LIVINGSTON COUNTY BOARD MINUTES OF February 19, 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.

Pastor David Heath, from the River of Life Outreach presented the invocation, with Kelly Cohlman 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, William Mays, John "Jack" Vietti, David W. Heath, John L. Yoder, 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**: Mark Runyon, Daryl N. Holt, Stanley R. Weber, G. Michael Ingles and Carolyn Gerwin

Also Present: County Clerk Kristy Masching, Administrative Resource Specialist-Alina Hartley, Circuit Clerk Judy Cremer, Jail Administrator Bill Cox, Zoning Administrator Chuck Schopp, County Highway Engineer-David Winters

PRESENTATIONS

None

APPEARANCES

None

AGENDA

Chairman Fannin asked that Kelly Cohlman be added after item #10. Veteran's Assistance Committee, to speak on the Livingston County Housing Authority Development. *Motion by Ritter, second by Arbogast to approve the revised agenda*. **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

APPROVAL OF MINUTES

Chair Fannin called for approval of the January 15, 2014 minutes. *Motion by Steichen, second by Goembel to approve the January 15, 2014 minutes as presented.* **MOTION CARRIED UNANIMOUS ON VOICE VOTE.**

PRESENTATION

None

APPEARANCES

None

CONSENT AGENDA

- A. Approval of Bills
- B. Appointments
 - a. **Scott Sand** Livingston County Regional Planning Commission, four year term commencing February 19, 2015 February 18, 2019.
 - b. **Mark Slagel** Forrest/Strawn/Wing Fire Protection District, unexpired three year term expiring first Monday of May 2015 (replaces Barry L. Garard).
 - c. Justin Goembel Regional Transportation Board
 - d. Joe Steichen Recreation Committee

Motion to approve the consent agenda by Bunting, second by Ritter. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Mays, Vietti, Heath, Yoder, Cohlman, Shafer,

Ritter, Flott, Allen, Fannin, Kestner and Peterson Runyon, Holt, Weber, Ingles and Gerwin Nays: Young Abstain: Steichen Absent:

FINANCE

Circuit Clerk Semi-Annual Report – Clerk Cremer presented a brief summary of the various fees and fines collected and dispersed in her department last year. She noted that of the \$2.2 million collected for fees and fines last year, a little under \$500,000 was paid to the State. Judy reported that she uses a collection agency for help in collecting outstanding fines and costs, which to date have recouped a total of \$664,185.31. She also noted that a total of \$5,223,271.91 in funds associated with child support, passed through her department as well. *Motion by Shafer, second by Vietti to approve the Circuit Clerk Semi-Annual report for the second half of FY2014*. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Mays, Vietti, Heath, Yoder, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson **Nays**: None **Absent**: Runyon, Holt, Weber, Ingles and Gerwin

Resolution (#2015-02-07): Allocating funds for Johnson Controls Service Agreement – Chair Shafer explained that this resolution would authorize expenditures for maintenance support and computer software services with Johnson Controls. Some issues have arisen where it has been determined by the Maintenance Department that additional support and maintenance are needed. This is an effort, with the expertise of Johnson Controls of getting the systems back to the original intent of the architects and engineers, of how the building systems should function. *Motion by Shafer, second by Arbogast to approve the resolution authorizing the allocation of funds for the Johnson Controls Service Agreement*. Discussion followed with it being noted that since we have taken control of the buildings, we have been operating the systems without a services maintenance agreement. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Arbogast, Bunting, Goembel, Carley, Weller, Mays, Vietti, Heath, Yoder, Cohlman, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson Nays: Steichen Absent: Runyon, Holt, Weber, Ingles and Gerwin

Resolution (#2015-02-08): Allocating additional funds for PSC Shower Repair Project - Chair Shafer explained that this resolution would authorize expenditures allocated in the budget for repairing the showers at the Public Safety Complex. Jail Administrator Cox reported that the initial quote received for budget purposes didn't include prevailing rate wages. The lowest responsible bid of \$57,411.00 was submitted by Marathon Engineering Corporation and was \$12,455. higher than previously approved, due to the prevailing wage requirement. Cox commented that by paying up front there was a 9.5% savings. He stated that he and staff members had traveled to Indiana to view work performed by this firm on a comparable project and were satisfied with their work. *Motion by Shafer, second by Cohlman to approve the resolution authorizing the allocation of additional funds not to exceed \$58,000.00 for the shower repairs at the Public Safety Complex.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Mays, Vietti, Heath, Yoder, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson **Nays**: None **Absent**: Runyon, Holt, Weber, Ingles and Gerwin

