

LIVINGSTON COUNTY BOARD
MINUTES OF January 15, 2015 MEETING OF THE COUNTY BOARD

OPENING

Chairman Fannin called the meeting to order at 6:00p.m., in the County Board Room of the Historic Courthouse, 112 W. Madison, Pontiac, Illinois.

Bob Young presented the invocation, with Jim Carley leading the Pledge of Allegiance.

The clerk called roll with the following **present:** Justin Goembel, James A. Carley, Robert F. Weller, Mark Runyon, William Mays, Daryl N. Holt, Stanley R. Weber, John “Jack” Vietti, David W. Heath, Kelly Cochran Cohlman, Joseph D. Steichen, Tim Shafer, Bob Young, Paul A. Ritter, William G. Flott, Vicki Allen, Marty Fannin, Ronald L. Kestner and William H. Peterson **Absent:** Kathy Arbogast, John L. Yoder, G. Michael Ingles and Carolyn Gerwin **Vacancy:** Joan Bullard

Also Present: County Clerk Kristy Masching, Administrative Resource Specialist-Alina Hartley, Treasurer Barbara Sear, June Slagel-Finance Resource Specialist, State’s Attorney Seth Uphoff, Attorney Tom Blakeman, Zoning Administrator Chuck Schopp, County Highway Engineer-David Winters, Adam Dontz-GLCED, Kevin Lindeman-North Central Illinois Council of Governments and Donnie Simmons-Public Health Department Environmental Health Specialist

BOARD APPOINTMENT TO FILL DISTRICT #2 VACANCY - JASON BUNTING

Chairman Fannin stated that he was recommending that Jason Bunting be approved to fill the District #2 vacancy. *Motion by Steichen, second by Allen to approve the recommendation of Jason Bunting to fill the District #2 vacancy.* **Ayes:** Goembel, Carley, Weller, Mays, Holt, Weber, Vietti, Heath, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin and Peterson **Nays:** None **Present:** Runyon and Kestner **Absent:** Arbogast, Yoder, Ingles and Gerwin **Vacancy:** Bullard

SWEARING IN OF BOARD MEMBER

County Clerk Kristy Masching administered the oath of office to Jason Bunting, as the newly appointed District #2 Board member.

PRESENTATIONS

At this time, Chairman Fannin recognized and presented a certificate of appreciation to June Slagel, the county’s Finance Resource Specialist, who will be retiring at the end of January.

AGENDA

Chairman Fannin asked that item #3. Ag & Zoning be moved to item #1 under V. Action agenda, A. Committee Reports. *Motion by Steichen, second by Ritter to approve the agenda as revised.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

APPROVAL OF MINUTES

Chair Fannin called for approval of the December 1 and December 11, 2014 minutes. He noted that in the December 11th minutes, it made reference to the District #1 vacancy, which should be corrected to read “District #2 vacancy”. *Motion by Holt, second by Flott to approve the December 1, 2014 minutes as presented and the December 11, 2014 minutes with the noted revision.* **MOTION CARRIED UNANIMOUS ON VOICE VOTE.**

PRESENTATION

None

APPEARANCES

None

CONSENT AGENDA

- A. Approval of Bills
- B. Appointments
 - a. **Brittani Gray** - Livingston County Housing Authority, unexpired three year term commenced May 2015 – May 2018 (replaces Norma Norton).
 - b. **Joan Bullard** – Sheriff’s Department Merit Commission, Republican representative, term commencing January 16, 2015.
 - c. **Terry Sullivan** – Sheriff’s Department Merit Commission, Republican representative, term commencing January 16, 2015.

Motion to approve the consent agenda by Young, second by Ritter. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Bunting, Goembel, Carley, Weller, Mays, Holt, Weber, Vietti, Heath, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin and Peterson **Nays:** None **Present:** Runyon and Kestner **Absent:** Arbogast, Yoder, Ingles and Gerwin

