LIVINGSTON COUNTY BOARD MINUTES OF February 15, 2018 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 Victor Randle of the New Life Church in Dwight. Tim Shafer 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, Patrick D. Killian, Ronald L. Kestner, Carolyn Gerwin, Steven Lovell, Vicki Allen, Kathy Arbogast, Justin Goembel, James A. Carley, William Mays, David W. Heath, Bob Young and Marty Fannin **Absent**: Joseph D. Steichen, Paul A. Ritter, Robert F. Weller, Daryl N. Holt, Mark Runyon, Stanley R. Weber and John L. Yoder

Also Present: County Clerk-Kristy Masching, Executive Director-Alina Hartley, County Highway Engineer-Clay Metcalf, Zoning & Planning Administrator-Chuck Schopp, State's Attorney Randy Yedinak, Chief Deputy Earl Dutko, Sheriff-Tony Childress, Jail Superintendent Bill Cox, Human Resources Director Ginger Harris, Finance Director-John Clemmer and Treasurer-Barbara Sear

AGENDA

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

APPROVAL OF MINUTES

Chairman Young called for approval of the January 11, 2018 meeting minutes. Clerk Masching noted that on page 4, under Administrative, she had incorrectly noted that the Strategic Planning Session would take place on February 24, instead of January 24. *Motion by Ingles, second by Slagel to approve the January 11, 2018 meeting minutes as amended.* **MOTION CARRIED ON VOICE VOTE.**

PRESENTATION

Resolution (#2018-02-04): Declaring 2018 Respect Week - Chairman Young announced that he and the county board were happy to be able to participate in a resolution from the Livingston County Board recognizing and proclaiming March 3rd through March 11th, 2018 as Livingston County Spread the Work to End the Word Respect Week. Tim Shafer then read the resolution endorsing the "Spread the Word to End the Word Respect Week" campaign which is an ongoing effort by the Special Olympics and Best Buddies to inspire respect and acceptance through raising the consciousness of society about the R-word and how hurtful words and disrespect can be toward people with intellectual disabilities. Laura Baumgardner, a Life Skill Special Education teacher at PTHS explained that her fantastic group of students had written grants and received funding from the Special Olympics organization enabling them to help spread the word through activities that they will host during Respect Week, such as a summit for 6-8th grade students, a free ice cream day at the Dairy Queen and a Chili Cook-Off contest. Ms. Baumgardner stated that the CEO of Special Olympics Illinois had told her many times that PTHS is the best school for unified champion schools in the nation. Motion by Ingles, second by Killian to adopt the resolution recognizing March 3rd through March 11th, 2018 as Livingston County Spread the Word to End the Word Respect Week. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Gerwin, Lovell, Allen, Arbogast, Goembel, Carley, Mays, Heath, Young and Fannin Nays: None Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

APPEARANCES

None

- A. Approval of Bills
- B. Appointments:
 - a) **Dr. Katherine Austman** reappointment to the Livingston County TB Board, three year term commencing February 15, 2018 and expiring February 2021
 - b) **Jerry Gaspardo** reappointment to the Livingston County Regional Planning Commission, four year term commencing February 16, 2018 and expiring October 16, 2022
 - c) **Verne Taylor** reappointment to the Livingston County Regional Planning Commission, four year term commencing February 16, 2018 and expiring October 16, 2022
 - d) **Dean Wahls** reappointment to the Livingston County Regional Planning Commission, four year term commencing February 16, 2018 and expiring October 16, 2022
 - e) Mike Ingles Vermilion Valley Emergency Telephone System Board

