

**LIVINGSTON COUNTY BOARD
MINUTES OF May 14, 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.

The Rev. Dana Jumper of the Flanagan Christian Church presented the invocation, with Justin Goembel leading the Pledge of Allegiance.

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

Also Present: County Clerk Kristy Masching, Administrative Resource Specialist-Alina, Susan Real-East Central Illinois Area Agency on Aging, Tawnya Mack-Mack & Associates, Carol Flessner-Livingston County Mental Health, Zoning Administrator-Chuck Schopp, County Highway Engineer-David Winters, Attorney Tom Blakeman and Adam Dontz-GLCEDC.

AGENDA

Chairman Fannin asked for approval of the agenda as presented. *Motion by Arbogast, second by Holt to approve the agenda.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

APPROVAL OF MINUTES

Chair Fannin called for approval of the April 16 and 23, 2015 minutes. Justin Goembel asked that the April 16 minutes be changed to note that he wasn't absent; he had arrived after roll call was taken. *Motion by Bunting, second by Cohlman to approve the April 16 and 23, 2015 minutes with the noted change.* **MOTION CARRIED UNANIMOUS ON VOICE VOTE.**

PRESENTATION

Resolution (#2015-05-22) of Respect: George Knudsen - Chair Fannin read a Resolution of Respect in memory of George Knudsen, for his years of service to the county and to the County Board. Bill Flott also commended George and Germaine for their leadership in the complete renovation of the Livingston County Poor Farm Cemetery. They worked tirelessly to change it from an absolute disgrace to a respectful place for the county's poor. *Motion by Holt, second by Ingles to approve the Resolution of Respect in memory of George Knudsen.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Heath, Yoder, Cohlman, Steichen, Shafer, Ingles, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Mays, Vietti and Ritter

Resolution (#2015-05-23) of Appreciation: David Winters – Stan Weber read a Resolution of Appreciation in honor of David Winters-Livingston County Highway Engineer, for his 39 years of service to the county and presented him with an engraved gavel. Stan was on the committee which hired David in 1976. David expressed his gratitude for his years with the county and the confidence the board had placed in him during his tenure as County Engineer. *Motion by Weber, second by Holt to approve the Resolution of Appreciation in honor of David Winters.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Heath, Yoder, Cohlman, Steichen, Shafer, Ingles, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Mays, Vietti and Ritter

Resolution (#2015-05-24) of Respect: Carol Flessner - Chair Fannin read a Resolution of Respect in honor of Carol Flessner, for her 31 years of service to the county as Executive Director of Livingston County Mental Health and to the County Board. Carol also expressed her appreciation and commented that it had been her honor

to serve in this capacity over the years. She felt that she had the very best partner with the county board, and appreciated their generosity in looking out for residents of the county with disabilities. She also introduced her successor, Chris Myers. *Motion by Cohlman, second by Steichen to approve the Resolution of Appreciation in honor of Carol J. Flessner.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Heath, Yoder, Cohlman, Steichen, Shafer, Ingles, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Mays, Vietti and Ritter

East Central Illinois Area Agency on Aging – Susan Real-Executive Director, presented information on this not for profit organization which administers services for older adults, persons with disabilities, caregivers, and grandparents. They encompass a sixteen county-wide service area in east central Illinois which includes Livingston County. They administer about \$175,000 in state and federal funding in Livingston County. She thanked the board for the support they have provided to Livingston County seniors through their support of programs such as P.A.T.H., Prairie State Legal Services and the Livingston County Public Health Case Management Unit and asked for continued consideration of that support for seniors through the Community Care Program, administered by the Public Health Department, and sponsored by the Dept. on Aging. The Governor is proposing cuts to this program which would affect the 125 participants in Livingston County. She provided each member with a public information document which described their funding and planning for FY2016. Discussion followed. She explained that the Agency on Aging sponsors the Long Term Care Ombudsman Program which advocates for the rights of nursing home residents and will expand to cover participants in managed care programs (Medicare and Medicaid). PATH (Providing Access to Help/815-842-3484) is a senior services information program servicing Livingston County that provides a directory of available senior services. The 2-1-1 phone service provides information on all social services (including senior services).