Resolution (#2015-02-09): For Appropriation of Funds for Attorney Fees - Chair Shafer explained that this resolution was a follow-up from information received from our State's Attorney last month, regarding a FOIA litigation case he has been engaged in since 2011. A ruling of the Illinois Supreme Court has obligated the county for some attorney's fees incurred by the prevailing requestor. Our State's Attorney negotiated the original amount down to the current amount of \$34,000. *Motion by Shafer, second by Steichen to approve the resolution authorizing the appropriation of funds for State's Attorney fees in the amount of \$34,000, from the Pontiac Host Agreement Fund.* **MOTION CARRIED ON ROLL CALL VOTE.** Ayes: Arbogast, Bunting, Goembel, Carley, Weller, Mays, Vietti, Heath, Yoder, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson Nays: None Absent: Runyon, Holt, Weber, Ingles and Gerwin

HIGHWAY

Bob Young (in the absence of Chair Holt and Vice-Chair Runyon) introduced David Winters-County Highway Engineer, who reviewed **Action Agenda** items as follows:

- 1. Bridge Petition: Rooks Creek District Extend existing 4' x 8' box culvert 8' to the north @ 1050N, 1600N, Section 15-24000-000-AB. Estimated Cost = \$18,000.00.
- **2.** Agreement for Engineering Services: Coombe-Bloxdorf, Springfield, IL. Agreement to perform NBIS bridge inspections on 53 County Bridges for a cost not to exceed \$13,500.
- Local Agency Agreement for Federal Participation: Federal-Aid Agreement for replacement of Structure No. 053-3119 in Newtown Road District. Estimated division of cost = \$220,000. FHWA, \$55,000 split 50-50 to Livingston County and Newtown Road District. Includes Resolution (#2015-02-10) appropriating \$55,000 from the County Aid to Bridge Fund for Local Agency share of the cost.
- 4. Local Agency Agreement for Federal Participation: Federal-Aid Agreement for resurfacing CH 8 (Ocoya Road) between Historic Route 66 and CH 10. Estimated division of cost = \$680,000. FHWA, \$130,000 Livingston County. Includes Resolution (#2015-02-11) appropriating \$10,000 from County Motor Fuel Tax Fund and \$150,000 from County Matching Tax Fund for County's share of the cost.
- 5. Local Agency Agreement for Federal Participation: Revised Federal-Aid Agreement for replacement of Structure No. 053-4021 in Eppards Point Road District. Estimated division of cost = \$300,000 FHWA, \$75,000 split 50-50 to Livingston County and Eppards Point Road District. Includes Resolution (#2015-02-12) appropriating \$75,000 from the County Aid to Bridge Fund for Local Agency share of the cost.
- 6. **Road Use Agreement:** Enbridge Pipelines, Line 78- County Highway Road Use Agreement for construction of Livingston County portion of Enbridge Pipeline from Flanagan Terminal to Griffith, Indiana. Includes an Administrative fee of \$12,000 to be paid to the Highway Department as well as a performance bond of \$2,870,000 and Certificate of Insurance in the amount of \$10,000,000 furnished by Enbridge.

Motion by Young, second by Steichen to approve the Highway Action items #1-#6, with one roll call vote.Discussion was held.MOTION CARRIED ON ROLL CALL VOTE. Ayes: Arbogast, Bunting, Goembel,
Carley, Weller, Mays, Vietti, Heath, Yoder, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin,
Kestner and PetersonNays:NoneAbsent:Runyon, Holt, Weber, Ingles and Gerwin

Other Items: David noted that the second week of March is the annual maintenance letting.

AG & ZONING

Zoning Case SP-1-14 (Resolution #2015-02-13): Stone Lake Estates Subdivision - Zoning Administrator Chuck Schopp explained that this request is for a proposed preliminary plat of subdivision. The proposed 11 lot subdivision is located in Section 5 of Indian Grove Township (west of Fairbury on Rte 24). He noted that the preliminary plat will come back for approval, as a slightly altered final plat once the waivers associated with this proposal have gone through the review process. The Regional Planning Commission as well as the Ag & Zoning Committee are recommending approval of this proposed subdivision. *Motion by Flott, second by Goembel to approve Zoning Case SP-1-14, Stone Lake Estates Subdivision.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

Zoning Case SP-1-15 (Resolution #2015-02-14): Dohman Subdivision - Zoning Administrator Chuck Schopp explained that this request is for a proposed final plat of subdivision for a 1.61 acre parcel of land located in the East Half of Section 26 of Indian Grove Township. He stated that it's basically a need to comply with our county subdivision regulations, which specify that multiple tracts of land less than five acres in size, divided off a larger tract, require approval as a subdivision. This 1.61 acre parcel is being divided off of a larger tract of land and is comprised of a home as well as farm ground. The owners want to separate the house from the farm ground, thus creating twin single parcels. The Regional Planning Commission as well as the Ag & Zoning Committee are recommending approval of this proposed subdivision. *Motion by Flott, second by Weller to approve Zoning Case SP-1-15, Dohman Subdivision.* MOTION CARRIED ON UNANIMOUS VOICE VOTE.

