

**LIVINGSTON COUNTY BOARD**  
**MINUTES OF April 13, 2017 MEETING OF THE COUNTY BOARD**

**OPENING**

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

The invocation was presented by Pastor Jan Ambrose. Marty Fannin led the Pledge of Allegiance.

The clerk called roll with the following **present:** John “Jack” Vietti, Jason Bunting, John Slagel, G. Michael Ingles, Tim Shafer, Kelly Cochran Cohlman, Ronald L. Kestner, Carolyn Gerwin, Steven Lovell, Vicki Allen, Kathy Arbogast, Justin Goembel, James A. Carley, Daryl N. Holt, Mark Runyon, William Mays, David W. Heath, Stanley R. Weber, Bob Young, John L. Yoder and Marty Fannin **Absent:** Joseph D. Steichen (arrived @ 6:13 p.m.), Paul A. Ritter and Robert F. Weller (arrived at 6:04 p.m.)

**Also Present:** County Clerk-Kristy Masching, Executive Director-Alina Hartley, Mack & Associates-Tawnya R. Mack (CPA), Executive Director-Christine Myers, Zoning Administrator-Chuck Schopp, Sheriff’s Department Chief Deputy-Earl Dutko, and Human Resources Director-Linda Daniels

**AGENDA**

Chairman Young asked for approval of the agenda as presented. *Motion by Bunting, second by Yoder to approve the agenda.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

**APPROVAL OF MINUTES**

Chairman Young called for approval of the February 16, 2017 and March 16, 2017 meeting minutes. Clerk Masching noted that the March 16 minutes needed to be revised to reflect that Treasurer-Barb Sear and Public Health Administrator-MaLinda Hillman were in attendance.

*Motion by Ingles, second by Gerwin to approve the February 16 and March 16, 2017 meeting minutes with the noted revision.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

**PRESENTATION**

**Mack & Associates-FY2016 Annual Audit** - Tawnya Mack presented highlights of the FY2016 audit report. She reported that the county received a clean audit report with a modified opinion. She recommended the members read the Management’s Discussion and Analysis section (page 4) as this section provides a snapshot of the county’s financial position for the year. The Statement of Net Position (page 14), which includes government and business-type activities, showed the county’s assets ending the year at \$89.4 million (includes capital assets), deferred outflows of revenues at \$14.1 million, liabilities \$7.4 million and deferred inflows of revenue of \$8.9 million, for a total year end net position of \$87.3 million, down slightly from last year’s total of \$90.8 million. Ms. Mack noted that the Statement of Activities (pg 15) indicates whether program revenues generated by a program’s services cover the expenditures of the specific functions of the county and stated that there was a shortfall in the governmental activities net position, which relies upon general revenues, state taxes and local property tax dollars. The Balance Sheet (pg 16) shows the Governmental Funds end-of-year assets at \$35.2 million, deferred outflows of property taxes at \$8.2 million, liabilities at \$1.1 million, and deferred inflows of property taxes of \$8.2 million, with a fund balance of \$34 million, which was up from last year’s ending balance of \$33.9 million. The Statement of Revenues, Expenditures and Changes in Fund Balances (pg 18) reflected end-of-the year revenues at \$23.3 million, up slightly from last year. The end-of-year expenses ended up just under \$23.3 million, down from last year. She noted that the excess of revenues over expenditures of \$94,381 brought our fund balance up to a little over \$34 million. The Nursing Home Funds (pg 21-23) show end-of-year cash on hand of \$536,847, with total assets (including structure and land) of \$1.8 million, with the only activity coming from depreciation expense and interest income. Ms. Mack pointed out that Note 7 referred to IMRF (pg 46-48), the county’s Defined Benefit Pension Plan and included information on the county’s membership, benefits

