

LIVINGSTON COUNTY BOARD
MINUTES OF September 12, 2019 MEETING OF THE COUNTY BOARD

OPENING

County Board Chairman Bob 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.

Pastor Nathan Moore of the Calvary Baptist Church presented the invocation. Mark Runyon led the group in the Pledge of Allegiance.

The clerk called roll with the following **present:** Kathy Arbogast, Linda Ambrose, James A. Carley, Steven Lovell, John Vitzthum, William Mays, Gerald Earing, Mark Runyon, Bill Wilkey, Michael L. Kirkton, Patrick D. Killian, Jason Bunting, John Slagel, John L. Vietti, Tim Shafer, Gina Manker, Ronald L. Kestner, Marty Fannin, Bob Young and Vicki Allen **Absent:** Robert F. Weller, James Blackard, Joseph D. Steichen and Paul A. Ritter

Also Present: County Clerk-Kristy Masching and Executive Director-Alina Hartley

AGENDA

Chairman Young stated that the Vanguard Appraisal Proposal (item #1. B. Proposal: Vanguard Appraisals – Commercial & Industrial Appraisals) was being removed from the agenda. Young also stated that a Public Comment session would be added to the SJL Committee report prior to taking action on the Animal Control Ordinance amendment. *Motion by Carley, second by Wilkey for approval of the agenda as amended.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

APPROVAL OF MINUTES

Chairman Young reported that the August 15, 2019 meeting minutes would be approved at the September 12 County Board meeting.

PRESENTATION

None

APPEARANCES

None

CONSENT AGENDA

A. Approval of Bills

Motion by Earing, second by Fannin for approval of the Consent Agenda. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Ambrose, Carley, Lovell, Vitzthum, Mays, Earing, Runyon, Wilkey, Kirkton, Killian, Bunting, Slagel, Vietti, Shafer, Manker, Kestner, Fannin, Young and Allen **Nays:** None **Absent:** Weller, Blackard, Steichen and Ritter

FINANCE

Resolution (#2019-09-29) Authorizing Cancellation of Certificate of Purchase – Mobile Home Redemption (Lot 64 Redwood MHP #15-15-600-064) - Committee Chairman Tim Shafer reported that the resolution was for a tax redemption on a mobile home. The county will receive \$506.90 with the County Clerk receiving \$90 for cancellation of the certificate. *Motion by Shafer, second by Bunting to approve the Resolution authorizing cancellation of the certificate of purchase for the mobile home.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Ambrose, Carley, Lovell, Vitzthum, Mays, Earing, Runyon, Wilkey, Kirkton, Killian, Bunting, Slagel, Vietti, Shafer, Manker, Kestner, Fannin, Young and Allen **Nays:** None **Absent:** Weller, Blackard, Steichen and Ritter

Resolution (#2019-09-30) Guaranteed Energy Savings Contract – Municipal Lease/Purchase Agreement - Committee Chairman Tim Shafer reported that the Property Committee had been working for over a year with representatives from SmartWatt on energy conservation measures/equipment which would improve the energy consumption and efficiency in all of the county’s buildings at a substantial savings which they’d guaranteed. This would be done at a cost a little less than \$1.2 million. Shafer reported that in the past we have paid cash for projects of this type but in this case was asking for board approval to execute a lease for \$700,000 of the total amount paid out over the term of the agreement with this company as they monitor our savings. *Motion by Shafer, second by Fannin to approve the Guaranteed Energy Savings Contract – Municipal Lease/Purchase Agreement with SmartWatt pending final attorney review and approval.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Ambrose, Carley, Lovell, Vitzthum, Mays, Earing, Runyon, Wilkey, Kirkton, Killian, Bunting, Slagel, Vietti, Shafer, Manker, Kestner, Fannin, Young and Allen **Nays:** None **Absent:** Weller, Blackard, Steichen and Ritter

Shafer commented on the budget process noting that it was moving towards completion and moving into position for Board consideration in the near future. The administrative staff and department heads had been doing a good job.

SHERIFF, JAIL & LICENSE

Resolution: Amending Animal Control Ordinance - Committee Chair Kathy Arbogast reported that the amendment to the animal control ordinance was the result of a recently passed state law (effective January 1, 2020) which addressed the registration and inoculation of companion cats (house cats). The amendments to the ordinance included the following items: companion cats four months and older shall be inoculated for rabies by a licensed veterinarian; follow-up rabies vaccination within a year and then done according to Illinois animal Control Act guidelines; issued tag must be attached to cat collar or harness and worn at all times; and the amendment does not apply to feral cats. Ms. Hartley stated that the law wouldn’t go into effect until January 1, 2020. The Board had the option of whether they wanted to implement the changes immediately or wait until January 1. She also noted that the tags had been ordered for our county recently and that the Board was just trying to be prepared and compliant when the state law went into effect.

