

LIVINGSTON COUNTY BOARD
MINUTES OF February 11, 2016 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.

Marty Fannin presented the invocation, with Tim Shafer 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, William Mays, Stanley R. Weber, John “Jack” Vietti, David W. Heath, Kelly Cochran Cohlman, Joseph D. Steichen, Tim Shafer, G. Michael Ingles, Bob Young, Paul A. Ritter, Carolyn Gerwin, William G. Flott, Vicki Allen, Marty Fannin, Ronald L. Kestner and William H. Peterson **Absent:** Daryl N. Holt and John L. Yoder

Also Present: County Clerk- Kristy Masching, Administrative Resource Specialist-Alina Hartley, County Highway Engineer-Clay Metcalf, Zoning Administrator-Chuck Schopp, Assessor-Shelly Renken and State’s Attorney-Seth Uphoff

AGENDA

Chairman Fannin asked that item VII. Executive Session-5ILCS 120/2 (c) (1) Personnel Matters, be removed from the agenda. *Motion by Runyon, second by Ritter to approve the agenda as revised.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

APPROVAL OF MINUTES

Chairman Fannin called for approval of the January 14, 2016 minutes. Carolyn Gerwin asked that one of her comments noted under the public comment session following the Economic Incentive Agreement, be amended to read: She believes they will make their decision *to stay* or go based on many factors and doesn’t believe the \$1.6 million is one of those factors *because it is too small an amount to be significant to Cat’s decision.* *Motion by Ritter, second by Weller to approve the January 14, 2016 minutes as amended.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

PRESENTATION

None

APPEARANCES

None

CONSENT AGENDA

- A. Approval of Bills
- B. Appointment: **Scot Wrighton** - Emergency Telephone System Board
(representing Streator)
- C. Appointment: **RT Finney** - Emergency Telephone System Board
(representing City of Fairbury in absence of Michael Frickey)

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

HIGHWAY

Committee Vice-Chair Runyon introduced Clay Metcalf- County Highway Engineer, who reviewed the **Action Agenda** items as follows:

- a) **Agreement:** Federal-Aid Agreement for resurfacing CH3 (Campus Road) between Campus (2700N)

and IL 116 (1700N), Sect. No. 08-00144-04-RS. Estimated division of cost = \$1,840,000 FHWA, \$37,000 State Matching Assistance and \$423,000 County Matching Tax Fund.

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

AG & ZONING

Zoning Case: ZT-1-16 Moratorium Extension - Committee Chairman Flott reported that this action would allow them to extend the moratorium until the meeting after the General Primary election. This proposed 230 day extension would allow them time to look at putting a WECS referenda question on the ballot, as well as time to receive an opinion back from the Attorney General's office on specific wind energy issues they had.

Motion by Flott, second by Young to approve the Moratorium Extension. Chuck Schopp explained that the 230 days would commence April 15 and expire November 30, 2016, which is the end of the current committee and county board term. He noted that since this is a text amendment, it would go back to the Zoning Board of Appeals, who would hold a public hearing, wait thirty days and send it back to the Board for official action at that point and time after the public hearing has taken place. They are also moving forward on trying to amend the text amendment of the wind energy section. Discussion took place. State's Attorney Seth Uphoff stated that he's contacted the Attorney General's office four-five times and has received the same response that it's still in the process. Gerwin asked that "to seek guidance from the Illinois Attorney General's Office", should be inserted after "public hearings (under section (c))", since that was the main reason for the extension. She feels that the current wording infers that we are still in the early stages when in reality some things have been accomplished. Chuck explained that he did not include this verbiage because it's been several months with no AG's opinion and no assurance of when it will be received. He noted that in order for the current board to take final action in November there was a need for them to be able to start the formal text amendment process earlier. This way they would have plenty of time to address the multiple scenarios or text amendments that may arise and take care of the amendment that most needs to be taken care of in November. He noted that the Zoning Board of Appeals would conduct a hearing on any presented amendment. Seth's opinion is that there could be debate on whether the verbiage should be changed, but if it's changed it could have to go back to committee. He feels that the proposed general language still covers everything that they are trying to do. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Goebel, Carley, Runyon, Mays, Weber, Vietti, Heath, Cohlman, Shafer, Ingles, Young, Ritter, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** Bunting, Weller and Steichen **Absent:** Holt and Yoder

PUBLIC PROPERTY

Vice-Chair Weber reported that he was impressed with the number of items that Chad is able to monitor and has changed to make real savings to the county in such areas with respect to water and heating control systems. He noted that many county buildings were without electricity for a long period of time during a recent storm and felt this issue needed to be addressed. Stan also felt that generators should be looked into. The committee spent the rest of the meeting discussing building management control with representatives from the Sheriff's Department. Negotiations are ongoing.