provided, contribution rates and long-term debt on IMRF. The summary of the General Fund (pg 65) showed year-end revenues of a little more than \$14 million (up slightly from last year), expenditures of a little over \$15 million (down slightly from last year), with an ending balance of \$26.2 million (down from \$27.3 million). Ms. Mack noted that general and administration expenses increased due to an increase in the expenses coming from the Streater Enterprise Zone, due to an increase in grants and loans given out through the GLCEDC. Capital outlay was down about \$2 million from 2015 with a majority of the difference due to the ETSB capital paid from the Pontiac Host Agreement Fund in 2015. The summary of property taxes (pg 172) show assessed valuations, rates and extensions for Tax Years 2011-2015. Ms. Mack noted that the county's assessed valuations have remained pretty steady but did experience a slight increase last year which increased the tax collection by \$200,000 and allowed the county to maintain its tax rate. She also noted that this year's report included one finding (pg 175) pertaining to significant audit adjustment. Ms. Mack stated that they had to make several significant audit adjustments to accounts receivable and accounts payable. She explained that they had communicated their concerns with the Finance Resource Specialist and feel that this would not be a repeat issue in subsequent years. *Motion to approve the FY 2016 Annual Audit by Shafer, second by Fannin.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Slagel, Ingles, Steichen, Shafer, Cohlman, Kestner, Gerwin, Lovell, Allen, Arbogast, Weller, Goembel, Carley, Holt, Runyon, Mays, Heath, Weber, Young, Yoder and Fannin **Nays:** None **Absent:** Ritter

**Mental Health 2016 Annual Report** - Christine Myers, Executive Director of the Livingston County Mental Health Board presented information on the 708 and 377 Boards for the time period December 1, 2014 through November 30, 2015. The seven provider agencies served over 10,000 people in the county. The 708/377 Boards dispensed over \$1.1 million in tax funds to agencies such as IHR, Future's Unlimited, Mosaic and ADV/SAS (domestic violence and sexual assault) to provide services to people with mental illness, substance abuse and developmental disabilities. Ms. Myers stated that the mission of the Mental Health Board is to be effective and efficient stewards of these tax dollars to best meet the needs of individuals with mental health, substance abuse and developmental disabilities in Livingston County. *Motion by Vietti, second by Cohlman to approve the Mental Health 2016 Annual Report.* **Ayes:** Vietti, Bunting, Slagel, Ingles, Steichen, Shafer, Cohlman, Kestner, Gerwin, Lovell, Allen, Arbogast, Weller, Goembel, Carley, Holt, Runyon, Mays, Heath, Weber, Young, Yoder and Fannin **Nays:** None **Absent:** Ritter

### APPEARANCES

None

### CONSENT AGENDA

- A. Approval of Bills
- B. Appointments:
  - a) **Armin Groom** – re-appointment to the Livingston County Board of Health, three year term commencing June, 2017 and ending on March 15, 2020.
  - b) **Janine Boggs** – re-appointment to the Livingston County Board of Health, three year term commencing June, 2017 and ending on March 15, 2020.
  - c) **Janine Boggs** – re-appointment to the Livingston County TB Board, three year term commencing June, 2017 and ending on March 15, 2020.
  - d) **Shane Long** – re-appointment to the Livingston County Regional Planning Commission, four year term commencing April 17, 2017 and ending on April 16, 2021.
  - e) **Jerome Berry** – re-appointment to the Reading Fire Protection District, three year term commencing first Monday in May, 2017 and ending the first Monday in May, 2020.
  - f) **Mike Katcher** – re-appointment to the Reading Fire Protection District, three year term commencing first Monday in May, 2017 and ending the first Monday in May, 2020.
  - g) **Rick Myers** – re-appointment to the Reading Fire Protection District, three year term commencing first Monday in May, 2017 and ending the first Monday in May, 2020.
  - h) **Dale Schrock** – re-appointment to the Livingston County Housing Authority, five year term commencing May 23, 2017 and ending May 23, 2022.

- i) **Jim Tronc** – re-appointment to the Saunemin Fire Protection District, three year term commencing first Monday in May, 2017 and ending the first Monday in May, 2020.
- j) **Eric Stewart** – (**Resolution #2017-04-13**) re-appointment to the Dwight Fire Protection District, three year term commencing first Monday in May, 2017 and ending the first Monday in May, 2020.

