

LIVINGSTON COUNTY BOARD
MINUTES OF May 13, 2021 MEETING OF THE COUNTY BOARD

OPENING

County Board Chair Kathy Arbogast) 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 Charles Ambrose presented the invocation. Paul Ritter led the group in the Pledge of Allegiance.

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

Also Present: County Clerk-Kristy Masching, Executive Director-Alina Hartley, Sheriff Tony Childress, Lorie Pope-Mack & Associates, GLCEDC CEO-Adam Dontz, County Highway Engineer-Clay Metcalf, Finance Director-Diane Schwahn, Human Resources Director-Ginger Harris, and IT Director-Jon Sear

AGENDA

Chair Arbogast stated that she would be adding the Sheriff's introduction of a new deputy under item II. A. Presentations. She then called for approval of the agenda as amended. *Motion by Fannin, second by Ritter to approve the agenda as amended.* **MOTION CARRIED ON VOICE VOTE.**

APPROVAL OF MINUTES

Chair Arbogast called for approval of the March 11, 2021 and April 15, 2021 County Board minutes. *Motion by Fannin, second by Ambrose to approve the March 11, 2021 and April 15, 2021 County Board meeting minutes.* **MOTION CARRIED ON VOICE VOTE.**

PRESENTATION

Sheriff Childress started off by expressing his gratitude to the Board for the tremendous relationship that has evolved between them since his re-election in 2018. He feels his department has accomplished many great things as a result of it.

Sheriff Childress then introduced his newest deputies, Deputy Graham Haley, Deputy Keith Semmerling and his K-9 partner Deputy Mila. Mila, a yellow Labrador recently graduated from the Cedar Creek Training Academy after completing five weeks of training with Deputy Keith Semmerling. She is trained in drug detection and tracking. Deputy Graham Haley is a Crisis Intervention and Juvenile Intervention Officer and in the fall will be the Tri-Point School Resource Officer.

Sheriff Childress presented information on the "Protect America Now" program. He explained how he came to be a member of the advisory committee, their mission and the priorities they strongly recommend be incorporated into any responsible police reform policy adopted by federal, state and local governments, to ensure community safety across the entire country. One priority is that sheriffs across the nation remain as independently elected county sheriffs, who know their local communities and build relationships with those they serve. Sheriff Childress also stated that he has been asked by the National Sheriff's Association to testify before the Senate Judiciary Committee in Washington, D.C. as it relates to policing reform. He noted that his travel and accommodation expenses to the hearings will be paid for by the Protect America Now organization. Discussion followed.

APPEARANCES

N/A

CONSENT AGENDA

A. Approval of Bills

B. Appointments:

- a. **Charles Cole** – reappointment to the Reading Community Fire Protection District for a three-year term commencing May 1, 2021 and expiring May 1, 2024.
- b. **Linda Dionne** – reappointment to the Livingston County Board of Review for a two-year term commencing June 1, 2021 and expiring May 31, 2023.
- c. **Nancy Giovanini** – reappointment to the Livingston County Board of Review for a two-year term commencing June 1, 2021 and expiring May 31, 2023.
- d. **Shelby Hoerner** – reappointment to the Livingston County Farmland Assessment Review Committee for a two-year term commencing September 1, 2021 and expiring August 31, 2023.
- e. **Michael Fogarty** – reappointment to the Livingston County Farmland Assessment Review Committee for a two-year term commencing September 1, 2021 and expiring August 31, 2023.
- f. **Deb Moran** – reappointment to the Livingston County Mental Health 708 Board for a four-year term commencing June 2021 and expiring May 2025.
- g. **Vicki Day** – reappointment to the Livingston County Mental Health 377 Board for a three-year term commencing June 2021 and expiring May 2024.

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

FINANCE

FY 2020 Audit – Lauri Pope of the Mack & Associates auditing firm presented financial highlights and reviewed some of the basic financial statements of the FY2020 audit report. She reported that the Independent Auditors' Report stated that their firm had issued a clean opinion on the financial statements for the fiscal year ending November 30, 2020. The financial statements were presented in accordance with generally accepted accounting principles which is the accrual basis of accounting. She noted that the Management's Discussion and Analysis Report was a summary of the financial statements and a brief overview of the County's financial performance. Ms. Pope reported that the county's net position increased from \$88,408,483 in FY2019 to \$91,245,880 in FY 2020. The county's total governmental funds are in a good cash position with enough cash reserves to prevent cash flow problems. Auditors had to perform single file audits due to larger than usual amount of federal grant funding we received during FY2020 due to COVID grants. Auditors gave clean opinions on the accuracy on the statement of expenditures for the federal grant awards as well as on compliance with the grant requirements. Ms. Pope reviewed matters with the Board that were considered areas for improvement. Ms. Pope was happy to report that there were no findings on this year's financial statements. *Motion by Shafer, second by Fannin to approve the FY 2020 Audit.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman, Steichen, Kestner and Blackard

