

**LIVINGSTON COUNTY BOARD**  
**MINUTES OF February 24, 2022 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.

Ginger Harris presented the invocation. Linda Ambrose 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, Joseph D. Steichen, Tim Shafer, Scott Mennenga, Seth Welch, James A. Carley, Bob Weller, Paul A. Ritter, William Mays, Steven Lovell, Linda Ambrose, James Blackard, Gerald Earing, John Vitzthum, Kathy Arbogast, Bill Wilkey and Mark Runyon **Absent:** Joel J. Barickman and Ronald L. Kestner

**Also Present:** County Clerk-Kristy Masching, Executive Director-Alina Hartley, Paul Scharnett, AIA Representative, County Highway Engineer-Clay Metcalf, Human Resources Director-Ginger Harris, Treasurer-Nikki Meier, Sgt. Bradley DeMoss, Chief Jeff G. Hamilton, Lt. Lisa Draper, Finance Director-Diane Schwahn, State's Attorney Randy Yedinak and IT Director-Jon Sear

**AGENDA**

Chair Arbogast amended the agenda by moving Public Comment prior to the start of the Action Agenda Committee Reports. Arbogast called for approval of the agenda as amended. *Motion by Fannin, second by Ritter to approve the agenda as amended.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

**APPROVAL OF MINUTES**

Chair Arbogast called for approval of the January 13, 2022 County Board meeting minutes. *Motion by Blackard, second by Earing to approve the January 13, 2022 County Board meeting minutes.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

**PRESENTATION**

**Proclamation: Respect Week** – Chair Kathy Arbogast presented and read the proclamation which proclaimed the week of February 27 through March 5, 2022 as Respect Week in Livingston County. The “Spread the Word Inclusion” campaign is an ongoing effort by the Special Olympics and Best Buddies to inspire respect and acceptance by raising the consciousness of society. The program which is in its 10<sup>th</sup> year, honors and recognizes our youth and grassroots leadership who have persevered to create positive change and inclusion for all. **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

Chair Arbogast also read a letter from the Odell Community Consolidated School District #435 Superintendent Mark A. Hettmansberger. He praised Public Health Administrator Jackie Dever and her team for their expertise, professionalism and interaction with the Livingston County school system during the COVID-19 pandemic. He stated that Jackie was successful in advocating for a meeting between Dr. Ezike, he and nine other superintendents from throughout the state to plead their case regarding the Governor's mask mandate. Chair Arbogast stated that this was a testament to our Public Health Department on a job well done during the pandemic.

**APPEARANCES**

None

**CONSENT AGENDA**

- A. Approval of Bills
- B. Appointments

- a. **Brandon Sancken** – Appointment to the Northeast Sullivan Mona Drainage District, commencing February 24 and ends the first Tuesday in September 2022.
- b. ~~Dwayne Meister – Cullom fire Protection District (Stricken from agenda.)~~
- c. **Verne Taylor** – Appointment to the Livingston County Regional Planning Commission, four-year term commencing February 24, 2022 and ending February 23, 2026.
- d. **Dean Wahls** – Appointment to the Livingston County Regional Planning Commission, four-year term commencing February 24, 2022 and ending February 23, 2026.

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

### **PUBLIC COMMENT**

Chair Arbogast noted that because of the large agenda and in accordance with the Standing Rules of the County Board, the time allotted for Public Comment would be thirty minutes with three minutes per person.

Tim Henson of Dwight was present to let the Board and citizens of the county know that he would be honored and privileged to serve as the Interim Sheriff for the remainder of Sheriff Childress’s term.

Dave Rice commented on the Sheriff’s Retirement Agreement regarding whether a cash payment was allowable and whether they were setting a precedence for future actions.