Chairman Young called for approval of the consent agenda. Bill Mays asked that two uniform allowance bills for the purchase of firearm parts be removed from the consent agenda and moved to the Finance Committee report for further discussion. *Motion by Mays, second by Ingles to approve the consent agenda as discussed with the removal of the two uniform allowance bills for the purchase of firearm parts.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Slagel, Ingles, Shafer, Cohlman, Gerwin, Lovell, Allen, Arbogast, Weller, Goembel, Carley, Holt, Runyon, Mays, Heath, Weber, Young, Yoder and Fannin **Nays:** Kestner **Abstain:** Steichen **Absent:** Ritter

### AG & ZONING

**Zoning Case ZT-3-16 – WECS Ordinance (#2017-04-14) Text Amendment** –Committee Chairman Daryl Holt reported that this proposed amendment was the result of the Ag Committee’s review of the recommendations from the Zoning Board of Appeals (ZBA). Holt stated that the Ag Committee had agreed to most of the changes recommended by the ZBA. He noted that anyone wishing to review the list of changes should refer to the handout which includes Section 56-612 through Sec. 56-625 (Exhibit A with table of contents underlined as follows, Sec. 56-621 Birds and Bats). The Ag Committee recommended that this proposed text amendment be approved. *Motion by Holt, second by Fannin that the Livingston County Board approve Livingston County Zoning Case ZT-3-16, amendments to the text of Chapter 56, Article VIII, Wind Energy, of the Code of Ordinances, as recommended by the Agriculture, Zoning and Emergency Services Committee of the Livingston County Board and that it be effective May 1, 2017.* Daryl noted that this amendment was for all the townships in the county. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Slagel, Ingles, Shafer, Cohlman, Kestner, Gerwin, Lovell, Allen, Arbogast, Weller, Goembel, Carley, Holt, Runyon, Mays, Weber, Young, Yoder and Fannin **Nays:** Steichen and Heath **Absent:** Ritter

**Zoning Case ZT-3-17 – Review of WECS Ordinance Text Amendment and Approval to forward to the Zoning Board of Appeals for formal review** – Committee Chairman Daryl Holt reported that this document included six amendments to Chapter 56 of the Wind Energy Ordinance that the Ag & Zoning Committee was suggesting that the ZBA review as part of the new text amendment. Some of the items addressed pertained to the following: the administration procedures of a hearing facilitator; incorporating a new section of setback requirements for the seven contiguous northeastern townships wishing to have wind farms, based on the results of the 2016 November WECS referendum; and addressed some minor grammatical corrections to definitions. Chairman Young stated that the Board would be voting to forward this text amendment on to the ZBA. *Motion by Holt, second by Goembel that it is recommended that the Livingston County Board provide instruction to the Livingston County Zoning Board of Appeals to send notice and conduct public hearings on reviewing the proposed text amendment that is attached and part of the application for Livingston County Zoning Case ZT-3-17.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Slagel, Ingles, Shafer, Cohlman, Kestner, Gerwin, Lovell, Allen, Arbogast, Weller, Goembel, Carley, Holt, Runyon, Mays, Weber, Young, Yoder and Fannin **Nays:** Steichen and Heath **Absent:** Ritter

**Zoning Case ZM-1-17 Dollar General** - Committee Chairman Daryl Holt reported that the ZBA had recommended that this case be denied because the store would be located in a residential area. He also stated that since the ZBA’s last meeting, additional information regarding the water drainage, the detention pond and traffic count had been provided by the developer, which Holt felt should be forwarded on to the Zoning Board of Appeals for further review. Holt also stated that there were three other businesses located within the same area as the proposed site for this business. *Motion by Holt, second by Bunting that it is recommended that the Livingston County Board refer Zoning Case ZM-1-17-Dollar General back to the Livingston County Zoning Board of Appeals for further consideration to re-open their public hearing for new data not considered at the previous public hearing, with this rehearing case to focus on new data regarding drainage, traffic and public interest.*

