

LIVINGSTON COUNTY BOARD
MINUTES OF December 17, 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.

Jan Ambrose of the Judah Ministries presented the invocation, with Paul Ritter leading the Pledge of Allegiance.

The clerk called roll with the following **present:** Kathy Arbogast (left at 6:36 p.m.), Jason Bunting, Justin Goembel, James A. Carley, Robert F. Weller, Mark Runyon, William Mays, Daryl N. Holt, Stanley R. Weber (left at 6:52 p.m.), John “Jack” Vietti, David W. Heath, John L. Yoder, Kelly Cochran Cohlman (left at 7:29 p.m.) Joseph D. Steichen, Tim Shafer, Bob Young, Carolyn Gerwin, William G. Flott, Vicki Allen, Marty Fannin, Ronald L. Kestner and William H. Peterson **Absent:** G. Michael Ingles and Paul A. Ritter

Also Present: County Clerk- Kristy Masching, Administrative Resource Specialist-Alina Hartley, County Highway Engineer-Clay Metcalf, Treasurer-Barb Sear, GLCEDC CEO-Adam Dontz, Zoning Administrator-Chuck Schopp and State’s Attorney-Seth Uphoff

AGENDA

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

APPROVAL OF MINUTES

Chair Fannin called for approval of the October 15 and November 12, 2015 minutes. *Motion by Holt, second by Bunting to approve the October 15 and November 12, 2015 minutes.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

PRESENTATION

None

APPEARANCES

None

CONSENT AGENDA

A. Approval of Bills

Chairman Fannin called for approval of the consent agenda. *Motion to approve the consent agenda by Yoder, second by Cohlman.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Holt, Weber, Vietti, Heath, Yoder, Cohlman, Shafer, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** Mays and Steichen **Absent:** Ingles and Ritter

HIGHWAY

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

- a) **Resolution (#2015-12-68):** County Maintenance Resolution appropriating \$696,300.00 from County MFT Fund for estimated 2016 highway maintenance expenses.
- b) **Resolution (#2015-12-69):** Appropriating MFT funds for the 2016 salary of the County Engineer, Section 16-CS105-00-AC
- c) **Quarterly Report:** 4th Quarter FY 15

Motion to approve Highway Action items #a-#c with one roll call vote by Holt, second by Weller. Gerwin asked that he stay for the discussion on the Enterprise Zone and questioned whether the proposed Enterprise Zone would adversely affect future MFT payments or any other funding for the county. Metcalf commented that he didn’t believe so. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Bunting, Goembel, Carley,

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

Committee Chair Holt reported that the emergency repairs to the sewer and restroom systems were moving along nicely. Clay noted that they had received three of five vouchers released from the state for delinquent Motor Fuel Tax distributions.

AG & ZONING

Committee Chairman Flott reported that the ETSB/911 Board had received a payment from the state today for September – November. State’s Attorney Uphoff reported that they had received word today that the Illinois Commerce Commission had approved the merger of Streator with our LivCom center.

FINANCE

Resolutions (#2015-12-70 Odell Township (PIN#10-10-10-139-007) and (#2015-12-71 Pontiac Township (PIN#15-15-22-355-009) Authorizing Transfer of Deeds for Real Estate - Treasurer Sear was present to request approval of the two resolutions which would transfer the ownership of two pieces of property in Odell and Pontiac Townships. She noted that the properties were offered for sale at the sealed bid auction, which had no bidders. After the close of the auction, two people approached the county trustee and inquired if they could submit the base bid for these two parcels. Barb approved and recommended that the base bid be submitted. *Motion by Shafer, second by Cohlman to approve Resolutions #2015-12-70 and #2015-12-71 with one roll call vote.* Barb explained that the net gain for doing these transactions is to get the property into the hands of someone who will improve the property, be responsible and pay their taxes. She noted the following: we would receive \$250.00 for the Pontiac parcel which had been vacant for eight years and had an outstanding tax liability of \$14,187.12; and \$250.00 for the Odell property which had been vacant for four years and had an outstanding tax liability of \$1,034.74. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Heath, Yoder, Cohlman, Steichen, Shafer, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Ingles and Ritter

Resolution (#2015-12-72): Appellate Prosecutor Agreement – Committee Chairman Shafer reported that this agreement had been approved for many years and allowed the State’s Attorney’s Office to receive help from the Appellate Prosecutor’s Office. *Motion by Shafer, second by Heath to approve the resolution authorizing the State’s Attorneys Appellate Prosecutor Agreement for FY2016.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Heath, Yoder, Cohlman, Shafer, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** Steichen **Absent:** Ingles and Ritter