Mack & Associates – Tawnya Mack presented highlights of the FY2014 audit report. She recommended the members read the Management’s Discussion and Analysis section (pages 4-13) as this section provides a snapshot of the county’s financial position. She noted that the county is in a good financial position with fund balances; they didn’t have any major findings, and corrective actions have already been put in place for minor issues. The Government-Wide Financial Statement showed the county’s assets ended the year at \$93.4 million, with liabilities coming in at \$3.1 million, for a total net position of \$90.3 million. She stated that the Statement of Activities indicates whether revenues generated by a program’s services cover their expenditures and commented that municipalities rely on tax revenues to cover any shortfalls. The Balance Sheet shows the Governmental Funds end of year assets at \$36.1 million, liabilities at \$1.6 million with a total fund balance of \$34.5 million, up from last year’s ending balance of \$32.4 million. This report excludes the Nursing Home. The Statement of Revenues, Expenditures and Changes in Fund Balances reflect end of the year revenues at \$23.3 million, up \$300,000 from last year. The end of year expenses ended up at \$21.3 million, down from \$21.8 million. The **General Fund** (page 54) ended the year with revenues of a little less than \$13.2 million, down from \$13.6 million. This decrease was mainly in fees for services (primarily in court costs), which was common in most counties they audited this year. Total expenditures ended at \$11.8 down from \$12.3 million. The ending fund balance was \$27.3 million, up from \$25.6 million. *Motion by Steichen, second by Holt to approve the FY2014 Audit/Financial Report as presented.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Heath, Yoder, Cohlman, Steichen, Shafer, Ingles, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Mays, Vietti and Ritter

Mental Health Annual Report - Carol Flessner-Mental Health Director, presented information from her annual report. She stated that the mental health system had a pretty good year serving the residents of Livingston County. The 708 and 377 levies served entirely or in part 4,486 unduplicated Livingston County residents, an increase of 1,324 individuals served over the previous year. A major source of the increase is in the mental health services that the Institute for Human Resources (IHR) is providing in the five OSF medical practices located in Cullom, Chatsworth, Dwight, Fairbury and Flanagan. This program is funded by the Livingston County Mental Health 708 Board. The program has been very successful and since its inception four years ago, accounts for 1,122 new unduplicated individuals served. IHR served over 3,818 unduplicated clients. A pilot program launched this past year; with funding from the Mental Health Board, provided counseling to students in the Dwight, Pontiac and Prairie-Central High Schools. Futures Unlimited has a new industry called “SeedBallz”.

This program provides employment for individuals with developmental disabilities. They produce tiny clay balls which contain flowers, herbs and vegetables which are ready to plant. The ADV & SAS continues to provide crisis intervention, shelter, advocacy and education to victims of domestic violence and sexual abuse. She commented that Livingston County has been recognized throughout the state as having one of the best mental health systems in the state, which she attributes to having a collaboration of people who are willing to work together to create a system of unduplicated services. State funding for next year is uncertain, with many community based providers not receiving a state funding increase for the past eight years. A big part of her job has been to advocate for the county on the state level. It has been her honor to serve the citizens of Livingston County. *Motion by Cohlman, second by Steichen to approve the FY2014 Annual Mental Health Report.*

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

APPEARANCES

None

CONSENT AGENDA

A. **Approval of Bills**

B. **Appointments**

- a. **Charles Cole** – Reading Fire Protection District, three year term commencing May 4, 2015 and expiring first Monday of May 2018
- b. **Richard Myers** – Reading Fire Protection District, three year term (retroactive to May 2014) and expiring first Monday of May 2017
- c. **James McCabe** – Pontiac Rural Fire Protection District, three year term commencing first Monday of May, 2015 and expiring first Monday of May 2018
- d. **Duane Meister** – Cullom Fire Protection District, three year term commencing first Monday of May, 2015 and expiring first Monday of May 2018
- e. **Mike Ingles, Livingston County Board Member** – ETSB, three year term commencing May 14, 2015 and expiring May 1, 2018
- f. **Bill Flott, Livingston County Board Member** – ETSB, three year term commencing May 14, 2015 and expiring May 1, 2018 (replaces Dee Woodburn)
- g. **Paul Johnson, Dwight Fire Chief** – ETSB, three year term commencing May 14, 2015 and expiring May 1, 2018 (replaces Joe Stock)
- h. **Mike Frickey, Fairbury Police Chief** – ETSB, two year term commencing May 1, 2014 and expiring May 1, 2017 (Retroactive to May 2014)

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

HIGHWAY

Chair Holt read the following resolution.

1. **Resolution (#2015-05-25):** Resolution appointing Clay A. Metcalf Acting County Engineer effective June 2, 2015 and requesting consent of the Illinois Department of Transportation.