Discussion took place on some of the following: why this information hadn't been disclosed when ZBA reviewed the case the first time; three other businesses are located in the same area; the Reading Twp. Supervisor had conducted a survey with residents coming in to her office, with almost all in favor of the store; and the board should help promote business by sending this case back to ZBA. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bunting, Slagel, Ingles, Steichen, Shafer, Cohlman, Kestner, Gerwin, Lovell, Allen, Arbogast, Weller, Goembel, Carley, Holt, Runyon, Mays, Heath, Weber, Young, Yoder and Fannin **Nays:** None **Absent:** Ritter

### HIGHWAY

Committee Chairman Jason Bunting reviewed the **Action Agenda Item** as follows:

- a) **Local Agency Agreement for Federal Participation:** Federal Aid Agreement for Replacement of Structure No. 053-3254 Owego Road District (Res. #2017-04-15)

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

### FINANCE

**Resolution (#2017-04-16) Authorizing GLCEDC Grant Agreement** – Committee Chairman Tim Shafer stated that the resolution was a request on behalf of the GLCEDC to approve two employment grant requests. One request is for ATR Recycling of Pontiac, in the amount up to \$155,000, with up to 26 total full time positions. The second request is for Technical Metals of Fairbury, in the amount up to \$47,000, with 10 total full time positions. Shafer stated that even though this money is budgeted for GLCEDC, they come before the Board to answer any questions prior to awarding the grant. Both requests are within the budget guidelines established last fall. *Motion by Shafer, second by Ingles to approve the grant requests as outlined for ATR Recycling and Technical Metals. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* Vietti, Bunting, Slagel, Ingles, Shafer, Cohlman, Kestner, Lovell, Allen, Arbogast, Weller, Goembel, Carley, Holt, Mays, Heath, Weber, Young, Yoder and Fannin **Nays:** Steichen and Runyon **Abstain:** Gerwin **Absent:** Ritter

**Reconsideration of Sheriff Department Bills Removed from Consent Agenda** – Bill Mays stated that both bills pertained to the use of uniform allowance funds for the purchase of excessive firearm parts. Ron Kestner (Chairman of Sheriff, Jail & License Committee) explained that after these bills were questioned by his committee, it was decided to investigate further and speak with Chief Deputy Earl Dutko and State's Attorney Randy Yedinak. Kestner stated that the \$1,700 uniform allowance is allotted for each deputy annually and once the budget is approved, the current Sheriff as well as prior Sheriffs have allowed this money to be used by each deputy for whatever items they choose to purchase. Kestner said the dilemma is whether to continue to allow these types of purchases per past history or tighten up the criteria for what the uniform allowance funds can be used for. Chief Deputy Dutko was present to entertain questions from the members. He commented that under the uniform section of the contract negotiated between the County Board and the FOP there were uniform allowance guidelines which they are, and have been operating under. Under the current guidelines, this type of purchase is allowable. Discussion highlights follow: the bill was for all the parts to build an AR15; the purchase was approved by department personnel; the vagueness of the criteria for allowable items under the uniform replacement section of the contract; the need for review of the procedures for clarification and stricter guidelines; felt that this was not a reflection of the department but needed to be addressed; and the deputies are currently in negotiations, now would be the time to address it. Chairman Young thanked Chief Dutko for addressing the board and commented that he knew Chief Dutko was following prior procedure and hoped that the board could work with the FOP and the Sheriff's management personnel to clarify the procedures so that everyone involved would know how it was to be enforced.

*Motion by Cohlman, second by Gerwin to approve the two Sheriff's Department bills which were pulled from the Consent Agenda for reconsideration. MOTION FAILED ON ROLL CALL VOTE. Ayes:* Vietti, Shafer,

Cohlman, Kestner, Gerwin, Carley, Holt, Heath, Weber and Young   **Nays:** Runyon, Mays and Fannin  
**Abstain:** Bunting, Slagel, Ingles, Steichen, Lovell, Allen, Arbogast, Weller, Goembel and Yoder   **Absent:**  
Ritter

Ms. Hartley noted that due to the process for paying the accounts payables, the bills had been processed with the deputy receiving the payment. The Board's action was a matter of semantics, signifying that they did not approve the bills and would go on record as such.