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

HIGHWAY

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

- a) **Bridge Petition:** Avoca/Owego Road Districts SN 053-3291 (1500N, 2205E) \$425,000 Replacement
- b) **Bridge Petition:** Chatsworth Road District SN 053-3375 (400N, 3255E) \$425,000 Replacement
- c) **Bridge Petition:** Esmen Road District SN 053-3230 (2183N, 1300E), \$425,000 Replacement
- d) Engineering Agreement: Avoca/Owego Road Districts SN 053-3291, Hampton Lenzini & Renwick (HLR) TBP Program FY 18-19. Design for Repair of Existing Bridge, Cost not to exceed \$28,000 including soil borings. Right-of-way engineering and environmental coordination to be done at consultant's schedule of chargeable rates.
- e) Engineering Agreement: Chatsworth Road District SN 053-3375, Hampton Lenzini & Renwick (HLR) STP-Br Program FY 19 Design for Repair of Existing Bridge, Cost not to exceed \$28,000 including soil borings. Right-of-way engineering and environmental coordination to be done at consultant's schedule of chargeable rates.
- f) Engineering Agreement: Esmen Road District SN 053-3230, Hampton Lenzini & Renwick (HLR) STP-Br Program FY 20. Design for Repair of Existing Bridge, Cost not to exceed \$28,000 including soil borings. Right-of-way engineering and environmental coordination to be done at consultant's schedule of chargeable rates.
- g) Resolution (#2018-02-05): Resolution authorizing the emergency repair of Structure No. 046-3254 and authorizing the use of County Aid to Bridge funds to pay Livingston County's proportionate share. The structure is located on the Livingston-Kankakee County line between Section 12 Round Grove Township, Livingston County and Section 7 Norton Township, Kankakee County, 3103N, 3600E.

Motion by Bunting, second by Runyon to approve all seven action items with one roll call vote. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Gerwin, Lovell, Allen, Arbogast, Goembel, Carley, Mays, Heath, Young and Fannin Nays: None Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

County Highway Engineer Clay Metcalf elaborated on the resolution for the emergency repair. He reported that IDOT had done an inspection on Structure No. 046-3254 which was located on county line south of Reddick. Upon completion of their review, it was noted that there was substantial deterioration of the pilings since the last inspection conducted several years ago. As a result of this deterioration, the bridge was closed immediately. Clay also reported that another bridge located a mile north of this structure was also closed. The closure of these bridges has created a land lock problem for farmers who have farm ground located within the two closed bridges. Clay noted that they went with the emergency repair option in order to get the bridge repaired before the spring planting season started. Since this bridge is considered a county line project the cost is shared with Kankakee

County and is based on each county's EAV. As a result, the cost share will be split with 75% of the funding coming from Kankakee County with Livingston County's share set at 25%. A letting for the bridge north of this structure is expected to take place this spring, with both bridges anticipated to be completed within a year.

Clay had reported several months ago about changes to the IDOT budget which then impacted the local agencies statewide to the tune of about \$50 million of the \$303 million cut that was made to the IDOT construction budget. For our county, that meant a 50% reduction (approximately \$225,000) in funding to our County Consolidated and Needy Township allotment from Motor Fuel Tax. Since then the state has gone through a letting process and we have received our funding for both the County Consolidated and Needy Township allotments.

AG & ZONING

Zoning Case ZT-3-17: Consideration of Approval of Livingston County Zoning Board of Appeals Report and Recommendations - Vice-Chairman Justin Goembel (in the absence of Chairman Daryl Holt) presented the information on the two action items regarding the new Wind Farm Ordinance. He stated that the first action item was the new wind farm ordinances that they had received from the Zoning Board of Appeals, which the A&Z Committee had voted down. He explained that the second action item would be the alternative text that the A&Z Committee had provided. Motion by Goembel, second by Carley to approve as submitted by the Zoning Board of Appeals, Livingston County Zoning Case ZT-3-17, Report and Recommendations for Application No: ZT-3-17, Zoning Text Amendment to Chapter 56, Zoning Code of Ordinances, Livingston County, Illinois. Goembel then explained that the motion he made would be to approve the Zoning Board of Appeal's recommendation which doesn't include any language to involve the seven townships in the northern district. It would keep the setback distance the same throughout the county. Chairman Young explained that a "yes" vote would mean that the setback for the whole county would be 3,200 feet. If you vote "no" there is a second motion that would allow for the seven townships to approve the lesser setback of 1,600 feet. It was noted that both action item options included language recommended by the ZBA regarding the use of a facilitator and the process to select one. MOTION WAS DEFEATED ON ROLL CALL VOTE. Ayes: Gerwin, Goembel and Fannin Nays: Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Lovell, Allen, Arbogast, Carley, Mays, Heath and Young Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

Zoning Case ZT-3-17: Consideration of Approval of AZES proposed Alternative text amendments (Ordinance #2018-02-10) - Motion by Goembel, second by Bunting that the Livingston County Board approve the Ag, Zoning & Emergency Services ZT-3-17 committee alternative text resulting from the information submitted as testimony and exhibits presented to the Zoning Board of Appeals public hearings pertaining to the Livingston County Zoning Case ZT-3-17. A copy of the ZT-3-17 committee alternative text will be attached to the Livingston County Board Ordinance pertaining to the same case. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Lovell, Allen, Arbogast, Goembel, Carley, Mays, Heath, Young and Fannin Nays: Gerwin Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

Chairman Young commented on the process noting that it had been a long ordeal and hard on both sides, but he felt that it had been a growing process for all of Livingston County. He felt that as we proceeded on the journey, we did a good job, as best we could have, to reach the wishes of our county residents. Young stated that he was proud of everyone who worked either way to bring this to a conclusion.