Discussion followed with it being noted that they have been interviewing and have narrowed the field down to two candidates. The committee will make their recommendation after the interview process has been completed. *Motion by Holt, second by Runyon to approve the resolution appointing Clay A. Metcalf as Acting County Engineer and requesting consent of the Illinois Department of Transportation.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Heath, Yoder, Cohlman, Shafer, Ingles, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** Steichen **Absent:** Mays, Vietti and Ritter

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

2. **Resolution (#2015-05-26):** Resolution appropriating \$15,000 from the County Aid to Bridge Fund for substructure repair of S.N. 053-3804 located on CH 1 at 3105E, 2700N, Section 15-00000-00-AB.
3. **Resolution (#2015-05-27):** Resolution appropriating \$115,000 from the County Aid to Bridge Fund for replacement of S.N. 053-3778 located on CH 13 at 926N, 700E, Section 15-00098-00-DR.
4. **Bridge Petition:** Owego Road District, replace existing 36" x 34" and 24" x 34" CMP's with a 54" x 42" ERS CMP @ 1950N, 2000E, Section 15-19000-00-AB. Estimated Cost = \$5,000.
5. **Bridge Petition:** Odell Road District, substructure repair of S.N. 053-3332 at 2630N, 2300E, Section 15-18000-00-AB. Estimated Cost = \$30,000.

*Motion to approve Highway Action items #2-#5 with one roll call vote by Holt, second by Weller. **MOTION CARRIED ON ROLL CALL VOTE.** Ayes: Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Heath, Yoder, Cohlman, Steichen, Shafer, Ingles, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson Nays: None Absent: Mays, Vietti and Ritter*

Other Items: David gave a brief synopsis of the bridge work being done on a portion of 1000N Road which made it necessary to close a portion of the Weston blacktop (about 1.5 miles north of Weston). The project is estimated to take up to three months to complete.

AG & ZONING

Zoning Case SF-2-15 Stone Lakes Estates – Zoning Administrator Chuck Schopp explained that this was a follow up to the preliminary map of the subdivision which was presented earlier in the year. The final plat differed slightly from the original in that the road on the north side was widened to sixty feet to allow for development on the north side of the lake and the lot lines on the south were extended to Route 24. This proposal has been recommended by both the Planning Commission and the Ag, Zoning and Emergency Services Committee. *Motion by Flott, second by Peterson to approve the final plat for the Stone Lake Estates Subdivision. **MOTION CARRIED ON ROLL CALL VOTE.** Ayes: Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Heath, Yoder, Cohlman, Steichen, Shafer, Ingles, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson Nays: None Absent: Mays, Vietti and Ritter*

Extension: Moratorium – Chuck stated that this item is in regards to an extension to the six month moratorium on processing any special use applications for the construction of WECS. The committee has proposed a three month extension. Chuck had included a copy of a letter from James Griffin (County's consulting attorney) citing his reasons for recommending a three month extension. Attorney Blakeman has drawn up the proposed text amendment proposing the three month extension. Chuck stated that this would be similar to the six month text amendment, with public hearings to be held before the ZBA in June and then return to the Board in July. *Motion by Flott, second by Goembel that the Livingston County Board directs and instructs to the Livingston County Zoning Board of Appeals to send notice and conduct public hearings on a proposed zoning text amendment to Chapter 56, Schedule VIII, Code of Ordinances, Livingston County, Illinois, proposing a three (3) month extension to the existing moratorium on Livingston County, Illinois, delaying the processing or acting upon any special use applications for the construction and operation of a wind energy conversion system filed after the date an ordinance is adopted by the County Board authorizing the moratorium as a text amendment. The Chairman and Secretary of the County Board are authorized to sign the Application for a Zoning Text Amendment and submit it to the attention of the Livingston County Zoning Administrator for processing.* Discussion followed with Attorney Blakeman explaining what happens if the ZBA doesn't get the text amendment back to the Board before the October 15th deadline. Blakeman stated that the current moratorium expires on July 15th. He cited case law which states that a legislative body has a right to amend its zoning ordinance and may refuse to process or act upon any activity when there is an amendatory ordinance pending which will prohibit the proposed activity. So, as long as you get this application for the zoning text amendment on file tonight, then you are in the process of amending it. You have a right to put it on hold until the ZBA acts. Any applications received during that time would be put on hold. Blakeman also noted that nine months has been scrutinized by the Appellate Court, anything beyond that is unknown territory. The moratorium excludes any WECS applications filed prior to

January 15th and would continue through October 15, 2015. **MOTION CARRIED ON ROLL CALL VOTE.**
Ayes: Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Cohlman, Shafer, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** Heath, Yoder, Steichen and Ingles **Absent:** Mays, Vietti and Ritter

Other Items: The Pleasant Ridge hearings will continue on May 20th, at 6:30 p.m. in the County Board room. Another hearing is scheduled for May 21st, in Fairbury, but a site hasn't been confirmed at this time. With regards to fire protection district training on wind energy systems, one of the conditions is that the company will assist the districts in developing an emergency response plan for the project. Chuck had attended one of the power point training sessions and was very impressed with the information presented in the event of a fire/accident. It was pointed out that our volunteer emergency responders do not have to go up in to the wind towers.

