

**LIVINGSTON COUNTY BOARD**  
**MINUTES OF April 14, 2022 MEETING OF THE COUNTY BOARD**

**OPENING**

County Board Vice-Chair Jason Bunting (in the absence of 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 Victor Randall presented the invocation. Jim Blackard 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, Joel J. Barickman, Marty Fannin, Tim Shafer, Seth Welch, James A. Carley, Bob Weller, Paul A. Ritter, William Mays, Steven Lovell, Linda Ambrose, James Blackard, Gerald Earing, John Vitzthum, Bill Wilkey and Mark Runyon **Absent:** Joseph D. Steichen, Scott Mennenga, Ronald L. Kestner and Kathy Arbogast **Vacancy:** John Slagel

**Also Present:** County Clerk-Kristy Masching, Executive Director-Alina Hartley, County Engineer-Clay Metcalf, Treasurer-Nikki Meier, Finance Director-Diane Schwahn and IT Director-Jon Sear

**AGENDA**

Vice-Chair Bunting called for approval of the agenda as presented. *Motion by Ritter, second by Carley to approve the agenda as presented.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

**APPROVAL OF MINUTES**

Vice-Chair Bunting called for approval of the March 17, 2022 County Board meeting minutes. *Motion by Fannin, second by Earing to approve the March 17, 2022 County Board meeting minutes.* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

**PRESENTATION**

N/A

**APPOINTMENT**

N/A

**CONSENT AGENDA**

- A. Approval of Bills
- B. Appointments
  - a. **Marvin Wood** – appointment to the Flanagan-Graymont Fire Protection District, commencing 1<sup>st</sup> Monday in May 2022 for a three year term ending in May 2022.
  - b. **Duane Meister (Resolution #2022-04-18)** – appointment to the Cullom Fire Protection District, commencing 1<sup>st</sup> Monday in May 2021 for a three year term ending in May 2024.
  - c. **Marlin Donley (Resolution #2022-04-19)** – appointment to the Kempton Community Fire Protection District, commencing 1<sup>st</sup> Monday in May 2022 for a three year term ending in May 2025. (Donath English retired.)

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

**HIGHWAY**

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

- a) **Resolution (#2022-04-20):** Amended Resolution appropriating Rebuild Illinois (RBI) Bond Funds from Motor Fuel Tax for construction costs to replace S.N. 053-3057 on CH 34, Holland Bridge 3170N, 800E, Section 20-00171-02-BR.
- b) **Quarterly Reports:** 4<sup>th</sup> Quarter FY 21 and 1<sup>st</sup> Quarter FY 22

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

County Highway Engineer Clay Metcalf provided a status update on the progress of the new building. He noted that they had received the final plans and specifications. Their tentative schedule is as follows: advertise for letting on April 23; available for bidders the following week; hope to finalize with city variances on May 16; hold a pre-bid meeting on May 17; open the bids on June 2; review the bids with the Highway Committee on June 7; and present to the County Board on June 16. This time frame is contingent upon approval of the variances from the city. Metcalf doesn't anticipate any issues with the variances from the city.

#### **PUBLIC PROPERTY**

**Resolution (#2022-04-21): Accepting Low Bid Demolition Project – Fowler Enterprises – Committee Chair** John Vitzthum reported that this resolution was to accept the low bid from Fowler Enterprises for the demolition of the H&E Building. *Motion by Vitzthum, second by Earing to accept the low bid of \$181,250 from Fowler Enterprises for the demolition of the H&E Building.* Discussion followed. It was noted that the asbestos work is scheduled to be finished by the end of May with demolition to begin June 1. This bid for this phase of the project was within the budget apportioned for it. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Barickman, Fannin, Shafer, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Wilkey and Runyon **Nays:** None **Absent:** Steichen, Mennenga, Kestner and Arbogast **Vacancy:** Slagel

**Agreement Approving Personal Use of Public Property –**Vitzthum reported that a request had been made by a family wanting to hold a wedding in the Historic Courthouse. He noted that weddings had taken place in the past when the Judiciary Department was located within the Historic Courthouse and during the week when the building was open to the public. Alina had drafted a Courthouse Use Agreement to present to the Board for their review and is approved, for future event requests for use of the Historic Courthouse. *Motion by Vitzthum, second by Ritter to approve the use of public property or facilities owned or controlled by Livingston County.* Discussion took place. Those not in favor voiced the following considerations: hours of operation for each event, during work hours vs. after hours; security issues; who would be the contact person; county board approval prior to event; event supervision; containment of event attendees to one floor or free range of all floors; who's responsible for vacating building; and could be opening the door for some very challenging moments. Those in favor voiced the following: felt that the public should have the opportunity to use the building; and another felt that the agreement should be sent back to the committee to be re-written, that it wasn't restrictive enough or specific enough in order for the Board to move forward. Some who had approved the request in committee commented that after review of all the aspects to consider, they were now against it due to all the additional work that would take place on the county's end. Paul Ritter stated that he felt the public should be able to use the building and that further discussion to resolve the issues presented should take place. *Paul Ritter then withdrew his second to John Vitzthum's motion. Jason Bunting called for a second to the motion. Hearing none, Jason Bunting announced John Vitzthum's motion was dead due to the lack of a second.*

Discussion took place with it being noted that in order to further review and amend the agreement, it would have to be added back on the Public Property Committee agenda. Hartley requested (as she had in Property Committee), that if there was no intention of moving forward with any type of agreement, that they not ask her to go through the process of drafting a new document. This was because there were a lot of questions and concerns that would not be able to be incorporated into an agreement. Bunting noted that most of the comments voiced earlier were in the negative. Common consent was not to pursue this issue any further.

