

LIVINGSTON COUNTY BOARD
MINUTES OF November 16, 2017 MEETING OF THE COUNTY BOARD

OPENING

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

The invocation was presented by Pastor Joel Paine of the Livingston County Assembly of God. Patrick Killian led the Pledge of Allegiance.

The clerk called roll with the following **present:** John “Jack” Vietti, Jason Bunting, John Slagel (left at 6:43 p.m.), G. Michael Ingles (left at 6:24 p.m.), Tim Shafer, Patrick D. Killian, Ronald L. Kestner, Paul A. Ritter, Carolyn Gerwin, Steven Lovell, Vicki Allen, James A. Carley, Daryl N. Holt, Mark Runyon, William Mays, David W. Heath, Bob Young, John L. Yoder and Marty Fannin **Absent:** Joseph D. Steichen, Kathy Arbogast, Robert F. Weller, Justin Goembel and Stanley R. Weber

Also Present: County Clerk-Kristy Masching, Executive Director-Alina Hartley, Ali Schrock & Gary Brunner-PTHS, Lindsey Jensen-DTHS, Tom Blakeman-Attorney, Finance Director-John Clemmer, County Highway Engineer-Clay Metcalf and Zoning Administrator-Chuck Schopp

AGENDA

Chairman Young asked that the Property Committee Report be moved to the first report and that the Public Health Report be second, followed by Finance. He then asked for approval of the amended agenda. *Motion by Ritter, second by Killian to approve the agenda.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

APPROVAL OF MINUTES

Chairman Young called for approval of the October 12, 2017 meeting minutes. *Motion by Ingles, second by Fannin to approve the October 12, 2017 meeting minutes.* **MOTION CARRIED ON VOICE VOTE.**

PRESENTATION

Resolution (#2017-11-47) Recognizing Ali Schrock as the 2017 IHSA Class 1A Girls Golf State Champion – Board member Paul Ritter introduced Ali Schrock and her coach Gary Brunner. Chairman Young congratulated Ali on her IHSA Class 1A Girls Golf State Championship and read the resolution in her honor. Ali carded a final round score of 74, for a two day total of 149 to win the title.

Resolution (#2017-11-48) Recognizing Lindsey Jensen as the 2018 Teacher of the Year – Board member Daryl Holt introduced Dwight Township High School English teacher Lindsey Jensen and her family and noted that Lindsey is also a candidate for the National Teacher of the Year. Chairman Young congratulated Lindsey on her outstanding achievement as the 2018 ISBE Teacher of the Year and read the resolution in her honor.

Motion by Fannin, second by Ingles for approval of Resolution (#2017-11-47) Recognizing Ali Schrock as the 2018 IHSA Class 1A Girls Golf State Champion and Resolution (#2017-11-48) Recognizing Lindsey Jensen as the 2018 ISBE Teacher of the Year. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Runyon, Mays, Heath, Young, Yoder and Fannin **Nays:** None **Absent:** Steichen, Arbogast, Weller, Goembel and Weber

APPEARANCES

None

CONSENT AGENDA

- A. Approval of Bills
- B. Appointments:

- a) **Parnell Kennedy** – Resolution (#2017-11-49) re-appointment to the Odell Fire Protection District, term commencing May 1, 2017 and expiring April 30, 2020.
- b) **Dr. John Rinker** – re-appointment to the Livingston County Board of Health, three year term commencing December 2017 and expiring December 2020.

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

PUBLIC PROPERTY

Resolution (#2017-11-56): Accepting Farnsworth Proposal for Health & Education Building - Committee Chairman Mike Ingles reported that at their regular committee meeting they had discussed the two maintenance units. Ingles commented on the process prior to tonight’s meeting regarding the process requesting proposals to make comparative analyses of three different options for the antiquated Health & Education Building. The three different options that were sent to two firms to evaluate were: a major remodeling of the existing facility to bring it up to code; renovating an existing building to our needs; or build a new facility. Proposals were received from the two firms with the Farnsworth Group submitting the lower cost of \$17,500, plus a \$250 allowance for reimbursable expenses. Mike noted that this company would not be designing the building but would be facilitating the people who would be involved in the decision, with what the basic needs are and evaluating the three options to determine which option would best fit our needs. *Motion by Ingles, second by Fannin to approve the resolution to accept the Farnsworth proposal of \$17,500, plus a \$250 allowance for reimbursable expenses for an analysis of the H & E Building.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Ritter, Lovell, Allen, Carley, Holt, Runyon, Mays, Heath, Young and Fannin **Nays:** Gerwin and Yoder **Absent:** Steichen, Arbogast, Weller, Goembel and Weber