Property Tax Abatement Agreement: Slagel Manufacturing – Adam Dontz reviewed the criteria which Slagel Manufacturing met to qualify for the ten-year abatement. They will be adding 30,000 square feet to an existing building; investing over \$2 million in capital; and will offer employees falling under wage monitoring requirement a minimum wage and benefit package averaging \$45,000/employee. This will make them at the top end of the scale in terms of wage payers in manufacturing for Livingston County. Dontz stated that there was one variance for consideration which the Finance Committee approved. They currently employ about 40 people and will guarantee hiring about 5 making the total jobs created or maintained at 50% of the component criteria. The opinion of the GLCEDC and Finance Committee was that since they were significantly increasing their square footage and capital investment requirement that this exception be made. Dontz noted that in year 6 the taxing bodies would receive 25% of the property tax from the new addition and in years 7-9 would be receiving 50% of

the property tax revenue. Discussion followed. *Motion by Shafer, second by Bunting to approve the Property Tax Abatement Agreement for Slagel Manufacturing.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Earing, Vitzthum, Arbogast and Wilkey **Nays:** None **Present:** Runyon **Absent:** Barickman, Steichen, Kestner and Blackard

Resolution (#2021-05-07): Authorizing Transfer of Property to Pontiac Rural Fire Department & Resolution (#2021-05-08): Authorizing Transfer of Property to OSF Healthcare EMS – Committee Chair Tim Shafer reported that the Police Vehicle Replacement Program had accumulated four used vehicles which were going out of service. The Pontiac Rural Fire Protection District and OSF Healthcare have requested that the Board consider transferring two of the four vehicles to their entities for their use. A concern was raised that if we started doing this we wouldn't have any cars to sell. Shafer stated that as a policy matter, it was decided that transfers would be limited to two vehicles per year to worthy entities. The original intent with the program was taking vehicles out of service sooner for a greater resell value. Shafer noted that a majority of the Finance Committee voted to proceed with the transfer. *Motion by Shafer, second by Weller to approve Resolution (#2021-05-07): Authorizing Transfer of Property to Pontiac Rural Fire Department & Resolution (#2021-05-08): Authorizing Transfer of Property to OSF Healthcare EMS (with one roll call vote).* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman, Steichen, Kestner and Blackard

HIGHWAY

Committee Chair Steve Lovell reviewed the **Action Agenda Items** as follows:

- a) **Resolution:** ~~Resolution appropriating County Matching Tax funds for construction costs to widen and overlay CH 11 (1500N to 1650N on 1500E).~~ (Removed from agenda)
- b) **Bridge Petition:** Broughton Road District – Replace existing culvert with 2 – 42” diameter, Precoated CMP’s @ 2200N, 3412E Road. Estimated Cost = \$9,000. Section 21-04000-00-AB.
- c) **Bridge Petition:** Amity Road District – Scour remediation at west abutment for structure 053-4018 @ 2250N, 790E Road. Estimated Cost = \$15,000. Section 21-01000-00-AB.

Motion by Lovell, second by Runyon to approve the Highway Action Items (items b. and c. with one roll call vote). **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman, Steichen, Kestner and Blackard

County Highway Engineer-Clay Metcalf reported on the building project. He stated that they had some balances left from prior year capital improvement funding approvals to use for a design agreement. They are hoping to present the architect’s designs in June. The architects they are working with are Middleton & Associates. This firm was selected because they had also designed the Public Safety Complex building and had worked with the Highway’s restroom and storm shelter situation a few years ago. The proposed site for the building is just north of the two existing buildings, orienting north and south, slightly into the field between the H&E Building and Highway.

PUBLIC PROPERTY

H&E Building Update - Committee Chair John Vitzthum stated that Nicor completed their work on the gas line, roof work has started and dry walling and window installation is set to commence on Monday. Vitzthum has arranged for a tour of the building on Wednesday, May 19th at 3:15 p.m. He requested that Board members contact Alina if they are planning on attending so they have an idea of how many are coming.