Public Comment - Chairman Young invited the public to present their comments on the proposed amendment to the Animal Control Ordinance. **Roger Kuchenmeister** commented that when he had his cat vaccinated in July the vet informed him that they didn’t give out tags. **Debi Bacigalupo** stated that her vet wasn’t aware of this law and was concerned with the danger of cats who were wearing collars being strangled, even with breakaway collars. Ms. Bacigalupo asked that the Board reconsider the collar criteria and noted that she couldn’t find where it mandated a collar in the statute. **Joan Lipinski** asked that the Board table voting on this item until next month so that people could become aware of the proposal and noted that the county ordinance had additional items in it that the state law didn’t, such as the wearing of collars, the collection of additional fees for registering cats annually and for low income sterilization of cats.

Ms. Hartley stated that the law wouldn’t go into effect until January 1, 2020. The Board had the option of whether they wanted to implement the changes immediately or wait until January 1. She also noted that the tags had been ordered for our county recently and that the Board was just trying to be prepared and be compliant when the state law went into effect January 1. Ms. Hartley stated that the collar was a way to display the tags indicating that the animal had been registered. She also reported that the new state law required inoculation of the cats for rabies, required the intact fees of which a portion stayed in the county and went towards the administration of the low-cost spay/neutering program. The registration of the animals is required, the fee is not required and is the same fee in our ordinance that is charged for dogs. The fees don’t cover the actual cost of running the program. Ms. Hartley commented that the collar was not required but the cats were required to be tagged, with the collar being the way to display the tags. *Motion by Kestner, second by Wilkey to table taking action on the resolution amending the animal control ordinance regarding companion cats.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Arbogast, Ambrose, Lovell, Vitzthum, Mays, Earing, Runyon, Wilkey, Kirkton, Bunting, Slagel, Vietti, Shafer, Manker, Kestner, Young and Allen **Nays:** Carley, Killian and Fannin **Absent:** Weller, Blackard, Steichen and Ritter

2020 Holiday Schedule - Committee Chair Kathy Arbogast stated that this calendar included the same twelve holidays as last year. *Motion by Arbogast, second by Earing approve the 2020 Holiday Schedule.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

AG & ZONING

Committee Chairman Jason Bunting reported that with the legalization of recreational marijuana in Illinois as of January 1, 2020 their committee would be discussing and working on issues which revolved around distribution, distribution centers and cultivation sites.

HIGHWAY

Committee Chairman Steve Lovell reported that there were no action items. They finalized their budget and forwarded it on.

ELECTION, RULES & LEGISLATION

Did not meet.

PERSONNEL

Committee Chairman Jack Vietti stated that Jeff Gilmore reviewed the preliminary insurance renewals with them and will report back when he has more information.

PUBLIC PROPERTY

Committee Chairman Pat Killian reported that Don Verdun-Facilities Manager had presented a detailed list of repairs performed on the county buildings. An inspection was done on the boiler at the Health & Education Building with it passing inspection for another year. Killian requested that Verdun gather information on the cost of a new boiler and replacement time to have on hand in the event it quits working. Killian expressed his gratitude to Don and his staff for the work they do to keep the county buildings in the great shape that they are.

ADMINISTRATIVE

Chairman Young announced that he had selected one board member from each of the three districts to comprise the ad-hoc committee to continue the study of the Health & Education Building. They are: District #1-Marty Fannin; District #2-Gerald Earing and District #3- John Vitzthum. Young noted that if anyone had ideas or suggestions they wanted to talk about they should direct them to this ad-hoc committee first. He stated that Alina Hartley would always be the point person on any discussions taking place, including the ad-hoc committee.

At this time, Chairman Young took the opportunity to address some of his concerns with the county board. He said that if he was wrong about any of his concerns, then he was apologizing up front and noted that nothing he said was personal, it was either his observation or what others had disclosed to him. Some of his concerns were: using their cell phones or computers rather than being engaged in Board discussions; don't have to prove that you're the smartest Board member by chiming in on every topic, especially after discussion had been stated; reiterated that closed meeting discussions must not be shared when the meeting was adjourned; and in order to be more transparent, opinions should be shared at committee and Board meetings rather than soliciting members to vote the way someone wants them to vote; and offered his apologies to anyone who was offended, that wasn't his goal.

VETERANS ASSISTANCE

Committee Chair Ron Kestner reported that they were well under their budget and approved payment of all the bills.

INFORMATION & TECHNOLOGY

Committee Chair Vicki Allen reported that they reviewed Jon's department report. Sear reported the following: large upgrade to Spillman was taking place on Tuesday (10th), monitoring security threats with lots of spam and encryption viruses going around; were compatibility issues with the last Windows 10 update; has 5-6 computers

still operating on Windows 7, with January 14th being the deadline for Windows 7; and the IGA was signed with the Department of Corrections for video arraignment and will be using Zoom, at an estimated annual cost of \$1,200, half of which will be reimbursed by the state. Discussion took place on the great detail and time it took him to compile the monthly report, with the consensus being for him to be less detailed and include only major issues and the amount of hours per department breakdown.