HOUSING AUTHORITY

John Slagel reported that the following: they are updating software to become more paperless; St. James Place has met their occupancy goal of 85%; and their next meeting will be at 1:00 p.m. on January 18.

FINANCE

Resolution (#2017-11-50): Authorizing the Execution of an Addendum to the Intergovernmental Agreement with the City of Streator concerning the former Smith-Douglass Property and Appointment of a Representative in accordance with the Property Tax Code - Committee Chairman Tim Shafer stated that the board had passed a resolution regarding an agreement with the City of Streator for disposition of the Smith-Douglass property. Shafer explained that Attorney Tom Blakeman would provide more information on the proposed addendum to the agreement which would provide for a less costly, more efficient process. Blakeman stated that the county entered into an IGA with the City of Streator in April 2016 regarding the 123.6 acres of contaminated property known as the Smith-Douglass property in south Streator. The IGA authorized the county to conduct and cover the cost of a scavenger sale in order for the City of Streator to acquire the property. This property has been annexed by the City of Streator and has been included in one of their TIF districts as well. Blakeman noted that a scavenger sale is a complicated process. Upon review and after consulting with experts in the real estate tax law, a more efficient and preferable way to handle the Smith-Douglass property was determined, providing the City of Streator would do the work, pay all the costs and expenses and would subsequently end up with the property. As a result of this change in direction, it would be necessary to amend the IGA, to authorize and approve this alternative procedure, whereby the county would obtain a certificate of purchase from the County Clerk’s office and transfer the certificate to the City of Streator. Streator would pursue legal action to have a tax deed issued to them in order to acquire ownership. With this process, ownership would never pass to the county and there wouldn’t be any exposure to liability for the county. As part of this process, it would be necessary for the chairman to appoint a county representative to apply to the county clerk for the certificate of purchase for the forfeited real estate taxes going back to 1982. Blakeman reported that the county would forfeit its right to recover any unpaid taxes and that it is unlikely that anyone would step forward, since the former company filed for bankruptcy in 1982. The chairman, with the advice and consent of the board needs to

appoint a representative. That representative is proposed to be Alina Hartley. Blakeman noted that the board members had been presented with an addendum to amend the original intergovernmental agreement and the resolution approving the addendum and authorizing the appointment of Ms. Hartley to take necessary administrative steps. Discussion followed with it being noted that we aren't aware of what Streator's end plans are for that property. *Motion by Shafer, second by Holt to recommend approval of the resolution authorizing the execution of an addendum to the Intergovernmental Agreement with the City of Streator concerning the former Smith-Douglass property and the appointment of Alina Hartley as the representative to apply for the certificate of purchase.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Slagel, Shafer, Killian, Kestner, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Runyon, Mays, Heath, Young, Yoder and Fannin **Nays:** None **Absent:** Ingles (left at 6:24 p.m.) Steichen, Arbogast, Weller, Goembel and Weber

Resolution (#2017-11-51): FY2017 Year End Transfers - Finance Director John Clemmer reported that this was a statutory housecleaning item. He stated that there were seven departments that would be over their budget for the year, therefore a resolution must be approved to transfer money from contingency to cover the departments where the deficiencies occurred. He reviewed the proposed department transfers with the members noting that the total amount to be transferred from contingency was \$150,400.00. Clemmer also noted that our expenses would be under budget by 3% for the year. *Motion by Gerwin, second by Killian to approve the resolution authorizing the FY 2017 year end transfer of funds.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Slagel, Shafer, Killian, Kestner, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Runyon, Mays, Heath, Young, Yoder and Fannin **Nays:** None **Absent:** Ingles, Steichen, Arbogast, Weller, Goembel and Weber

Committee Chairman Tim Shafer noted that the 2017 tax levies payable in 2018 were negotiated out with the departments during the budget process this past summer, with board approval of the levies being the final step in the process.

