's like going to a police officer making a police report, or not even making a police report, just saying "I want that guy arrested, go arrest him". You are arrested, you're jailed and you can't get a police report, then at later hearings they say "Well you can't even call him as a witness". He's been told as far as he's concerned and what he will be arguing before or discussing with the Supreme Court to see what they think, he believes that judge became a witness, a material witness on that date and time. There is no record; he had ex parte communications; he's had another officer of a court of law explain to him, after he called up his office, that he couldn't even listen to this because having any type of communication with one of the litigants is ex parte communications and a violation of the judicial codes. Yet he feels that he can do it himself.

For him, he has three things that really, since childhood, have ticked him off. Three attitudes he believes will keep an individual or nation or a collective of individuals in their infancy. Do as we say, not as we do; why because we said so; why it's always been done this way. Now they have legislators over here in the statehouse saying they are above the law in certain respects. That is not constitutional, it's not what he believes in, it's not what he stood up and fought for and took an oath for when he joined that service. Every serviceman stands up and takes an oath, in part, to uphold and defend its Constitution from all enemies both foreign and domestic. Tyranny has been defined by one of their Presidents as "When it's legal for the government but illegal for the citizens". That is Thomas Jefferson. This gets heavily involved. He has written, he doesn't know how many, hundreds of pages of motions and affidavits. He puts all his stuff down in writing. Now when they are blatantly violating his constitutional rights and are not adhering to statutory laws, when they are not even placing it on record. He doesn't even know if this is on record. He asked if this is being recorded. County Clerk Gray stated this is being recorded. He has more rights down here talking to you people than he does in a court of law. He will be asking for a transcript of this, word for word, so he can present this before the Illinois Supreme Court.

He would love to hear their reaction because it appears, by certain alleged offices of the court of law and their response, they are either in direct criminal contempt now of the jurisdiction of the Illinois Supreme Court, its members, Illinois Minimum Courtroom Standards, certain statutory laws and the mandatory language. Now, he does not know how long this has been going on but he is standing up for it and against it. It is unacceptable behavior. It is unacceptable behavior of any employee, of the Sangamon County Board, who in their supervisory duties and responsibilities are to ensure that public safety, number one, is not being harmed and at least the people they are paying to prosecute and enforce the laws are indeed themselves abiding by the laws.

Chairman Van Meter noted to Mr. Parkhurst that he has five minutes remaining to speak.

Mr. Parkhurst continued. He stated he is trying to be as civil as he can in this. He will work with anyone, but when an officer of a court of law and their behaviors come to the point where he considers it either criminal in nature, civilly tortious, and they have become less than effective assistants of council. They have become more assistants of council or representation under any kind of constitutional law. When people can go up there, like he said, in a courtroom and do what they have done and just try to hide the fact, when they obstruct justice, when they interfere in the judicial mechanisms of a courtroom, perpetrate or perpetuate fraud upon the court, these are all serious serious violations and allegations and he takes them as such. When he is told or being told that he is the one that is unfit, or excuse him, he got there first. Under that motion for substitution of judgement for cause, that is also a question of their fitness. He has already gotten two other ones here in Sangamon County granted without the hearing, and he has successfully argued and had three appellate court panel members recused for cause or questioned of their fitness. They attempt to supersede or not abide by the plain language of the law and say "Well no we are going to try to prove you unfit". He just wants to make sure that this board knows they are asking you people to be complicit in their criminalities and civil torts. Just like they are now asking, it appears, the Illinois Supreme Court. He hates to even give the inference or the appearance that they think because certain were appointed by certain members of the Illinois Supreme Court that they've got some sort of back door in or something.

Chairman Van Meter noted to Mr. Parkhurst that he has two minutes remaining to speak.

Mr. Parkhurst continued. He would appreciate them informing the Public Defender's Office, the State's Attorney's Office, and let's not forget about the Sheriff's Department. When he gets served a piece of paper on the date and time of his birth in 2015 and was told by a Deputy Sheriff that it was coming down from the authority of Wes Barr himself, witnessed by two people at his place of residence, he takes that as a direct threat to his life. A direct threat coming from the Sangamon County Sheriff's Department. He will present this before the Illinois Supreme Court. Perhaps even rise to the level of federal complaints, criminal complaints, and civil complaints. He urges this body to take this seriously and get these employees out of his life, or at least separate it because they have a severe conflict of interest. He is trying to temperate this so it doesn't become a severe conflict of interest, and he can work with this County Board to perhaps restore some semblance of those courtrooms being a constitutionally constituted court of law.

He will just end with that. He thanked them for their time, but he does want to read perhaps some other things. He has posted certain things on line and you can find them. Even his court records are free and up there. He has offered to take a lie detector test and he would do one right here, or any other truth serum. It's truth that liberates. "They must find it difficult those who have taken authority as truth, rather than truth as authority." That is from Gerald Massey. "No problem can be solved by the same level of conscious that created it." That is from Albert Einstein. "The Constitution is not an instrument for the government to restrain the people, it is an instrument for the people to restrain the government – lest it come to dominate our lives and interests." That is from Patrick Henry.

Chairman Van Meter noted to Mr. Parkhurst that time was up.

Mr. Parkhurst read one more quote. "I prefer to be true to myself even at the hazard of incurring the ridicule of others, rather than to be false, and incur my own abhorrence." That is from Frederick Douglas. Mr. Parkhurst thanked them for their time. They have his contact information. He talked to Mr. McFadden earlier this afternoon. He would like some kind of assurance or response so that he can either temper or adjust his response on how to best proceed and present this before the Illinois Supreme Court as far as it concerns the County Board and their reaction to what he has said tonight. He urged them to do some investigation themselves. He thanked the County Board.

Chairman Van Meter thanked Mr. Parkhurst.

ADJOURN

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to adjourn the meeting to October 11, 2016 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING ADJOURNED

Don Gray
Sangamon County Clerk