SHERIFF, JAIL & LICENSE

Committee Chairman Ron Kestner reported the following: reviewed Probation Department Quarterly Report with Ron Baker; approved a liquor license for Shinestar, LLC (Quick Shop 3); and approved two raffle licenses; billed out \$145,041.99 for inmate housing; and approved Sheriff's Annual and Semi-Annual Report. The committee learned that the jail was currently housing a total of 137 detainees, from the federal North District (36), the Federal Central District (14), Cook County (28), and Livingston County (59).

Sheriff's Annual and Semi-Annual Report – *Motion by Kestner, second by Heath to approve the Sheriff's annual and semi-annual reports as presented.* Sheriff Tony Childress was present to entertain any questions the

board had. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Gerwin, Lovell, Allen, Arbogast, Goembel, Carley, Mays, Heath, Young and Fannin **Nays:** None **Absent:** Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

Proposal: Summerill Group – Committee Chairman Ron Kestner stated that the Summerill Group from Washington, D.C., offered their services for calculating and negotiating a new per diem rate for housing U.S. Marshals Service prisoners in the Livingston County Jail. The cost for this service would be a one-time fee of \$36,000 unless a new fee is not negotiated, then there is no charge. If a new rate of \$65 is negotiated for the four-year term, the county could generate new additional revenue of approximately \$584,000. Alina Hartley explained that the fee for Summerill's services would be paid for out of the general fund with the additional generated revenue used to offset the expense. The fee would be paid within fifteen days of successfully negotiating a contract. We are currently housing 63 detainees. Kestner stated that their committee recommended that this proposal be approved. *Motion by Kestner, second by Killian to approve the Summerill Proposal for calculating and negotiating a new per diem rate for housing U.S. Marshals Service prisoners in the Livingston County Jail.*MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Gerwin, Lovell, Allen, Arbogast, Goembel, Carley, Mays, Heath, Young and Fannin Nays: None Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

Liquor License Application: Shinestar, LLC, dba Quick Shop 3 – Chairman Kestner reported that the committee had reviewed the Shinestar, LLC (dba Quick Shop 3) application for this establishment located in south Streator. The State's Attorney had reviewed the application. The committee recommended approval to the board. *Motion by Kestner, second by Fannin to approve the liquor license application for Shinestar, LLC dba Quick Shop 3.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

ELECTION, RULES & LEGISLATION

Resolution (#2018-02-05A): Temporarily changing the hours of operation for the County Clerk's Office – County Clerk Kristy Masching was present to request permission to close her office for all other services not related to election activities for the General Primary Election on Tuesday, March 20, 2018 and for the General Election on Tuesday, November 6, 2018. She noted that in order to change hours and activities, it must go before the Board for their approval. Ms. Masching stated that since 2015, her office is required to be a polling site and would be open from 6:00 a.m.-7:00 p.m. for Same Day Registration applicants. In 2016, during the Presidential election, 200 people walked in to grace register and vote. She did note that customers coming in who were not aware of this closure would still be waited on. *Motion by Fannin, second by Arbogast to approve the resolution temporarily changing the hours of operation for the County Clerk's Office.* MOTION CARRIED ON UNANIMOUS VOICE VOTE.

FINANCE

Circuit Clerk's Semi-Annual Report — Committee Chairman Tim Shafer reported that LeAnn had presented her report to the committee and that they had approved it. He noted that the number of processes her office handled was remarkable. *Motion by Shafer, second by Slagel to approve the Circuit Clerk's Semi-Annual Report.*MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Gerwin, Lovell, Allen, Arbogast, Goembel, Carley, Mays, Heath, Young and Fannin Nays: None Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