Chuck stated that at the February 2 Planning Commission meeting, the members moved to review the Pleasant Ridge Wind Energy Project application solely in regard that the application be compatible with the County Comprehensive Plan. At that hearing, the Planning Commission found that the application was not compatible to the Comprehensive Plan. This is a non-binding recommendation. Chuck is working to formalize the information and present to the Zoning Board of Appeals at a future meeting. A copy of the Zoning Board of Appeal's formal recommendation, as well as minutes will be provided to the County Board. The dates for the continuation of the windfarm hearings are February 23rd and 25th, at the Walton Centre in Fairbury (6:30 p.m.). They are hoping to conclude the hearings in March. He is working on scheduling options and trying to coincide ZBA meetings and hearing continuations, in order to streamline the process. The intent is to work on ordinance issues in April. Chair Flott reiterated that the WECS Ordinance will not be reviewed at the March 3rd A&Z meeting. The A&Z meeting will start at 6:00p.m., with the Zoning Board of Appeals wind farm hearings to commence at 7:00, in the County Board room.

ELECTION, RULES & LEGISLATION

Appointment: Joan Huisman – Zoning Board of Appeals – Chair Vietti reported that this was a five-year reappointment. *Motion by Vietti, second by Kestner to approve the re-appointment of Joan Huisman to the ZBA.* **MOTION CARRIED ON VOICE VOTE.**

Resolution (#2015-02-15): Amending Animal Control Fees - Motion by Vietti, second by Weller to approve the resolution to adopt the new schedule of fees for Animal Control. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Arbogast, Bunting, Goembel, Carley, Weller, Mays, Vietti, Heath, Yoder, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson Nays: None Absent: Runyon, Holt, Weber, Ingles and Gerwin

SHERIFF, JAIL & LICENSE

Liquor License Application: CLASS B-4 Corners – Chair Yoder explained that this application had been approved by the committee last month, contingent upon the receipt of a bond. Since then, the bond paperwork has been received and approved by the State's Attorney. *Motion by Yoder, second by Arbogast to approve the liquor license for 4 Corners.* MOTION CARRIED ON UNANIMOUS VOICE VOTE.

Sheriff's Annual Report - Sheriff Childress was present to address questions regarding his report. He reported that a new van had been ordered and was being outfitted with the specialized equipment needed for transporting detainees. Motion by Yoder, second by Peterson to accept the Sheriff's Annual Report. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Arbogast, Bunting, Goembel, Carley, Weller, Mays, Vietti, Heath, Yoder, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson Nays: None Absent: Runyon, Holt, Weber, Ingles and Gerwin

Sheriff's Semi-Annual Report - Motion by Steichen, second by Yoder to accept the Sheriff's Semi-Annual Report. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Arbogast, Bunting, Goembel, Carley, Weller, Mays, Vietti, Heath, Yoder, Cohlman, Steichen, Shafer, Young, Ritter, Flott, Allen, Fannin, Kestner and Peterson Nays: None Absent: Runyon, Holt, Weber, Ingles and Gerwin

Sheriff Childress took a moment to introduce Earl Dutko as his new Chief Deputy.

INFORMATION & TECHNOLOGY

No report

PERSONNEL

No report

PUBLIC PROPERTY

No report

ADMINISTRATIVE

No report

VETERANS

Chair Steichen didn't have anything to report, but asked Paul Ritter to give an update on the Odell Cemetery Civil War Project. He noted that new headstones were being shipped to Pontiac Granite for engraving the identity of the Civil War veterans. The process is being handled according to military and cemetery protocol. Paul will update the group when final details have been worked out for the ceremony honoring these veterans.

Kelly Cohlman reported that the Livingston County Housing Authority and the Livingston Property Development boards, met on January 21st to discuss and answer questions regarding the new housing development planned for the old St. James Hospital site. She explained that the Livingston County Housing Authority has nothing to do with the county and receives its funding from HUD. Their next meeting will be held March 18th at 1:00 p.m. at the Livingston County Housing Authority Office in Pontiac. Discussion followed. She commented that the new development had been in the discussion for the last two years, with information passing through the Mayor's office. The process was done legally, but she felt that a better job could have been done reaching out to the public. The new complex will house twenty-six residents, with the area zoned for forty-two.

PUBLIC COMMENT

Dr. Biek (Happy Tails Vet) was present to re-iterate issues with wind farms that have come up at the hearings and offered his perspective on the issues.

EXECUTIVE SESSION

Removed from agenda.

ACTION RESULTING FROM EXECUTIVE SESSION

Removed from agenda.

COMMUNICATIONS/ANNOUNCEMENTS

None

ADJOURNMENT

The meeting adjourned at 7:15 p.m., on motion by Ritter, second by Kestner. MOTION CARRIED WITH ALL AYES ON VOICE VOTE.

The next meeting is scheduled for Thursday, March 12, 2015 at 6:00 p.m., at the Historic Courthouse Board Room.

Marty Fannin, Chairman

Attest:

<u>Krísty A. Masching</u> County Clerk

Approved