### **PUBLIC PROPERTY**

**Proposal: Scharnett Architects & Associates – Roof Replacement Design** – Committee Chairman John Vitzthum noted that the Ad-Hoc Committee and the Public Property Committee had reviewed proposals from three architectural firms and were recommending Scharnett Architects & Associates for the Historic Courthouse roof replacement project. Paul Scharnett provided an overview of the project and entertained questions from the Board. Highlights from his presentation follow: have performed over 1,500 projects in central Illinois over the past 30 years; is a complex roof with over 6 different roof types present and 8 different material transition types; soldered joints from 1870’s not holding; budget needs to be large enough to encompass all the areas in need of repair at this time. Discussion took place. In order to repair all the components on the roof at one time it is estimated that the cost would be \$1.5 million. The discovery process will include test cuts to determine what damage has been done and repair items as necessary. A laser scan of the roof will be performed to ensure that they have the conditions for all 360 degrees of the roof. Scharnett stated that they could do some things less expensively but it wouldn’t be a long term solution. Scharnett noted that they would provide repair options along with budget numbers and utilize modern approaches when able, while adhering to the historical guidelines. It was noted that a metal roof has around a fifty year warranty. *Motion by Earing, second by Fannin for approval of the Proposal: Scharnett Architects & Associates-Roof Replacement Design (Historic Courthouse).* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman and Kestner

**Lease Agreement: Livingston County Commission on Children & Youth** - Vitzthum stated that the LCCCY would be leasing part of the old IHR building from the county. This lease mirrors the lease used for the Children’s Advocacy Center. *Motion by Runyon, second by Manker for approval of the Lease Agreement: Livingston County Commission on Children & Youth.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman and Kestner

**Proposal: Farnsworth Group – Phase II Parking Design & Proposal: Farnsworth Group – Vaccination Clinic Design** – Vitzthum explained that the Phase II Parking Design was for the area behind the new Public

Health Department building and the other design proposal was for a drive through Vaccination Clinic Facility at the Public Health Department as well. It was noted that the parking lot project was being paid from the capital projects budget and the drive through clinic was being paid with funding from the American Rescue Plan Act (ARPA). *Motion by Vitzthum, second by Ambrose for approval of the Proposal: Farnsworth Group-Phase II Parking Design and the Proposal: Farnsworth Group – Vaccination Clinic Design (Approve both proposals with one roll call vote).* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Lovell, Ambrose, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** Bunting, Mays and Blackard **Absent:** Barickman and Kestner

Vitzthum also reported that the Public Health Department employees had moved into the new building and were very pleased so far.

### **HIGHWAY**

Committee Chair Steve Lovell and County Highway Engineer Clay Metcalf reviewed the **Action Agenda Items** as follows:

- a) **Letting Results:** February 3, 2022 Letting
- b) **Local Agency Agreement for Federal Participation:** Federal-Aid Agreement for resurfacing Livingston CH 10 (Weston Road) from the county line (900N) to Torrance Avenue (1650N), approximately 7.54 miles known as Sect. No. 18-00120-03-RS. Includes **Resolution (#2022-02-03)** appropriating Matching Tax Funds for the Local Agency share of the cost.
- c) **Local Agency Agreement for Federal Participation:** Federal-Aid Agreement for replacement of Structure No. 053-3182 in Newtown Road District. Includes **Resolution (#2022-02-04)** appropriating County Aid to Bridge Funds for Local Agency share of cost.
- d) **Local Agency Agreement for Federal Participation:** Federal-Aid Agreement for replacement of Structure No. 053-3371 in Union Road District. Includes **Resolution (#2022-02-05)** appropriating County Aid to Bridge Funds for Local Agency share of cost.

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

Metcalf stated that oil prices had increased 3-4% with the aggregate components increasing slightly as well. They also have a little over \$8 million in projects scheduled to start over the next few months. The plans for the new building are at 75% completion.