Intergovernmental Agreement: Livingston County Enterprise Zone and Ordinance (#2015-12-73): Establishing Livingston County Enterprise Zone - Shafer noted that the State is offering opportunities to establish Enterprise Zones (EZ) and that GLCEDC CEO Adam Dontz had been working with his board to get us into a position to offer one for the county. Dontz presented an overview of the IGA and Enterprise Zone and their benefits. An EZ is an economic development tool sponsored by the State of Illinois. Potential benefits to petitioners within the zone, providing they meet established criteria include local entity sales tax credit, real estate tax abatements, state sales tax exemptions, utility tax exemptions and business investment tax credits. Dontz noted that there is no waiver for motor fuel tax. The zone is a contiguous area comprised of a little over twelve square miles winding throughout Livingston County and includes some of the area in Grundy County along the Rte 47 interchange in Dwight. Dontz stated that eight parties will be included in the Intergovernmental Agreement with the following having either approving the plan or doing so next week: Grundy County, Dwight, Flanagan, Chatsworth, Fairbury, Pontiac, Forrest (resolution of support) and Odell (subject to counsel review). Dontz then entertained questions from the members on the following items. Building permits must be filed with the appropriate jurisdiction. The Enterprise Zone Administrative Board would be comprised of: two County Board members; representatives from the City of Pontiac, Dwight and Fairbury; Grundy County EDC and Dontz. If the EZ is approved, Bob Karls-Pontiac City Manager has been selected as the Zone Administrator because he has the largest staff and the most resources to adequately deal with the administrative filings and paperwork associated with the zone. His services are paid from the fees charged to the projects associated with the Enterprise Zone. The Zone Administrator may charge up to 0.5% (one half of one percent) of the cost of building materials, up to \$50,000. There are no annual fees that the county would be responsible for. The Illinois

Department of Commerce and Economic Opportunity (DCEO) must approve the EZ which is anticipated to come sometime in 2016. The lifespan of the zone is 15 years with the possibility of an extension for an additional ten years. Qualifying businesses must be within the defined areas of the zone and meet one of the following thresholds: an investment of at least \$5 million in qualified property that creates a minimum of 200 fulltime-equivalent jobs; an investment of at least \$40 million and retaining 2,000 jobs; or investing at least \$40 million which causes the retention of at least 80 percent of the jobs existing on its certification date. He feels the state will certify about 65 zones throughout the state and that we would be at a competitive disadvantage if we didn't have one, which is why we are sending our application to the state. *Motion to approve the Intergovernmental Agreement: Livingston County Enterprise Zone and Ordinance (#2015-12-73): Establishing Livingston County Enterprise Zone, with one roll call vote by Gerwin, second by Holt.* Discussion followed with it being noted that this EZ wouldn't have any effect on our current EZ with Streator even though it had been rescinded by state statute. The City of Streator had re-applied and was approved by the state in phase one, round one. Alina Hartley clarified that we were still a part of that EZ too and that our Board had approved it about a year and a half ago. She noted that if any other municipality wanted to be part of the Livingston County EZ, it would be by amendment and have to be approved by the state, too. Zoning Administrator Chuck Schopp came forward to explain that each wind tower in the first wind farm was connected with a winding three foot strip which was part of the Streator EZ. After that was approved the state changed their Enterprise Zones and added a high impact business district. He explained that the way it was worded, it was written primarily for wind farms to be developed. The wind farms don't have to be part of an existing Enterprise Zone, but they can still get the benefits of an EZ under the high impact definition. The Minonk Wind Farm is part of an EZ through a high impact business zone of an EZ and not part of an actual twelve square mile defined EZ. Dontz stated that the intent of the present EZ application is not to encompass wind farms but to encourage development in all of the entities that are party to the agreement. Dontz noted that he worked with the entities to craft the map and used the following criteria to determine the parcels to be included: availability and location of public utilities; physical characteristics (wetlands, pond, or flood zones); good highway access (frontage roads); and whether it's served by railroad. The entities reviewed the map and approved the parcels to be included. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Arbogast, Bunting, Goembel, Carley, Weller, Mays, Holt, Weber, Vietti, Heath, Yoder, Cohlman, Steichen, Shafer, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** Runyon **Absent:** Ingles and Ritter

ELECTION, RULES & LEGISLATION

Appointment: Diana Iverson-Zoning Board of Appeals – Motion to approve the Appointment: Diana Iverson-Zoning Board of Appeals by Gerwin, second by Runyon. MOTION FAILED ON ROLL CALL VOTE. Ayes: Bunting, Goembel, Runyon, Mays, Weber, Cohlman, Shafer, Gerwin and Fannin **Nays:** Arbogast, Carley, Holt, Vietti, Heath, Yoder, Steichen, Young, Flott, Allen, Kestner and Peterson **Present:** Weller **Absent:** Ingles and Ritter