**Other Items of Interest** - Vitzthum noted that the asbestos removal was on schedule and as a result, the demolition should be on schedule. He reported that it was going well at the Public Health Building.

#### FINANCE

**Ordinance (#2022-04-22): Single Bidder Rule** – Committee Chairman Tim Shafer explained that by adopting the single bidder rule, entities who are related and are registered for the annual tax sale would be prohibited from submitting duplicate bids. This would help ensure that Treasurer Nikki Meier has a fair and equitable tax sale. *Motion by Shafer, second by Fannin to approve Ordinance #2022-04-22) Single Bidder Rule.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Barickman, Fannin, Shafer, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Wilkey and Runyon **Nays:** None **Absent:** Steichen, Mennenga, Kestner and Arbogast **Vacancy:** Slagel

**Resolution (#2022-04-23): Authorizing Sale of Mobile Home** –Shafer stated that this resolution pertained to a Mobile Home which had been redeemed at sale for back taxes. The home was located at 1225 4-H Park Rd, Lot 220 (PIN#15-15-800-220). *Motion by Shafer, second by Manker to approve Resolution #2022-04-23) Authorizing Sale of Mobile Home.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bunting, Kirkton, Manker, Barickman, Fannin, Shafer, Welch, Carley, Weller, Ritter, Mays, Lovell, Ambrose, Blackard, Earing, Vitzthum, Wilkey and Runyon **Nays:** None **Absent:** Steichen, Mennenga, Kestner and Arbogast **Vacancy:** Slagel

#### SHERIFF, JAIL & LICENSE

**Liquor License and Mobile Home Annual Renewal Applications & Amendment of Liquor License Change in Officers: Pontiac Sportsman’s Club** – County Clerk Kristy Masching reported that the annual liquor license applications were in order. Applicants who had outstanding items at the time of the committee meeting had since submitted what was needed. There were two Mobile Home Parks, Carriage Lane Estates (Streator) and Redwood Manor (Pontiac) which had also submitted paperwork for their permits. The State’s Attorney had reviewed and approved the paperwork and the Sheriff’s Office had conducted background checks and found no infractions. There was a change in officers for the Pontiac Sportsman’s Club and as such is to be reported to the County Liquor Commissioner. *Motion by Carley, second by Vietti to approve the Liquor License and Mobile Home Annual Renewal Applications and the Amendment of Liquor License Change in Officers: Pontiac Sportsman’s Club (both items with one roll call vote).* **MOTION CARRIED ON UNANIMOUS VOICE VOTE.**

Committee Chairman Jim Carley addressed the items brought up about a raffle license for the Fairbury American Legion Speedway (FALS). The State’s Attorney looked into it and reported that everything was fine with how it was being conducted. Carley also commented that there has been a smooth transition at the Sheriff’s Department with incoming Sheriff Hamilton. Carley noted that Sheriff Hamilton, Captain Gragert and Jail Superintendent Draper are all doing a commendable job with their leadership.

#### AG & ZONING

Committee Chair Jason Bunting reported on the electronic recycling event held earlier in the month in Pontiac at the old Kmart parking lot. He thanked everyone who showed up to help as well as those who brought electronic recycling hardware. Bunting also noted that they loaded up just a little under four full semi-trucks.

#### INFORMATION TECHNOLOGY

No report since they didn’t meet.

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

Committee Chair Mike Kirkton stated that they didn’t have any action items. They had met with the following community service representatives: Tara Graves-Livingston Area Career Center; Mark Jontry – Regional Office of Education; and Tom Bailey-Veteran’s Assistance Commission. Jim Blackard stated that Tom’s last meeting should’ve been the April meeting but his replacement wasn’t able to start until June 15. So, Tom will be in

attendance for a few more meetings. The new Superintendent is a former Colonel with the Illinois National Guard. A new secretary has been hired and will eventually become the Assistant Superintendent.

**EXECUTIVE**

No report since they didn't meet.

**PUBLIC COMMENT**

Joe Vaughan, IHR Executive Director was present to request that he get back on the Board's radar to enter into discussion on compensation for the building they left behind.

Jim Carley (Chair of SJL) addressed the Board to clarify information which was printed in the newspaper regarding his and Vice-Chair Weller's absence for the appointment of the interim Sheriff.

Bob Weller expressed his appreciation to those who reached out to him during his absence.

**EXECUTIVE SESSION**

N/A

**ANNOUNCEMENTS**

N/A

**ADJOURNMENT**

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

**Kathy Arbogast, Chair**

Attest:

Kristy A. Masching  
County Clerk