

**Bruce E Cannon
Chairman of the Board
County of Shelby
301 E Main St
Shelbyville, IL, 62565**

August 22, 2020

Gina Vonderheide
Shelby County States Attorney
Shelby County Courthouse
301 E Main St
Shelbyville, IL 62565

RE: Alan Spesard

Dear Ms. Vonderheide.

Alan Spesard has been the Shelby County engineer for over 20 years. I have been on the board for 12 years, and this is my second term as Chairman. During my term Alan has also been employed by the City of Shelbyville assisting them with municipal engineering of bridges, roads, sidewalks etc.

It has been alleged that Mr. Spesard's work described above has been illegal. Specifically, it has been alleged that his work violated Article VIII Section 1(a) of the Illinois Constitution, "Public Funds or Property or credit shall be used only for public purposes." It has also been alleged that this work violated the terms of his contract with Shelby County that stated, "The County Engineer shall devote his full time and attention and the best efforts to the work of the Shelby County Highway Department and shall not actively conduct other business unrelated to the Shelby County Highway Department during normal business day and hours."

This term has existed since Alan's employment began. The previous County directors and management verbally waived this contract term, not just during my term as Board Chairman, but during terms of board Chairman's over the entire term of Mr. Spesard's employment. The city and county work hand-in-hand and the County Board members that were engaged knew of Mr. Spesard's efforts and the practice of co-engineering has been maintained for many years. The work Mr. Spesard has done has not interfered with his County work.

The agreement which was verbal could have been documented better. But it is in my understanding that County Engineers employed prior to Mr. Spesard has similar arrangements. Since it has always been done that way it never occurred to me to have an attorney draft an intergovernmental agreement, or that we needed to include something in the contract with Mr. Spesard that allowed this working arrangement, or that we need to remove the contract term that has been quoted.

Spesard

Page2:

It has further been alleged that Mr. Spesard has committed the crime of Official Misconduct. I am not a lawyer, but the statute provides that to commit this crime, a person must perform an act that he was forbidden by law to perform.

Having been verbally asked to perform the duties of Municiple engineer at time of hire and the duties have been performed over the term of Mr. Spesard's hire. How could this be a crime? The County Board has in this case gone along with the verbal agreement. The County and City have encouraged Mr. Spesard to perform the engineering work that has led to new roads, bridges, and sidewalks.

It is my position that the County has not suffered any loss of any kind and because of the work arrangement described. While Mr. Spesard provided incredible value for both the City and the County. Therefore, I am requesting your assistance as the attorney for the County Board subject to full board approval to work with Mr. Spesards attorney and the City of Shelbyville to revise Mr Spesards contract, and draft an intergovernmental agreement to permit him to conduct business using County resources on County time in accordance with past practices, so long as he performs all of his County work in a satisfactory manner.

Sincerely,



Bruce E Cannon
Chairman Shelby County Board

Cc: Alan Spesard
Todd Goebel
Jeff Johnson, Mayor City of Shelbyville, IL ✓