### **FINANCE**

**Resolution (#2022-02-06): FY 2021 End of Year Transfers** – Committee Chair Shafer stated that these transfers would close out the FY2021. Some of the transfers were necessitated by unforeseen emergencies or defined by estimation, with one being substantial that wasn't discovered until late in the year. The resolution itemized which budget line items were deficient and those budget lines that had surpluses to transfer from. *Motion by Shafer, second by Earing to approve the Resolution Authorizing the FY 2021 End of Year Transfers.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman and Kestner

**Treasurer's Annual Report** – Committee Chair Shafer noted that the report included much more detailed monthly information than what had been provided in the past. *Motion by Shafer, second by Bunting to approve the Treasurer's FY2021 Annual Report.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman and Kestner

**County Clerk's Semi-Annual Report** – County Clerk Kristy Masching presented her report which encompassed the second half of FY 2021. She noted that their receipts for the second half were down \$3,183.92 compared to the first period but when comparing FY21 to FY20 on an annual basis, revenue had increased by \$188,467.83. Masching also noted that the number of documents recorded in her office during the last couple of years had increased each year by about 500 documents. This increase was a result of refinancing due to low interest rates and the sale of larger tracts of farm ground in light of tax law changes. *Motion by Shafer, second by Wilkey to approve the County Clerk's Semi-Annual Report.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman and Kestner

**Resolutions Establishing Elected Officials Salaries: County Clerk, Treasurer, Sheriff** – Committee Chair Shafer explained that every election cycle, before the candidates circulate petitions, the salaries for the elected officials who are running are set. This is done so that the candidates who are successful will know what their salary will be for the four-year term. This year the salary setting resolutions are for the offices of County Clerk, Treasurer and Sheriff. Shafer stated that Alina had done a great deal of research and provided information from counties that were believed to be comparable to Livingston County. After much discussion the committee consensus was for larger increases for the first two years of the term and less on the back end of the term. Shafer stated that there were no radical increases and that the increases given were not keeping up with the rate of inflation at this time.

**Resolutions (#2022-02-07): Establishing County Clerk's Salary** - *Motion by Shafer, second by Kirkton to approve the Resolution: Establishing County Clerk's Salary.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** Mays **Absent:** Barickman and Kestner

**Resolutions (#2022-02-08): Establishing County Treasurer's Salary** - *Motion by Shafer, second by Slagel to approve the Resolution: Establishing the County Treasurer's Salary.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** Mays **Absent:** Barickman and Kestner

**Resolutions (#2022-02-09): Establishing County Sheriff's Salary** - *Motion by Shafer, second by Weller to approve the Resolution: Establishing the County Sheriff's Salary.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Lovell, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** Steichen, Mays and Ambrose **Absent:** Barickman and Kestner

#### AG & ZONING

**Ordinance (#2022-02-10): Case ZT-1-22: Livingston County Special Uses** -Committee Chair Bunting noted that this zoning case pertained to the review of a proposed zoning text amendment that would change the ordinances procedure for final approval of special use requests for airport or heliport, and mineral extraction sites (quarries), with final approval to be left to the Livingston County Board rather than the Zoning Board of Appeals. Bunting noted that they had been working on this project for a number of months and had passed it unanimously in Ag & Zoning Committee. Bunting explained that the process would start with the County Board, on to the Regional Planning Commission, then the Zoning Board of Appeals and back to the County Board for final approval. The thought behind this process was that the County Board is elected by their constituents with the ZBA members appointed by the County Board Chairman and approved by the County Board. Thus the decisions will be made by the residents who vote the County Board members in. *Motion by Bunting, second by Kirkton to approve Case ZT-1-22: Livingston County Special Uses (Ordinance #2022-02-10).* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga,

Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman and Kestner

### SHERIFF, JAIL & LICENSE

Detective Sgt. DeMoss, the Supervisor of the Livingston County Pro-Active Unit was present to report and commend Pro-Active Unit publicly for their hard work on a recent activity. DeMoss stated that a lengthy drug investigation concluded with the execution of a search warrant in Chatsworth and the seizure of one pound of methamphetamine with an estimated street value of \$20,000. The perpetrator is in the Livingston County Public Safety Complex on a \$1 million bond. He noted that they were assisted by the Chatsworth Police Department, the Tri-County Drug Enforcements Narcotics Team (Trident), the Fairbury, Pontiac and Dwight Drug Units and V-Com. Chair Arbogast commended them on a job well done.