AG & ZONING

Zoning Case ZT-2-14 (Ordinance #2015-01-03): Zoning Regulation Text Amendment – Six Month Moratorium - Attorney Blakeman presented a brief history on the series of events leading up to this action. The proposal originated last fall at an A&Z meeting, from an attendee who was in opposition of the wind farm. The process was set into motion with the county submitting a notice to the ZBA for consideration of a six month moratorium, gave notice and held a public hearing. As a result, the ZBA is recommending to the Board that a six month moratorium be in effect, commencing January 15 and expiring July 15, 2015 and may be extended by further county board action. It does not apply to the pending Invenergy (Pleasant Ridge) application. Discussion followed. *Motion by Flott, second by Ritter to approve Zoning Case ZT-2-14 (Ordinance #2015-01-03): Zoning Regulation Text Amendment – Six Month Moratorium.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Bunting, Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Cohlman, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson **Nays:** Heath and Steichen **Absent:** Arbogast, Yoder, Ingles and Gerwin

Proposal: Patrick Engineering – Chair Flott explained that the committee had decided that an unbiased decommissioning study on wind energy systems was needed and were recommending Patrick Engineering to do so. Zoning Administrator Chuck Schopp stated that this was a follow-up to a discussion held at last week’s committee meeting. This issue has come up repeatedly throughout the hearing process from both sides and warrants further investigative review. He noted that the scope of services identifies ten components for review, at a proposed cost of \$7,600.; \$4,600 for the decommissioning cost estimate and \$2,700 for additional application information review. Chuck explained that they are asking for approval of the \$7,600 tonight; with \$4,900 to be spent on the decommissioning study and asking that he and Chairman Flott be authorized to spend up to \$2,700 for further application review with noise standards, if needed. This expense will be paid out of the application fee. Chuck stated that it is his intention to provide the transcript of testimony, the decommissioning proposal presented at the hearing, as well as the two Invenergy proposals, for this study. It was suggested that the study include what the cost for road repairs would be after the decommission process was completed. *Motion by Flott, second by Young to approve the Patrick Engineering proposal.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Bunting, Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Heath, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Arbogast, Yoder, Ingles and Gerwin

Chuck announced the following hearing information: January 21st & 26th, at the PTHS auditorium (6:30 p.m.); January 22nd, at the Walton Centre in Fairbury (6:30 p.m.); January 29th, at the Walton Centre (6:30 p.m.). The ZBA will have a brief regular committee meeting on February 5th, at the PTHS auditorium (6:00-6:15 p.m.), followed by the continuation of the hearing session at 6:30 p.m. Chuck noted that the planning commission has to review the application regarding compliance to the comprehensive plan. He is adding that to their regularly scheduled February 2 meeting agenda. The ZBA was reviewing their zoning text amendment aspect with regards to property value guarantee and had tabled discussion until their February meeting.

FINANCE

County Clerk Semi-Annual Report – Clerk Masching presented an overview of the various fees collected and dispersed in her department for the last six months of 2014. She noted that of the \$266,526.14 collected in the daily cash account; about \$30,000 was collected and sent to Springfield for state imposed fees. She noted that the date for the Finance Committee meeting on her report should be changed to 2015, instead of 2014. *Motion by Shafer, second by Cohlman to approve the County Clerk Semi-Annual report for the second half of FY2014.*

MOTION CARRIED ON ROLL CALL VOTE. **Ayes:** Bunting, Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Heath, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson
Nays: None **Absent:** Arbogast, Yoder, Ingles and Gerwin

Treasurer’s Annual Report – Treasurer Sear presented a brief summation of her report. She explained that the report was on a cash basis and included a comparison of this year’s expenditures versus last years. She highlighted the following points: income in the general fund was up somewhat; special revenue funds income was down; transferred \$500,000 less from the landfill fund; expenses down \$70,000; ended up with an ending cash balance of \$3,119,000; and the Pontiac Host Agreement Fund’s ending cash balance was up \$2.3million over last year since building construction and renovations have been finalized. *Motion by Shafer, second by Vietti to approve the Treasurer’s Annual report for FY2014.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Bunting, Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Heath, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Arbogast, Yoder, Ingles and Gerwin

Resolution (#2015-01-01) State’s Attorneys Appellate Prosecutor - State’s Attorney Uphoff explained that this resolution is passed annually. The State’s Attorneys Appellate Prosecutor’s Office handles all the appeal cases as well as all the special prosecution cases for all of the counties in Illinois. The assessed fee enables the office to continue providing these services for the counties. The fee did increase this year to \$15,000 which was a \$2,000 increase over last year’s fee. Seth stated that the fee hadn’t increased in many years and was well worth the services provided. *Motion by Shafer, second by Kestner to approve the State’s Attorneys Appellate Prosecutor resolution.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Bunting, Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Heath, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Arbogast, Yoder, Ingles and Gerwin