FINANCE

Resolution (#2016-02-06): Intergovernmental Agreement for Assessment Services: Nebraska Township – Committee Chairman Shafer reported that this agreement would be between Livingston County and Nebraska Township. Assessor Shelly Renken provided the following information. She noted that their office had been providing assessment services to Nebraska Township since they had been without an Assessor for the past 4-5 years. They contacted the township supervisor and came up with this agreement to provide services for their township until they found someone to run for the position. She noted that the statutes allow the Assessor's Office to bill the township for reasonable costs incurred by her office to complete the work. The fees charged cannot be for more than the actual costs incurred. Their fee will be \$70.00 per parcel for a total of \$51,030., which will be billed over a four year period. The Nebraska Township Board has reviewed and agrees with the language and will formally approve it once the County Board has approved it. Discussion followed. *Motion by Shafer, second by Cohlman to approve the resolution to enter into an Intergovernmental Agreement with Nebraska Township for Assessor services.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Goebel,

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

Circuit Clerk Semi-Annual Report – Committee Chairman Shafer explained that the semi-annual report was an administrative type of function. *Motion by Shafer, second by Vietti to approve the Circuit Clerk's Semi-Annual Report.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Mays, Weber, Vietti, Heath, Cohlman, Steichen, Shafer, Ingles, Young, Ritter, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Holt and Yoder

Resolution (#2016-02-07): Establishing Circuit Clerk Salary – Committee Chairman Shafer explained that the salary needed to be set for the next four years, prior to the November election. The proposal was to increase the current salary by \$1,000 each of the four years (\$66,800., \$67,800., \$68,800., and \$69,800.) *Motion by Shafer, second by Heath to increase the Circuit Clerk's salary by \$1,000 each year of the term beginning December 1, 2016.* Reference was made to a chart handed out depicting statistics from the surrounding counties on the salaries of their Circuit Clerk and Coroner. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Mays, Weber, Vietti, Heath, Cohlman, Steichen, Shafer, Ingles, Young, Ritter, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Holt and Yoder

Resolution: Establishing Coroner Salary - Committee Chairman Shafer commented that more discussion was held on this salary to arrive at what the committee concluded was a fair way to approach it. It was dropped back from its current level of \$55,000 to \$52,000 and would work its way back up to the current rate over the four year period. *Motion by Shafer, second by Bunting to reduce the Coroner's salary to \$52,000 commencing December 1, 2017, with \$1,000 increase each year of the term (\$52,000., \$53,000., \$54,000., and \$55,000.)* Discussion highlights follow: salary should not relate to individual but what is appropriate for the office; salary should be started at \$45,000 based on weighted average from chart depicting surrounding county comparisons; what work load, hours and time required for job; deputy coroners carry some of the load; and the justification for reduction in salary was due in part that highly skilled and competent individual who provided exceptional service was leaving the office. **MOTION FAILED ON TIE ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Runyon, Mays, Vietti, Heath, Shafer, Flott, Allen, Kestner and Peterson **Nays:** Goembel, Carley, Weller, Weber, Cohlman, Steichen, Ingles, Young, Ritter, Gerwin and Fannin **Absent:** Holt and Yoder

Chairman Fannin noted that even though the salary had to be set at least 180 days prior to the beginning of the term, they would like to have it done before the General Primary Election. Flott proposed they compromise half way between the \$42,000 and \$52,000 figures and set the salary at \$47,000., \$48,000., \$49,000. and \$50,000. *Motion by Flott, second by Cohlman to start the salary at \$47,000., with an annual increase of \$1,000., ending the fourth year at \$50,000.; and amend the resolution to reflect this action.* Members inquired as to whether any information regarding the deputy coroners, the work load, or the hours and time required for the job was presented to the committee. It was noted that this information wasn't presented at the meeting. It was noted that the salary should be set for the job requirements and not based on the person or their experience. One option presented would be to leave the salary where it is at and freeze it for the four years if it is thought to be too high for the job. Another member thought the timing was bad because people were running for the job and we were changing it in mid-stream. *Motion by Weller, second by Arbogast to table the motion.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Mays, Weber, Cohlman, Steichen, Ingles, Ritter, Allen, Fannin and Peterson **Nays:** Runyon, Vietti, Heath, Shafer, Young, Gerwin, Flott and Kestner **Absent:** Holt and Yoder