**Sheriff's Annual Report & Sheriff's Semi-Annual Report** – *Motion by Carley, second by Vietti to approve the Sheriff's 2021 Annual Report & the Sheriff's Semi-Annual Report for the 2<sup>nd</sup> half of FY2021.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman and Kestner

**Resolution (#2022-02-11): Increasing Sick / Medical Fees** – Carley noted that the resolution would increase the sick and medical fees charged to the inmates. It had been sent to all the Board members in their packets for their review. Superintendent Draper was present to answer questions. *Motion by Carley, second by Lovell to approve the Resolution Increasing Sick/Medical fees.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon **Nays:** None **Absent:** Barickman and Kestner

Chair Carley expressed his gratitude to all the officers in the Sheriff's Department for all the work they do. He also thanked Lt. Jeff Hamilton, Captain Gragert and Superintendent Draper for their service to the county as well.

### INFORMATION TECHNOLOGY

No report since they didn't meet.

### RULES, LEGISLATION, VETERANS & COMMUNITY SERVICES COMMITTEE

Committee Chair Mike Kirkton stated that next month they will be meeting with some of the agencies regarding the services they provide to the citizens of the county.

### INFORMATION TECHNOLOGY

No report since they didn't meet.

### EXECUTIVE

**Retirement Agreement** - *Motion by Arbogast, second by Carley to approve the Retirement Agreement for Sheriff Tony Childress.* Discussion took place. Some of the members didn't like this course of action but felt it had to be done. Some felt that the agreement should be voted down and the Sheriff decide what he should do. Others felt that we would be double paying for six months to the retired Sheriff and also for the interim Sheriff. Sheriff, Jail & License Committee Chair Jim Carley explained that Lt. Hamilton would be taking over during the Sheriff's position at a pay reduction since he makes more than the Sheriff. There will be no Chief Deputy appointed during this time, so the overall savings in salary and insurance would be a little under \$29,000. The Sheriff's car would also be put back into the squad car pool since they're short a car for another savings of about \$30,000. Carley stated that if this agreement passed there would be a total savings of around \$59,000. It was noted that there would be a savings only if the Interim Sheriff chose not to appoint a Chief Deputy. State's Attorney Randy Yedinak stated that he drafted the document and verified that from a legal stand point this agreement could be done.

**MOTION CARRIED ON ROLL CALL VOTE.** Ayes: Vietti, Kirkton, Manker, Slagel, Fannin, Shafer, Welch, Carley, Weller, Ritter, Lovell, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon Nays: Bunting, Steichen, Mennenga, Mays and Ambrose Absent: Barickman and Kestner

**EXECUTIVE SESSION**

**5 ILCS 120/2 (c)(1) – Personnel Matters & 5 ILCS 120/2 (c)(2) – Collective Negotiating Matters** – Motion by Ritter, second by Wilkey to go into Executive Session pursuant to 5 ILCS 120/2 (c)(1) – Personnel Matters & 5 ILCS 120/2 (c)(2) – Collective Negotiating Matters. **MOTION CARRIED ON ROLL CALL VOTE.** Ayes: Vietti, Bunting, Kirkton, Manker, Slagel, Fannin, Steichen, Shafer, Mennenga, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Arbogast, Wilkey and Runyon Nays: None Absent: Barickman and Kestner

A short recess was taken at 7:14 p.m. Executive Session began at 7:19 p.m. Regular session resumed at 7:53 p.m.

**ACTION RESULTING FROM EXECUTIVE SESSION**

None

**ANNOUNCEMENTS**

N/A

**ADJOURNMENT**

*The meeting adjourned at 7:55 p.m., on motion by Ritter, second by Blackard.* **THE MOTION CARRIED WITH ALL AYES ON VOICE VOTE**

**Kathy Arbogast, Chair**

Attest:

*Kristy A. Masching*  
County Clerk