Mental Health Fund Levy	\$909,065.00
Developmentally Disabled Person Fund Levy	\$417,197.00
Southeast Livingston County Ambulance Service Fund (SELCAS)	
Chatsworth.....	\$ 15,000.00
Fairbury.....	\$146,605.00
Forrest.....	\$34,170.00
Strawn.....	\$ 1,920.00
Rural District.....	<u>\$79,875.00</u>
	Total \$277,570.00

Resolution (#2017-11-52) for Adoption of FY 2017 County Levies payable in 2018

County Corporate (General Fund) Levy	\$2,631,285.00
IMRF Levy.....	1,045,000.00
Tort Judgment & Liability Insurance Fund Levy.....	655,000.00
Unemployment Insurance Fund Levy.....	30,000.00
County Extension Education Fund Levy.....	149,217.00
Social Security Fund Levy.....	705,103.00
County Highway Fund Levy.....	686,667.00
County Aid to Bridges Fund Levy.....	346,049.00
County Federal Aid Hwy Matching Fund Levy.....	347,235.00
Veterans Assistance Fund Levy.....	79,497.00
County Health Fund Levy	375,000.00
Tuberculosis Clinic Fund Levy	27,000.00

Motion by Shafer, second by Bunting to move for approval of the following three items (with one roll call vote): Mental Health Fund Levy and Developmentally Disabled Person Fund Levy; the Southeast Livingston County Ambulance Service Fund Levy (SELCAS) and Resolution (#2017-11-52): FY2017 County Levies payable in 2018 (12 levies). **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Slagel, Shafer, Killian,

Kestner, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Runyon, Mays, Heath, Young, Yoder and Fannin **Nays:** None **Absent:** Ingles, Steichen, Arbogast, Weller, Goembel and Weber

Resolution (#2017-11-53) Adoption of the Annual Appropriations – Chair Shafer noted that action on this resolution would approve the adoption of the budget and associated appropriations which had been on display since October. *Motion by Shafer, second by Fannin for approval of the Resolution for Adoption of the FY2018 Annual Appropriations (Budgets).* **MOTION CARRIED ON ROLL CALL VOTE: Ayes:** Vietti, Bunting, Slagel, Shafer, Killian, Kestner, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Mays, Heath, Young, Yoder and Fannin **Nays:** Runyon **Absent:** Ingles, Steichen, Arbogast, Weller, Goembel and Weber

HIGHWAY

Committee Vice-Chairman Mark Runyon (in the absence of Chairman Jason Bunting at the meeting) reviewed the **Action Agenda Item** as follows:

- a) **Bridge Petition:** Amity Road District – Replace existing culvert with 1, 18” x 60’ Pre-coated Steel Culvert Pipes @ 2575N, 742E Rd, Section 17-01000-00-AB. Estimated Cost = \$6,000.00
- b) **Bridge Petition:** Long Point / Amity Road District Section 17-14152-00-BR, Replace existing structure at 2501N, 600 East Rd. Est. Cost = \$350,000. TBP Program FY 18-19.

Motion by Runyon, second by Yoder to approve both Highway Action items with one roll call vote. Discussion followed regarding the criteria used in determining when to replace a bridge. Clay stated that the township road commissioner initiates the process with a petition to the County Highway Department for aid. The Highway Department reviews their funding sources and the need for the structure as well as the location of the bridge. State law requires that any structures greater than twenty feet in length must be inspected every two years. Engineering agreement expenses are split 50/50 between the township and the county. The townships, if more than one is involved will split the difference based on their assessed valuation. The construction portion is split 80% from the Township Bridge Program with the remaining 20% split 50/50 between the county and the townships. There have been a few bridges permanently closed prior to Clay becoming the highway engineer. Clay noted that the county has over eight hundred structures falling into the seven to twenty foot range which were built in the 1920-50’s era which will need to be replaced at about the same time which could create a problem as state funding diminishes. The state also implemented a federal mandated rating system for load metric analysis which has increased the number of posted bridges. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bunting, Shafer, Killian, Kestner, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Mays, Heath, Young, Yoder and Fannin **Nays:** Runyon **Absent:** Slagel (left at 6:43 p.m.) Ingles, Steichen, Arbogast, Weller, Goembel and Weber