PERSONNEL

Resolution (#2015-12-74): Establishing Assistant State's Attorney Staffing Level – State's Attorney Seth Uphoff explained that the County Board sets the number of Assistant State's Attorneys that his office is allowed to have, with the previous number set at four full time Assistant State's Attorneys. Uphoff stated that occasionally there may be staffing situations which may require him to have additional part-time assistants or a special prosecutor. He noted that he has one assistant who will be leaving soon for military leave who counts as one of the four. Uphoff stated that he understands that he will not exceed his budget allowance or his current four full-time equivalent staffing level. Motion by Heath, second by Bunting to approve the State's Attorneys request for additional Assistant State's Attorneys and/or Special Prosecutors as needed, with a number not to exceed the equivalency of four full-time Assistant State's Attorney's with the understanding that he will not exceed his annual budget allowance. MOTION CARRIED ON VOICE VOTE. Nays: Steichen **Absent:** Ingles and Ritter

PUBLIC PROPERTY

No report

INFORMATION & TECHNOLOGY

No report

SHERIFF, JAIL & LICENSE

Committee Chairman Yoder explained that they had a lengthy discussion regarding two vehicles (Ford Expedition and a pickup truck with a lift-gate) purchased by the Sheriff's Department at the end of the fiscal year. He noted that with these purchases they were still under budget.

VETERANS

Committee Chairman Steichen reported that they were looking into trading in the handicapped van. The VAC is about \$40,000.00 under budget compared to last year. He noted that they had a round table discussion with Paul Ritter's class who had worked on the Odell tombstone project. There is going to be a two ceremony process sometime in May, with one ceremony to be held at PTHS. Joe introduced Chris Studebaker as the new President of the Veteran's Commission. Chris is a Pontiac native, a U.S. Navy Veteran (serving from 1992-1998), grandson of two WWII Army Veterans and the son of a Vietnam War Army Veteran. During his enlistment, he received many honors and medals commending him for his outstanding service to his country. He was responsible for getting the Iraq and Afghanistan War Monument placed on the west side of the Historic Courthouse lawn. Chris took a few moments to thank the Board for their support to the VAC in helping the veterans of Livingston County.

ADMINISTRATION

Vice-Chair Young reported that they had discussed some ideas that Marty and Alina had presented for upcoming educational/goal setting/strategic planning workshops for the board members in January and February. They are looking for input from all the board members on how they can better serve the residents of the county.

LIVINGSTON COUNTY HOUSING AUTHORITY

Kelly Cohlman- Cochran reported that it was announced that there was a high rate of occupancy even though they passed a smoking ban. They raised funds through private donations for bus shelters for school children to use. Anyone wishing to volunteer to help assemble these shelters may contact the Housing Authority at 815-844-6013. Cohlman reported that there are additional local contractors working on the St. James Place Development which is progressing on target. The next meeting would be held on Wednesday, January 20th at 1:00 p.m. at 903 W. North Street in Pontiac.

RECREATION

Joe Steichen reported that they had received two proposals for the bike path grant and had selected the proposal from Farnsworth for free, compared to Andrews Engineering's proposal of \$4,800. Steichen also noted that a couple of business owners had come forward and had offered to help them. They are looking for and would appreciate more individual as well as community involvement.

PUBLIC COMMENT

John Yoder complimented the Facilities Manager and his staff for their cleaning of the lights in the county board room.

Clerk Masching reminded the members to turn in any extra per diems in to her as soon as possible in order to meet the board payroll date of Thursday, December 24th.

Break was held from 6:50-6:55p.m. Executive Session commenced at 6:55 p.m.

EXECUTIVE SESSION

*Motion to go into Executive Session pursuant to 5ILCS 120/2 (c)(2) Collective Negotiating Matters and 5 ILCS 120/2(c)(11)- Pending Litigation was made by Young, second by Steichen. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Bunting, Goembel, Carley, Weller, Runyon, Mays, Holt, Weber, Vietti, Heath, Yoder, Cohlman, Steichen, Shafer, Young, Gerwin, Flott, Allen, Fannin, Kestner and Peterson **Nays:** None **Absent:** Arbogast (left at 6:36 p.m.), Ingles and Ritter*

Regular Session resumed at 7:40 p.m.

ACTION RESULTING FROM EXECUTIVE SESSION

No action taken.

COMMUNICATIONS/ANNOUNCEMENTS

Clerk Masching announced that per diems needed to be handed in asap to meet the December 24th payroll.

ADJOURNMENT

The meeting adjourned at 7:40 p.m., on motion by Steichen, second by Vietti. **MOTION CARRIED WITH ALL EYES ON VOICE VOTE.**

The next meeting is scheduled for Thursday, January 14, 2016 at 6:00 p.m., in the county board room of the Livingston County Historic Courthouse

Marty Fannin, Chairman

Attest:

Kristy A. Masching
County Clerk

January 14, 2016
Approved

Minutes Bd 12-17-15.A