Lincoln Bust – Chairman Fannin explained that he had run across two bronze Abraham Lincoln busts which he thought would be a good addition to the county. He had presented the information to the Finance Committee who recommended forwarding it on to the full board. One of the busts was made by the artist who had crafted the Lincoln statue on the south side of the Historic Courthouse. The other bust is one of three, with the other two residing in the Oval Office and the George W. Bush Library. The combined price for the two busts is \$2,000. Discussion followed with it being suggested that the busts be paid for with private funding from board members, county department heads and members of the public wishing to donate. *Motion by Holt, second by Weller to approve the purchase of both Lincoln busts, to be reimbursed from board members and public donations.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Bunting, Carley, Weller, Mays, Holt, Weber, Heath, Cohlman, Shafer, Young, Ritter, Flott, Allen and Fannin **Nays:** Runyon, Vietti, Steichen, Kestner and Peterson **Present:** Goembel **Absent:** Arbogast, Yoder, Ingles and Gerwin

Chair Shafer paid tribute to retiring Finance Resource Specialist, June Slagel. He commented that she was wonderful to work with, and was a great benefit to the citizens of Livingston County.

HIGHWAY

Chair Holt introduced David Winters-County Highway Engineer, who reviewed **Action Agenda** items as follows:

1. **Letting Results:** January 6, 2015
2. **Resolution (#2015-01-02):** Resolution appropriating \$50,000 from the County Aid to Bridge Fund for the local agency share of the replacement of Structure No. 053-4021 carrying 1000N

Road over Hickory Creek in Eppards Point Rod District. Livingston County coordinates 1595, 1000N.

3. **Agreement: Local Agency Agreement for Federal Participation:** Federal-Aid Agreement for replacement of Structure No. 053-4021 in Eppards Point Road District, Section 10-08125-01-BR. Estimated Cost = \$250,000. FHWA \$200,000., Local Agency \$50,000.
4. **Bridge Petition:** Sunbury Road District Section 14-20000-01-AB, Replace existing 30” x 48’ CMP in kind @ 1432E, 3300N. Estimated Cost = \$4,000.
5. **Quarterly Report:** 4th Quarter FY 14

Motion by Holt, second by Runyon to approve the Highway Action items #1-#4, with one roll call vote. Discussion was held. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Bunting, Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Heath, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Arbogast, Yoder, Ingles and Gerwin

Other Items: Chair Holt noted that the bridge work would extend the life of the bridge for another twenty years. They also had met with Russ Middleton on the proposed design for the building/restroom addition. He proposed soliciting a quote from another agency since Middleton’s estimate came in higher than anticipated.

ADMINISTRATIVE

Resolution (#2015-01-06): Comprehensive Economic Development Strategy – Adam Dontz-GLCEDC and Kevin Lindeman-North Central Illinois Council of Governments were on hand to present information on this request. They explained that the chief benefit of approving this strategy would be the EPA public works infrastructure grants which Livingston County and its municipalities would be eligible for, once this plan was adopted. It also provides a blueprint for improving the economic development conditions within the county. The county became eligible for funding to do the economic development strategy along with developing a recovery strategy, due to the number of jobs lost with the closing of K-Mart and the Dwight Correctional Center. *Motion by Weller, second by Cohlman to approve the Comprehensive Economic Development Strategy resolution.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

PUBLIC PROPERTY

Easement: Futures Unlimited-CIRBN- Vice-Chair Weber (in the absence of Ingles) reported that the committee had passed the easement, which would make it easier for Futures to have broadband access. *Motion by Weber, second by Flott to approve the easement for CIRBN for Futures Unlimited.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

ELECTION, RULES & LEGISLATION

Amendment: Water Ordinance (#2015-01-04) – Donnie Simmons, Environmental Health Specialist reviewed the proposed changes to Chapter 22, Article III-Water of the Counties Code of Ordinances. Most of the changes are mandated as a result of legislative action and pertain to new water wells. *Motion by Vietti, second by Ritter to approve the Water Ordinance amendments.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