Resolution (#2021-05-09): Approving Change Request 5009 H&E Building Project – Ms. Hartley explained that this resolution was looking for approval of a change request pertaining to the cost of the delay for the contractor, Madison Construction due to the Nicor delay. The original estimate per month was approximately \$37,000 per month. The delay was about eight weeks in duration. The overall cost for that time frame is

\$63,035.48 and will be paid from the contingency that was built into the contract. The fee covers the additional two month cost of the project manager, superintendent, project engineer, project accountant, their car allowances, trailer, copy machine, internet service, construction fence, temp toilets, dumpsters, material storage, storage unit mobilization and the two month extension on their bond. They are looking to move into the building in August due to the two month delay. Discussion followed on what would happen if the change request was voted down. *Motion by Vitzthum, second by Earing to approve Change request 5009 H&E Building Project.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Lovell, Ambrose, Earing, Vitzthum, Arbogast and Runyon **Nays:** Wilkey **Present:** Mays **Absent:** Barickman, Steichen, Kestner and Blackard

SHERIFF, JAIL & LICENSE

Proposal: Sumerrill Federal IGA Solutions – Committee Chair Jim Carley stated that the proposal is for Sumerrill Federal IGA Solutions to negotiate a new contract for us with the U.S. Marshals for housing their prisoners in our jail. The last contract was negotiated May 2018 and was a three-year proposal with a per diem rate of \$71 and a fee of \$36,000. Sumerrill is proposing a new per diem rate of \$91 or higher when they go into negotiations with the Feds. Their fee is \$34,500 which is less than last time. It is anticipated that the new contract will generate an additional \$400k. *Motion by Carley, second by Mays to approve the Proposal with Sumerrill Federal IGA Solutions for negotiating with the U.S. Marshals Service.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman, Steichen, Kestner and Blackard

Liquor License and Mobile Home Annual Renewal Applications – Ms. Hartley explained that these licenses were approved by the committee in April but were inadvertently omitted from the April Board Agenda. *Motion by Weller, second by Kirkton to approve the Liquor License and Mobile Home Renewal Applications.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

AG & ZONING

Committee Chair Bunting reminded those in attendance that the electronic recycling event is scheduled for Saturday, June 12th in Pontiac at the old Kmart parking lot. They will be collecting items from 9:00 a.m. – 1:00 p.m. They will not accept batteries.

Bunting was happy to report that Zoning Administrator-Chuck Schopp has started back on a part-time basis, three days a week.

PERSONNEL

Didn't have a meeting.

ELECTION, RULES AND LEGISLATIVE

Committee Chair Mike Kirkton reported that they were finishing up work on the reapportionment plan for Livingston County and would bring it before the Board in June. A Public Hearing will take place at 5:00 p.m., before the June 17 Board meeting. It will be presented to the Board at their 6:00 p.m. meeting.

VETERAN'S ASSISTANCE

Linda Ambrose (in the absence of Committee Chair Ron Kestner) reported that a few more people had applied for aid and Tom is working on his retirement and finding his replacement.

INFORMATION TECHNOLOGY

Committee Chair Marty Fannin reported that they paid the bills and discussed their preparedness of any electronic cyber-attacks.

ADMINISTRATIVE

No report.

LIVINGSTON COUNTY HOUSING AUTHORITY

John Slagel reported that their meeting was scheduled for the following week.

MID-CENTRAL COMMUNITY ACTION

Bill Wilkey reported that they haven't had a meeting.

BOARD OF HEALTH

No report.

MENTAL HEALTH BOARD

Jack Vietti reported that their next meeting would be held next Thursday, May 20th at 4:00 p.m.

PUBLIC COMMENT

Board Member Jim Carley acknowledged County Board Chair Kathy Arbogast and Executive Director Alina Hartley for the excellent job they are doing. He commented that they do their job with integrity, honesty and open mindness and thanked them for the diligence in which they do their job.

Bekah Fehr stated that SB1602 wasn't assigned to a committee however, its language and language taking away the counties rights to zone solar siting was included in the Governor's energy bill. She passed out a map of the progress that Preserving Illinois County's Rights has worked on for 5-6 weeks and noted that 50 counties have passed similar resolutions. Hoping to have 2/3 of the counties by the third week in May. She thanked the County Board for being the second county to adopt the resolution.

ANNOUNCEMENTS

N/A

ADJOURNMENT

The meeting adjourned at 7:40 p.m., on motion by Fannin, second by Weller. **MOTION CARRIED ON VOICE VOTE.**

Kathy Arbogast, Chair

Attest:

Kristy A. Masching
County Clerk

Minutes Bd 051321.A