SHERIFF, JAIL & LICENSE

Resolution (#2016-02-08): Mutual Aid Amendment: Illinois Coroners & Medical Examiners Association - *Motion by Peterson, second by Kestner to approve the Mutual Aid Agreement with the Illinois Coroners & Medical Examiners Association.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

ELECTION, RULES & LEGISLATION

Committee Chairman Vietti reported that they were recommending the appointment of Richard Runyon, the current Mayor of Chatsworth to fill the vacancy on the Zoning Board of Appeals. *Motion by Vietti, second by Arbogast to approve the appointment of Richard Runyon to the Zoning Board of Appeals.* Kestner voiced his concern on this appointment, as he had received a letter from him in opposition against the wind farms during the

last application process, and wondered how he could be impartial in future proceedings if they arose. Chairman Fannin responded that as Mayor he was speaking publically on behalf of his constituents in that area. *Motion by Weber, second by Bunting to call for the question.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE. MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Mays, Weber, Vietti, Heath, Cohlman, Shafer, Ingles, Young, Ritter, Gerwin, Flott, Allen and Fannin **Nays:** Steichen, Kestner and Peterson **Absent:** Runyon, Holt and Yoder

PERSONNEL

No report since they did not meet.

INFORMATION & TECHNOLOGY

No report

VETERANS

Committee Chairman Steichen reported that they met with the Commission at the end of January and reviewed the intergovernmental agreement, with some changes made by the accounting department. They will forward draft copies on to the members after the attorneys finish their review.

ADMINISTRATION

No report, they did not meet this month.

LIVINGSTON COUNTY HOUSING AUTHORITY

Kelly Cohlman reported that privately raised funds were used to buy bus shelters for the kids. The Kiwanis have volunteered to erect them. The Kids Christmas was funded in part through donations by the Livingston County Probation Department and the Sheriff's Department. According to the Board of Education, based on the number of free and reduced lunches we have in our county, we should have nine sites over the summer to provide lunch for kids who receive lunch at school. The Livingston County Housing Authority is moving forward to become an official site for providing free meals over the summer. St. James Place is scheduled for occupancy in June.

RECREATION

Joe Steichen reported they met on February 10th, with discussion focused on the bike path project. There an issue with the IDOT Department in Ottawa, as they seem to have lost our paperwork. An informational meeting on the Master Plan and bike path has been planned for 5:30 p.m., on February 18th at the Dwight Village Hall.

CHAIRMAN'S COMMENTS

At this time, Chairman Fannin made the following statements.

“As many of you know, there were motions that came out of both, the Property and Sheriff, Jail & License Committees to split the maintenance department into two units. Finance also recommended approval of the budget adjustments necessary to make that change.

Those motions were made, not because they were in the best interests of the citizens of Livingston County, but because they were necessary based on the Sheriff's demands and his statutory authority.

However, I am pleased to report that discussions with the Sheriff's Department on a possible alternative plan reopened late last week. Additional time will be needed to work through those items and explore the plans feasibility. On Monday, February 8th we did receive a letter from Sheriff Childress requesting that the County Board hold off on taking action at this month's meeting. The Sheriff's letter also indicates a willingness to work towards an alternate agreement. At this time we are optimistic that we will find a solution that will satisfy both parties and eliminate the need for additional spending of tax payer dollars.

For now, things will remain status quo as we continue discussions.”

PUBLIC COMMENT

Clerk Masching announced that her office was able to start early voting and vote by mail on Friday, February 5th. Her office will be open from 9-Noon on Saturday, February 13th for voter registration since registration closes on Tuesday, February 16th. She also stated that there were sample ballots and various election forms on the website.

Jason Bunting announced that the Livingston County Farm Bureau in conjunction with the Daily Leader, Kent Casson and WJEZ would be hosting a county-wide Candidates Forum at the Pontiac Township High School auditorium at 6:30 p.m. on March 3rd.

Chairman Fannin noted that the County Board Work Sessions which had originally been scheduled for February 24th and 25th would be held on the 25th and 29th.

State's Attorney Uphoff reminded everyone that the last of the three Drug Awareness Forums is being hosted by the Prairie-Central High School, February 24th at 6:30 p.m.

EXECUTIVE SESSION

Removed from agenda.

COMMUNICATIONS/ANNOUNCEMENTS

None

ADJOURNMENT

*The meeting adjourned at 7:05 p.m., on motion by Steichen, second by Goembel. **MOTION CARRIED WITH ALL AYES ON***

Marty Fannin, Chairman

Attest:

Kristy A. Masching
County Clerk

April 14, 2016
Approved

Minutes Bd 02-11-16.A