Treasurer's Annual Report - Treasurer Barbara Sear presented her annual report. This report was on a cash basis and covered all the bank accounts that her office was responsible for reconciling and making bank deposits for. She also included a comparison of FY2016 to 2017 which would show decreases or increases in fees or expenses. Ms. Sear noted that our tax revenue from the State of Illinois was up in 2017. She noted that we lost rent revenue with the upper level of the Regions Bank building being vacant. Our overall ending balance in the General Fund was \$800,000 more than it was last year, with our expenses being down about \$1,000,000. *Motion by Shafer, second by Fannin to approve the Treasurer's Annual Report.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Gerwin, Lovell, Allen, Arbogast,

Goembel, Carley, Mays, Heath, Young and Fannin Nays: None Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

Resolution (#2018-02-06): Authorizing Partial Redemption of Delinquent Taxes – Treasurer Sear stated that the property located in south Streator (PIN#01-01-02-234-016) was deeded to the county trustee on the county's behalf because the owner didn't pay his taxes. It was offered for sale twice (2016 and 2017) at the trustee's sealed bid auction without any bidders. The owner came forward and wanted to buy it for the minimum bid of \$761, even though there was over \$2,500 in back taxes, penalties and costs owed. The owner wasn't allowed to do this but was allowed to make a contract with the trustee, which allowed him to make partial payments when he could afford it. The owner paid \$1,052, of the \$2,500 owed, before he defaulted on the contract. Ms. Sear stated that she needed the county board's approval to deposit the payments received. She would then distribute what was collected to the taxing bodies. She noted that the county still had deed to the property. *Motion by Shafer, second by Bunting to approve resolution authorizing partial redemption and distribution of delinquent taxes*. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bunting, Slagel, Ingles, Shafer, Killian, Kestner, Gerwin, Lovell, Allen, Arbogast, Goembel, Carley, Mays, Heath, Young and Fannin Nays: None Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

Setting Elected Officials Salaries – Committee Chairman Shafer stated that the following three action items would be for setting the salaries for the following elected officials: the County Clerk, the Treasurer and the Sheriff. This is done every four years, no less than 180 days prior to the first day of their terms which begin on December 1, 2018. He noted that the salary increases which were being asked to be approved were arrived at through compromise. Shafer stated that Alina had done a great deal of research and provided information from seven to eight counties that were believed to be comparable to Livingston County. The proposed amounts that the committee arrived at weren't the lowest nor the highest, but in the upper third. Shafer reported that the proposed resolutions for the County Clerk and the Treasurer's offices included the current salary plus a \$1,000 per year increase for each year of the four year term. At the end of their terms, the County Clerk and the Treasurer's annual salaries would be \$71,800. Shafer commented that the \$1,000 per year increase had been approved for the last two terms (eight years) for both offices. Discussion followed on the following items: feel that the people are worth the money but at what point do the increases stop; flat amount increase is a conservative approach compared to the percentage increases given to all other county employees; the difficult decision the committee addressed was that the salary was for a position and not a person; salary needs to be in place to entice qualified candidates and then let their constituents decide who will fill the position; inflation at the end of February, on an annualized basis for the United States was 2.91%, the proposed \$1,000 increase represents a 1.45% inflationary increase; and should consider setting the salaries prior to the filing date of the petitions for the Primary Election.

Resolution (#2018-02-07): Setting County Clerk's Salary — Motion by Shafer, second by Arbogast to approve the County Clerk's Resolution for setting the salary of the Livingston County Clerk as follows: shall be fixed at \$68,800 for the year 2018-2019, commencing December 1, 2018; \$69,800 for the year 2019-2020, commencing December 1, 2019; \$70,800 for the year 2020-2021, commencing December 1, 2020; and \$71,800 for the year 2021-2022, commencing December 1, 2021. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bunting, Ingles, Shafer, Killian, Kestner, Lovell, Allen, Arbogast, Carley, Heath, Young and Fannin Nays: Slagel, Gerwin, Goembel and Mays Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

Resolution (#2018-02-08): Setting Treasurer's Salary – Committee Chairman Shafer explained that the \$1,000 increase for each year of the four year term was proposed for the treasurer's position as well. *Motion by Shafer, second by Ingles to approve the Resolution for setting the salary of the Livingston County Treasurer as follows: shall be fixed at \$68,800 for the year 2018-2019, commencing December 1, 2018; \$69,800 for the year 2019-2020, commencing December 1, 2019; \$70,800 for the year 2020-2021, commencing December 1, 2020; and \$71,800 for the year 2021-2022, commencing December 1, 2021.* MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bunting, Ingles, Shafer, Killian, Kestner, Lovell, Allen, Arbogast, Carley, Heath, Young and Fannin Nays: Slagel, Gerwin, Goembel and Mays Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder

Resolution (#2018-02-09): Setting Sheriff's Salary — Committee Chairman Shafer explained the proposal for the Sheriff's position was a little different based on past history. He stated that before the current office holder's term became effective, the salary was set at \$84,000. However, the salary was not set prior to the 180 day limit. Therefore, they had to reduce the salary to \$73,000. Now they are proposing to set the salary back to the amount agreed upon previously. The first year of the term will see a larger increase to the \$84,000 with years 2-3 receiving the \$1,000 increase, the same as the other two office holders. *Motion by Shafer, second by Kestner to approve the Resolution for setting the salary of the Livingston County Sheriff as follows: shall be fixed at \$84,000 for the year 2018-2019, commencing December 1, 2018; \$85,000 for the year 2019-2020, commencing December 1, 2019; \$86,000 for the year 2020-2021, commencing December 1, 2020; and \$87,000 for the year 2021-2022, commencing December 1, 2021. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bunting, Shafer, Killian, Kestner, Allen, Arbogast, Carley, Young and Fannin Nays: Slagel, Ingles, Gerwin, Lovell, Goembel, Mays and Heath Absent: Steichen, Ritter, Weller, Holt, Runyon, Weber and Yoder*

Committee Chairman Shafer reported the following items John Clemmer had updated him on regarding the audit: John believes Highway Department is ready for their February 28 visit with the auditors; he feels that corrective action has been taken to eliminate the findings the auditors cited us on last year; the end of year balance sheet adjustments have been made and corrected; and the auditor's final visit is scheduled for March 6.

INFORMATION & TECHNOLOGY

Committee Chairwoman Vicki Allen reported that they met with Jon Sear. Vicki highlighted her report as follows. Jon had more computers die this month than he'd had in a long time. He was having issues with the Sheriff's Department server room air conditioning unit, it keeps shutting down when the outside temps get too cold. His biggest project right now was the replacement of the telephone system.

PUBLIC PROPERTY

Committee Chairman Ingles reported that the most significant issue they had discussed was that one of the elevators at the Law & Justice Center was not operable. The hydraulic system had leaked out all of the oil. Arrangements have been made for a repairman to come in and replace the seals and conduct a weight test to make sure that's the cause of the leak.

PERSONNEL

Committee Chairman Kathy Arbogast noted that Sherry Dornan (AAIM) was going to review the county's personnel policies at a cost of \$1,000. The last review was done in 2010. The Illinois Association of County Board Members and CIRMA are co-sponsoring a sexual harassment training seminar. Ms. Arbogast reported that twelve managers have registered for this event which is offered at no cost to the county. They are also looking to complete a sexual harassment training for the rest of the employees in April. This event is mandatory and will also be free of charge. County board members are requested to sign up and take the class, too.

VETERANS ASSISTANCE

Ron Kestner noted that they had met prior to the board meeting and approved the bills

ADMINISTRATIVE

Chairman Young expressed his gratitude to the board members, department heads and elected officials who participated in the strategic planning meeting and the break-out sessions. He felt that there was a lot of good dialogue. The next meeting will be held on March 1, at the Public Safety Complex. He thanked Alina for her hard work and the amount of information she had gathered together in a binder for their discussion. Chairman Young also noted that there would be a UCCI meeting February 27-28.

RECREATION

No report

HOUSING AUTHORITY

John Slagel reported the following: met on January 18; wrote off \$3,721.12 in bad accounts; using excess IHDA funding for betterments for some of the units; added new mulch to the Chatsworth facility's playground; and, their next meeting will be held on Thursday, March 15 at 1:00 p.m.

PUBLIC COMMENT

Chief Deputy Earl Dutko reported that he and Superintendent Inman had met with Alina, Ginger and Chairman Young to discuss a proposal they had regarding prisoner transports. They will be hiring a few PRN employees to assist with these transports in an effort to reduce the work load, save time and money.

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None	EXECUTIVE SESSION
None	CLOSING CEREMONY
	<u>ADJOURNMENT</u>
The meeting adjourned at 7:11 p.m., on n ALL AYES ON VOICE VOTE.	motion by Goembel, second by Mays. MOTION CARRIED WITH
Bob Young, Chairman	
Attest:	
Kristy A. Masching County Clerk	
April 12, 2018	

Minutes Bd 02-15-18.A

Approved