LIVINGSTON COUNTY HOUSING AUTHORITY

John Slagel reported that they would be meeting the following week.

MID CENTRAL COMMUNITY ACTION

Bill Wilkey reported that they would be having an open house from 4:30-5:30 p.m. on Wednesday, September 18th at their new location on 320 W. Madison, Pontiac. Their regular meeting would be held after the open house at the Historic Courthouse.

BOARD OF HEALTH

No report

LIVINGSTON COUNTY MENTAL HEALTH

Jack Vietti reported that they celebrated their 50th Anniversary on August 28th at the Mental Health Building with a fine crowd in attendance. Their next meeting will be held on September 19th at 4:00 p.m.

PUBLIC COMMENT

Ed Lipinski felt that due to the Board members general lack of engagement and their responsiveness and reaction to public initiatives that the Board hoped that civic minded citizens would not show up anymore. He stated that he as well as the other citizens were all in attendance, not as representatives of any political party but as citizens who cared about their community and the people who lived there. Lipinski explained that he was in attendance to hold the Board accountable for their actions since traditional media (radio and newspaper) weren't in attendance to question and report on the Board's decisions. He noted that the committee meetings, where most of the work was accomplished were not video recorded nor were verbatim minutes available for the public to view.

Joan Lipinski commented on her singular request of her representatives to explore the 2020 budget and continue to fund the Community Healthcare Program. Her concern was that instead of examining the 2020 budget for a funding solution for the Community Healthcare Program, the Board voted to place two tax increase referenda on the March 17, 2020 ballot for Senior Home Health Care instead of the requested program, with no strategy to educate or inform the public. Her other concern was that the Board had voted against building a Health & Education Building at the cost of two years planning time for several people and \$395,069 of citizens money. She felt that this money could have paid for almost two years of the Community Healthcare Program or eight miles of bike path on Old Route 66. Ms. Lipinski noted that her experience with the Board has been that the Board places emphasis on fiscal responsibility and little to none on acts or services that benefit the county citizens' quality of life. Discussion then took place between Ms. Lipinski and Chairman Young regarding the actions or perceived lack of action the Board had taken up to this point regarding the issue of the Community Healthcare Program. Items of interest included: Board was trying to get a resolution to the issue and was faced with roadblocks such as the citizens group requesting that the Board not vote to place a tax referendum on the ballot; public can't discern whether discussions had been held regarding whether the budget had been examined for additional funding because nothing was available for public scrutiny; and the Board voted to establish the Construction Fund as part of the budget process with no Host Fund money going into the Construction Fund

Linda Ambrose requested that a special County Board meeting be scheduled so that all the members could express their opinions on the Health & Education Building. She felt that many of the members seemed surprised when it didn't pass and some felt that they hadn't been listened to or heard or different ideas weren't fully vetted. She was also concerned with how her request to continue discussion of the Health & Education Building had been handled at the Public Property Committee meeting. Chairman Young responded that the Board needed to wait and see how the ad-hoc committee worked out. Pat Killian (Property Committee Chairman) responded that he

had restricted comment to the Public Property Committee members only, to ten minutes to address any ideas that they might have. He had also stated that at the committee meeting if they had any ideas or thoughts on the H&E Building they would be given to the ad-hoc committee and Ms. Hartley, who in turn would review the ideas and return their results back to the Property Committee. Marty Fannin, a member of the ad-hoc committee guaranteed that he would talk to all the Board members.

Cheryl Krueger critiqued the Board members and commented on some of the mannerisms and facial expressions displayed to the public during their Board meetings.

Chairman Young announced that he would be resigning as chairman and as a board member at the end of this meeting and that Vice-Chair Kathy Arbogast would become the interim chairman. He commented that his twelve years on the Board had been one of his most rewarding life experiences. Chairman Young commented that he was not resigning because of the H & E building but because he had lost the enthusiasm and interest he once had. He felt that it was best for all for a leadership change. He expressed his gratitude to all who had helped him during his tenure and wished the county well and hoped that the Board functioned well together.

EXECUTIVE SESSION

None

ACTION RESULTING FROM EXECUTIVE SESSION

None

ANNOUNCEMENTS

County Clerk Masching asked that any additions/changes to per diems be submitted to her prior to 10:00 a.m. on Friday (September 13) in order to be included on the September 27th paychecks.

ADJOURNMENT

The meeting adjourned at 6:45 p.m., on motion by Fannin, second by Kirkton. **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.**

Bob Young, Chairman

Attest:

Kristy A. Masching
County Clerk

October 17, 2019
Approved

Minutes Bd 091219.A