AG & ZONING

Proposal & Work Agreement: Diegan and Associates – Chuck Schopp-Zoning Administrator presented information on this proposal. He is the consultant that the county uses for on-going environmental and solid waste landfill consulting services. One of the differences in this proposal is the use of a senior engineer (Steven Schilling) with more experience rather than use of junior engineers. Mr. Schilling has done a considerable amount of work for Livingston County since he was hired earlier this year. Chuck mentioned that Mr. Schilling had been in the business for many years and noted that a profile of his qualifications was presented to the committee for their review. *Motion by Holt, second by Carley for approval of the Proposal and Work Agreement with Diegan and Associates.* **MOTION CARRIED ON ROLL CALL VOTE: Ayes:** Vietti, Bunting, Shafer, Killian, Kestner, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Mays, Heath, Young, Yoder and Fannin **Nays:** Runyon **Absent:** Slagel, Ingles, Steichen, Arbogast, Weller, Goembel and Weber

Resolution (#2017-11-54): Approving Spiller Pays Ordinance – Paul Ritter stated that this ordinance was a means to protect ourselves, our county and our assets. Chuck Schopp noted that there are state statutes and administrative rules that allow for this action but due to the finances of the state, this will cover ourselves and that we will get paid, in the event something does happen. Chuck stated that the template for the ordinance was compiled from a number of counties from throughout our state and was reviewed by our State’s Attorney. *Motion*

by Holt, second by Ritter for approval of the Spiller Pays Ordinance. MOTION CARRIED ON UNANIMOUS VOICE VOTE

Resolution (#2017-11-55): Approving Consultant Agreement-All Hazards Mitigation Plan – Chuck Schopp explained that this plan was adopted several years ago and is to be updated every five years. It was reported that whenever there is a disaster in Illinois, 10% of the funds that go into that disaster fund are reserved for mitigation. A mitigation plan needs to be in place and updated every five years in order to be eligible for federal grants which would help with the clean-up after a disaster strikes. Since FEMA has a lot of rules and regulations to go through, a consultant was utilized for the development of the initial plan. Therefore, Chuck is requesting the use of a consultant again for the update of the plan. The FEMA grant pays for 80% of the expenses with a 20% in-kind payment which would be fulfilled with the time Chuck puts into the process through a series of meetings held and supplies utilized. Chuck also noted that since there was a time frame to be met, the consultant agreed to submit the application. The application has been submitted and has been approved on the state level with it being forwarded onto the federal level (FEMA) for their approval. *Motion by Holt, second by Bunting to approve the consultant agreement/scope of work for the update of the county All Hazards Mitigation Plan. MOTION CARRIED ON ROLL CALL VOTE: Ayes:* Vietti, Bunting, Shafer, Killian, Kestner, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Runyon, Mays, Heath, Young, Yoder and Fannin *Nays:* None *Absent:* Slagel, Ingles, Steichen, Arbogast, Weller, Goembel and Weber

SHERIFF, JAIL & LICENSE

Committee Chairman Ron Kestner reported the following items of interest from their committee meeting: heard the monthly department, Pro-Active, Probation and Animal Control reports; approved the FY 2018 Holiday Schedule; learned that the jail was currently housing a total of 143 detainees, 39 detainees from the North District, 14 from the Central District, 34 from Cook County, and 56 from Livingston County; heard information on the jail's participation in the pharmaceutical take back of meds; approved a raffle license for the Pontiac Sportsman's Club; and approved the transfer of ownership of Carriage Lane Estates in south Streator to Mothership PropCo GSE IL, LLC.

Mobile Home Park License: Change of Ownership – Carriage Lane Estates Mobile Home Park - Motion by Kestner, second by Killian to approve the transfer of ownership of Carriage Lane Estates Mobile Home Park to Mothership PropCo GSE IL, LLC. MOTION CARRIED ON UNANIMOUS VOICE VOTE.