#### **PERSONNEL**

**Resolution (#2017-04-17) IMRF Participation by Elected Officials** – Human Resources Director-Linda Daniels reported that in February the Board of Directors for IMRF passed a resolution requiring a recertification of IMRF eligibility every two years for every IMRF elected position. Ms. Daniels stated that in Livingston County all of the elected officials, other than county board members, participate in IMRF. Ms. Hartley noted that IMRF considers all elected officials who work 1,000 hours or more eligible for IMRF. This resolution requires the board to evaluate the positions to determine whether the officials work more than 1,000 hours a year. The elected officials have the option to opt out. *Motion by Arbogast, second by Fannin to approve the Resolution for IMRF Participation by Elected Officials.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Slagel, Ingles, Shafer, Cohlman, Kestner, Gerwin, Lovell, Allen, Arbogast, Weller, Goembel, Carley, Holt Runyon, Mays, Heath, Weber, Young, Yoder and Fannin   **Nays:** None   **Absent:** Steichen and Ritter

Ms. Daniels also reported that as of today, twenty-four employees had entered into the early retirement incentive agreement with one day remaining for enrollment. There are three who haven't responded yet. The departments who have the most participation are the Circuit Clerk's Office (3), Facility Services (3), Highway Department (3) and the Public Health Department (7).

#### **ELECTION, RULES & LEGISLATION**

**Amendment of Standing Rules** – Committee Chairman Fannin stated that the amendment to the Standing Rules regarding public comment was presented at last month's meeting. He stated that a change was made to the last sentence of the public comment section (the change is underlined) to include "or a majority of the public body." The amended section shall read as follows:

*20. PUBLIC COMMENT - Each meeting of the Board and its various Committees shall include a public comment period in which individuals are afforded the opportunity to make a statement. Public comments shall be limited to three minutes per person unless the Chairman grants additional time as needed. The total time allocated for public comment shall not exceed 30 minutes unless extended by the Chairman, or a majority of the public body. (added 03-16-17)*

*Motion by Fannin, second by Holt to approve the amendment to the Standing Rules of the County Board.*  
**MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Ingles, Shafer, Kestner, Lovell, Allen, Weller, Carley, Holt Runyon, Heath, Weber, Young, Yoder and Fannin   **Nays:** Slagel, Steichen, Cohlman, Gerwin, Arbogast, Goembel and Mays   **Absent:** Ritter

#### **SHERIFF, JAIL & LICENSE**

Chairman Ron Kestner reported the following items of interest from their committee meeting. They reviewed and approved the nine liquor licenses and two mobile home park licenses, as well as approved a change in managers at the Indian Creek Golf and Country Club. They heard from Superintendent Cox that the jail was housing 91 out of county detainees and 54 county detainees. Income derived from housing Cook County detainees was \$57,100, Northern at \$63,140 and Central District of \$13,695 for a total of \$133,935. The county received \$12,582.35 in transport reimbursements for a grand total of \$146,517.35.

*Motion by Kestner, second by Weller to approve the Liquor License Renewals and the Mobile Home Park License Renewals.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

*Motion by Kestner, second by Weller to approve the change in manager for the Indian Creek Golf and Country Club liquor license. MOTION CARRIED ON UNANIMOUS VOICE VOTE.*

#### **ADMINISTRATIVE**

**Resolution (#2016-04-18) Selecting Heritage Corridor as Livingston’s Certified Bureau** – Chairman Young reported that a representative from this organization attended their meeting to provide information and elaborate on what they could do for us. There is no cost to the county to participate. Young explained that the City of Pontiac and the City of Dwight are working with them. Fannin stated that our county will be eligible to get grants once we are represented by this bureau. The bureau will be seeking grants as well as promoting this area. *Motion by Fannin, second by Bunting to approve designating the Heritage Corridor as Livingston County’s Certified Bureau. MOTION CARRIED ON UNANIMOUS VOICE VOTE.*