SHERIFF, JAIL & LICENSE

Liquor License Application: CLASS B- 4 Corners – Clerk Masching explained that this was a new application for a Class B bottle & draft beer liquor license. The States Attorney had reviewed and had approved the paperwork received so far. The \$250 bond paperwork hadn’t been received yet, but had been informed last week that it would be forthcoming. *Motion by Kestner, second by Ritter to approve the license for 4 Corners, contingent upon receipt of the bond.* Discussion followed with concern being raised that the license shouldn’t be approved until the bond had been submitted. Therefore, Kestner withdrew the motion and Ritter withdrew his second to the motion. Consensus was to table the item. *Motion by Steichen, second by Goembel to table this item.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE**

Liquor License Amendment: Class C-Pontiac Sportsman Club – Masching reported that the Sportsman’s Club had submitted paperwork due to a change in their officers. The States Attorney had reviewed and approved

the paperwork. *Motion by Peterson, second by Cohlman to approve the change in officers for the Pontiac Sportsman's Club.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE**

INFORMATION & TECHNOLOGY

No report

PERSONNEL

Vice-Chair Cohlman (in the absence of Arbogast) reported that the committee is working on a policy regarding promotions and elected officials within the county.

VETERANS

Chair Steichen noted that expenses are way down compared to a year ago, due to the declining price of gas and heating fuel. Joe asked Paul Ritter to elaborate on a veteran's project his students had been working on in Odell Twp. The headstones of some of the civil war veteran's graves were no longer legible and had been destroyed due to weather and acid rain conditions. Paul's students did extensive research and discovered the identity of the veterans as well as some of their life history. They are also working with Pontiac Granite to obtain stones to replace the destroyed ones, thus giving identity back to the soldiers. A dedication ceremony is planned for early spring. Joe invited everyone to attend a presentation the students will be making to the commission on January 26th at the Veteran's Office in the Regions Bank Building.

PUBLIC COMMENT

Chair Fannin asked that comments be held to five minutes per person for a total of thirty minutes. Some comments heard by participants follow. The board was reminded that when we die we pass on whatever we possess to future generations and were asked to consider this in all their decisions. Appreciation was voiced to the board members who had been attending the wind farm hearings and for implementing the moratorium. They hoped the process would help them to make an informed decision when the time came. Bob Young and Jason Bunting recognized the Matt & Jenna Kilgus family from Fairbury for being selected as a runner-up for the National Achievement Award, at the American Farm Bureau Federation's annual meeting. The National Achievement Award is based on their farming operation, community work and Farm Bureau leadership. They won an IH tractor for their hard work.

Break was held from 7:14-7:20 p.m.

EXECUTIVE SESSION

Motion to go into Executive Session pursuant to 5ILCS 120/2 (c) (11) Pending Litigation and 5 ILCS 120/2(c) (1) – Personnel Matters was made by Kestner, second by Ritter. **MOTION CARRIED ON ROLL CALL VOTE.**

Ayes: Bunting, Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Heath, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Arbogast, Yoder, Ingles and Gerwin

Executive Session began at 7:20 p.m.

Regular Session resumed at 8:05 p.m.

ACTION RESULTING FROM EXECUTIVE SESSION

Personnel Matters – *Motion by Holt, second by Runyon to submit Clay Metcalf's name to the Illinois Department of Transportation, as the candidate to take the examination for Livingston County Engineer.*

MOTION CARRIED ON ROLL CALL VOTE. **Ayes:** Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Heath, Shafer, Young, Ritter, Flott, Allen and Peterson **Nays:** Cohlman, Steichen, Fannin and Kestner
Present: Bunting **Absent:** Arbogast, Yoder, Ingles and Gerwin

COMMUNICATIONS/ANNOUNCEMENTS

None

ADJOURNMENT

The meeting adjourned at 8:10 p.m., on motion by Steichen, second by Bunting. **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.**

The next meeting is scheduled for Thursday, February 19, 2015 at 6:00 p.m., at the Historic Courthouse Board Room.

Marty Fannin, Chairman

Attest:

Kristy A. Masching
County Clerk

Approved

Minutes Bd 01-15-15