FY 2018 Holiday Schedule - Motion by Kestner, second by Ritter to approve the FY 2018 Holiday Schedule. MOTION CARRIED ON VOICE VOTE.

PERSONNEL

No report.

ELECTION, RULES & LEGISLATION

Committee Chairman Marty Fannin noted that his committee had recommended the Consent Agenda re-appointment approval of: Parnell Kennedy to the Odell Fire Protection District and Dr. Rinker to the Livingston County Board of Health. The committee also opened up discussions on redistricting and reapportionment and decided to ask UCCI for their help in gathering information to help our members with their decision.

VETERANS ASSISTANCE

Vice-Chairman Yoder (in the absence of Joe Steichen) reported that bills and transportation expenses are down and they are under budget.

INFORMATION & TECHNOLOGY

Committee Chairwoman Vicki Allen reported that they met with Jon Sear. Vicki highlighted his report as follows: Jon spent the majority of the month working on laptops; updated all the laptops in the Sheriff's Department due to the new server; working with 911 on hooking up the school camera systems so they can be

viewed within the dispatch center; and our cyber insurance renewal came in with an increase of \$708 over last year's premium; cyber insurance mitigates the financial impact of any data breaches.

ADMINISTRATIVE

Chairman Young stated that it had been a very busy month with the committee reports reflecting their activities.

RECREATION

No report.

PUBLIC COMMENT

Joe Vaughan-Executive Director of IHR Counseling Services spoke on the fact that his fifteen offices are also located in an older section of the Health and Education Building. He asked that the board include him in the updates of future plans for the building so that he can relay that on to his board. Chairman Young assured him that once the process begins and discussions start, IHR will be contacted.

EXECUTIVE SESSION

Motion to go into Executive Session pursuant to 5ILCS 120/2 (c) (2) Collective Negotiating Matters was made by Ritter, second by Bunting. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bunting, Shafer, Killian, Kestner, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Runyon, Mays, Heath, Young and Fannin **Nays:** Yoder **Absent:** Slagel, Ingles, Steichen, Arbogast, Weller, Goembel and Weber

Break was taken from 7:12 p.m. until 7:15 p.m. Executive Session began at 7:16 p.m.

Regular Session resumed at 7:29 p.m.

ACTION RESULTING FROM EXECUTIVE SESSION

Collective Negotiating Matters – *Motion by Fannin, second by Killian to approve the FOP contract with deputies' as outlined and authorize the County Board Chairman to sign off on the County Board's behalf. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* Bunting, Shafer, Killian, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Mays, Heath, Young, Yoder and Fannin **Nays:** Runyon **Absent:** Vietti, Slagel, Ingles, Steichen, Kestner, Arbogast, Weller, Goembel and Weber

Collective Negotiating Matters – *Motion by Killian, second by Holt to approve the FOP contract with the Sheriff's Correctional Officers, Court Security Officers, Secretaries and Office Manager as outlined and authorize the County Board Chairman to sign off on the County Board's behalf. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* Bunting, Shafer, Killian, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Runyon, Mays, Heath, Young, Yoder and Fannin **Nays:** None **Absent:** Vietti, Slagel, Ingles, Steichen, Kestner, Arbogast, Weller, Goembel and Weber

Collective Negotiating Matters – *Motion by Bunting, second by Lovell to approve the contract between the Local International Union of Operating Engineers, Local No. 150 and the Livingston County Highway Department as outlined and authorize the County Board Chairman to sign off on the County Board's behalf. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* Bunting, Shafer, Killian, Ritter, Gerwin, Lovell, Allen, Carley, Holt, Runyon, Heath, Young, Yoder and Fannin **Nays:** Mays **Absent:** Vietti, Slagel, Ingles, Steichen, Kestner, Arbogast, Weller, Goembel and Weber

CLOSING CEREMONY

A hearty discussion took place on why some board members are leaving the County Board meetings early.

ADJOURNMENT

The meeting adjourned at 7:33 p.m., on motion by Mays, second by Allen. MOTION CARRIED WITH ALL EYES ON VOICE VOTE.

Bob Young, Chairman

Attest:

Kristy A. Masching
County Clerk

December 14, 2017
Approved

Minutes Bd 11-16-17.A