**FY2017 Goals** - *Motion by Holt, second by Mays to approve the FY2017 Goals. MOTION CARRIED ON UNANIMOUS VOICE VOTE.*

#### **INFORMATION & TECHNOLOGY**

Committee Chairwoman Vicki Allen stated that Jon Sear is doing a great job. Jon has received an application for a summer intern and will be interviewing in the near future.

#### **PUBLIC PROPERTY**

Committee Chairman Mike Ingles provided updates on a few items. **Nursing Home** –The abatement process has been completed, demolition is underway and the Pontiac Fire Department as well as other departments from within the county used the facility for fire training purposes. **Regions Bank** – Have been contacted by a not-for-profit organization on leasing the building and a few contacts about purchasing. The committee is in the process of solidifying proposals for consideration. **Other items** – The Facility Services Department lost three employees (two from housekeeping and one from maintenance) due to the early retirement incentive and are filling in with a contract employer in the meantime. Ingles reported that due to an e-mail miscommunication regarding the notice for a sealed bid auction, the generator is still in our possession. It was brought to his attention by the Bradley Auction Company that they would be conducting a sale in late May that would be the perfect opportunity to put this generator on since there would be other industrial equipment selling at that time, too. Ms. Hartley noted that Ingles would need to know informally tonight if anyone objected to putting the generator on the sale. She stated that since the Board had declared the equipment as excess property and authorized its sale specifically through sealed bid auction the resolution would have to be amended. A formal resolution would have to be brought before the board at next month’s meeting authorizing this change and approved retroactively. Consensus was to move forward with putting the generator on the auction.

#### **VETERANS**

No report

#### **RECREATION**

Joe Steichen reported that they didn’t meet but did get some direction from the Administrative Committee. Chairman Young explained that there is interest in the Recreation Committee. We want them to continue but feel that there isn’t a strong sense of urgency in contributing a lot of county funds, if any, to a project. It was left open that if a great opportunity came up the county would try to help them. The consensus was that the county didn’t want to spend a lot of money. Holt noted that work has commenced on the bike path section starting north of Odell and ending south of Odell. Steichen stated that Ed Lipinski reported to the Administrative Committee on securing a grant from IDOT and that IDOT would look more favorable if we would start work on the project.

#### **HOUSING AUTHORITY**

Kelly Cohlman reported that they had not met since her last report. Their next meeting is scheduled for Thursday, May 18 at 1:00 p.m. at the Livingston County Housing Authority office at 903 W. North Street, Pontiac.

**PUBLIC COMMENT**

Bekah Fehr thanked the Zoning Board of Appeals and the Ag, Zoning and Emergency Services Committee for their hard work and dedication put into the WECS Ordinance, and the County Board for passing the WECS Ordinance at tonight's meeting and hoped for a speedy and affirmative vote on the second text amendment. She thanked the citizens who got involved too.

Chris Allison commented on the proposed Dollar General Store for South Streater. She has had positive response from many citizens in that area in favor of building this store and wondered what the process would be to present her information.

Mike Carpenter, a rural Livingston County taxpayer commented favorably on the project the Assessor is putting into place to help assess properties more fairly by identifying parcels that have had improvements made without obtaining the proper permits. He noted that if penalties were levied according to statute it might pave the way for an improved cash flow for our schools and county.

Tom Bennett will be hosting a Town Hall meeting in the County Board Room on Friday, April 21, 2017 at 5:00 p.m. Everyone is welcome!

**ADJOURNMENT**

*The meeting adjourned at 7:41 p.m., on motion by Kestner, second by Weller. **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.***

**Bob Young, Chairman**

Attest:

*Kristy A. Masching*  
County Clerk

May 11, 2017  
Approved