FINANCE

Agreement: Property Tax Abatement – Adam Dontz-GLCEDC provided information on the first tax abatement recipient, Selig Sealing Products, Inc., located in Forrest. Selig has met the criteria for the ten year tax abatement: building over 25,000 square feet; capital investment is over \$1.5 million; employ over 134 people at their Forrest facility; and meet the wage criteria of eighty workers or more receiving compensation of \$29,201. This proposal has passed the legal review of Attorney Blakeman and favorable support of the Finance Committee. Information on this program will be in the newspapers, on the radio, the GLCEDC website podcasts, in site selector magazines and they will be participating in a site selector symposium in Chicago. *Motion to approve the Property Tax Abatement Agreement with Selig Sealing Products, Inc. by Shafer, second by Cohlman.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Heath, Yoder, Cohlman, Steichen, Shafer, Ingles, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Mays, Vietti and Ritter

Adam also reported that the Fundamentals of Modern Manufacturing Workforce Training Program with Heartland Community College, has scheduled a graduation ceremony for its third work class session at noon on Friday, May 29th, in the County Board Room. They have graduated about 40 students since the program started a year and a half ago.

Chair Shafer reported that the budget season is here and that the committee and board would be working to reverse the operating deficit over time.

INFORMATION & TECHNOLOGY

Chair Allen reported that the committee approved a summer internship position which will run June through July, Monday-Friday (8:00-3:00pm), for approximately 32 hours per week. The individual selected for this position is Blake Whittle, who has currently been helping with the windfarm hearings.

ELECTION, RULES & LEGISLATION

No report

PERSONNEL

No report

SHERIFF, JAIL & LICENSE

No report

PUBLIC PROPERTY

Chair Ingles reported the following: discussed various county property issues with Chad regarding items needing to be fixed, which would make day-to-day processes more efficient; hired a new mechanic who has much experience in the issues being addressed; and are reviewing a 2010 H&E assessment study, to help determine which direction to take with the building, considering its significant mechanical deficiencies.

ADMINISTRATIVE

No report.

VETERANS

Chair Steichen noted that their regular June 1st meeting would be re-scheduled to a later date.

LIVINGSTON COUNTY HOUSING AUTHORITY

Kelly Cohlman invited everyone to attend their next meeting which is scheduled for Wednesday, May 20th at 1:00 p.m., at 903 West North Street, Pontiac.

RECREATION

Joe Steichen stated that there will be a meeting on the Bicycle Network Master Plan on May 19th, at the Historic Courthouse Board Room, from 6:00 p.m. - 8:00 p.m. This meeting is open to the public and is being held to gather ideas and suggestions on the proposed bike path.

PUBLIC COMMENT

A current CAT employee and UAW 2096 union employee voiced her displeasure over Governor Rauner's "Turn Around Agenda" and encouraged members to sign a resolution in non- support. A businessman recommended that our auditors also provide us with a management letter which would include best practices.

EXECUTIVE SESSION

*Motion by Young, second by Kestner to move into executive session pursuant to: 5 ILCS 120/2 (c) (11) Pending Litigation. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Heath, Yoder, Cohlman, Shafer, Ingles, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** Steichen **Absent:** Mays, Vietti and Ritter*

There was a break from 7:52p.m. to 7:55p.m. Executive Session commenced at 7:55 p.m., open session resumed at 8:15 p

ACTION RESULTING FROM EXECUTIVE SESSION

*Motion by Steichen, second by Ingles, based on information presented in executive session, authorizing the State's Attorney to engage outside counsel for litigation purposes using the Pontiac Host Agreement Fund. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Heath, Yoder, Cohlman, Steichen, Shafer, Ingles, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Mays, Weber, Vietti and Ritter*

COMMUNICATIONS/ANNOUNCEMENTS

None

ADJOURNMENT

*The meeting adjourned at 8:18 p.m., on motion by Ingles, second by Kestner. **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.***

The next meeting is scheduled for Thursday, June 11, 2015 at 6:00 p.m., at the Historic Courthouse Board Room.

Marty Fannin, Chairman

Attest:

Kristy A. Masching
County Clerk
Minutes Bd 05-14-15.A

June 11, 2015
Approved