

LIVINGSTON COUNTY BOARD
MINUTES OF SEPTEMBER 15, 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.

Pastor Charles Ambrose presented the invocation. Mike Kirkton led the group in the Pledge of Allegiance.

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

Also Present: Executive Director Alina Hartley, States Attorney Randy Yedinak, Public Defender Marinna Metoyer, HR Director Ginger Harris, Zoning Administrator Chuck Schopp and Finance Director Diane Schwahn, Adam Dontz (GLCEDC), Andrew Keyt (Attorney Heyl Royster), and Seth Uphoff (Attorney Trajectory Energy)

AGENDA

Chair Arbogast called for approval of the agenda as presented. *Motion by Carley, second by Bunting to approve the agenda as presented.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Jason Bunting, Mike Kirkton, Gina Manker, Joel J. Barickman, Vicki Allen, Marty Fannin, Tim Shafer, Scott Mennenga, Seth Welch, James A. Carley, Robert F. Weller, William Mays, Steven Lovell, Linda Ambrose, James Blackard, Gerald Earing, John Vitzthum, Kathy Arbogast and Mark Runyon. **Nays:** None. **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter, Bill Wilkey.

APPROVAL OF MINUTES

Minutes were not yet available for approval.

PRESENTATION

N/A

APPEARANCES

Marinna Metoyer was introduced to the County Board as the newly appointed Public Defender for Livingston County.

CONSENT AGENDA

- A. Approval of Bills
- B. Appointment – Sue Bergan – Reddick Community Fire Protection District
- C. Appointment – Brad Johnson – Long Point Community Fire Protection District

Motion by Fannin, second by Earing for approval of the Consent Agenda. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Jason Bunting, Mike Kirkton, Gina Manker, Joel J. Barickman, Vicki Allen, Marty Fannin, Tim Shafer, Scott Mennenga, Seth Welch, James A. Carley, Robert F. Weller, William Mays, Steven Lovell, Linda Ambrose, James Blackard, Gerald Earing, John Vitzthum, Kathy Arbogast and Mark Runyon. **Nays:** None. **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter, Bill Wilkey.

FINANCE

Agreement: Eagle View Pictometry: Committee Chair Tim Shafer stated the last time a flight was done in the County was back in 2020. Shafer directed discussion to the supervisor of assessments, Shelly Renken, who stated they are trying to get on a regular cycle, with a three-flight contract that would either renew or end in 2026. Renken assured that the agreement can always be amended or changed in 2026 with no penalties. *Motion by*

Shafer, second by Bunting for approval of the Eagle View Pictometry Agreement. MOTION CARRIED ON ROLL CALL VOTE. Ayes: John L. Vietti, Jason Bunting, Mike Kirkton, Gina Manker, Joel J. Barickman, Vicki Allen, Marty Fannin, Tim Shafer, Scott Mennenga, Seth Welch, James A. Carley, Robert F. Weller, William Mays, Steven Lovell, Linda Ambrose, James Blackard, Gerald Earing, John Vitzthum, Kathy Arbogast and Mark Runyon. **Nays:** None. **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter and Bill Wilkey.

Resolution (#2022-09-42): Property Tax Abatement Evenglow: Adam Dontz from GLCEDC reviewed a proposal for a five-year property tax abatement limited to 100% of the value attributed to new construction. Dontz reported that Evenglow’s capital investment will exceed previously approved guidelines with an investment of \$11,000,000 and the construction of 47,000 square feet. The senior living facility will retain 56 full-time positions and meet the minimum wage and benefit requirement. *Motion by Shafer, second by Fannin to approve the Property Tax Abatement - Evenglow Resolution. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Jason Bunting, Mike Kirkton, Joel J. Barickman, Vicki Allen, Marty Fannin, Tim Shafer, Scott Mennenga, Seth Welch, James A. Carley, Robert F. Weller, William Mays, Steven Lovell, Linda Ambrose, Gerald Earing, John Vitzthum, Kathy Arbogast and Mark Runyon. **Nays:** Gina Manker and James Blackard **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter and Bill Wilkey.

Resolution (#2022-09-43): STEAM Grant – Flanagan Cornell District 74: Adam Dontz explained that the STEAM grant is funded for the purpose of curriculum development and lab equipment. The GLCEDC funded \$17,170.00 to Flanagan-Cornell Unit District 74 before the start of the school year and are looking to be reimbursed, based on the rate of \$50 per student grades K-6th and \$70 per student grades 7th-12th. *Motion by Shafer, second by Welch to approve the STEAM Grant – Flanagan Cornell District 74 Resolution. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Jason Bunting, Mike Kirkton, Gina Manker, Joel J. Barickman, Vicki Allen, Marty Fannin, Tim Shafer, Scott Mennenga, Seth Welch, James A. Carley, Robert F. Weller, William Mays, Steven Lovell, Linda Ambrose, James Blackard, Gerald Earing, John Vitzthum, Kathy Arbogast and Mark Runyon. **Nays:** None. **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter and Bill Wilkey.

AG & ZONING

Zoning Case SU-2-22 Bluestem Solar (Resolution #2022-09-44): Committee Chair Jason Bunting reported that Seth Uphoff would be giving a presentation on the Bluestem Solar Project. Uphoff explained that the project is a solar farm that would be located South of Pontiac taking up 39 acres. The solar farm would be connecting to existing ComEd lines that were already throughout the property. Uphoff expressed that the solar farm is a community solar project that will benefit residents allowing them a credit on their utility bill when subscribing to the generation of power provided. Their utility bill will show an average savings of 20%, which over time can result in up to \$125,000 depending on how much energy is being used. The subscription will be offered to Livingston County residents first, as this project supports around 1,100 subscribers and if there are any subscriptions remaining then they will offer them outside of the County. Uphoff explained that they have discussed setbacks and screening with the Agriculture and Zoning Committee, as well as worked with the neighbors to allow a 100 ft. setback with additional screening on the property line. Uphoff reported that every three years there will be a review and re-certification to assure it is being well maintained and meeting the qualifications of the State of Illinois. Uphoff explained the land will be out of use for 25 years and at the end of the life cycle, the land will be turned back into its original state. *Motion by Bunting, second by Blackard to approve Zoning Case SU-2-22 Bluestem Solar. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Jason Bunting, Mike Kirkton, Gina Manker, Vicki Allen, Marty Fannin, Tim Shafer, Seth Welch, James A. Carley, Robert F. Weller, Steven Lovell, James Blackard, Gerald Earing, Kathy Arbogast and Mark Runyon. **Nays:** Joel J. Barickman, Scott Mennenga, William Mays and Linda Ambrose. **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter and Bill Wilkey. **Present:** John Vitzthum

Zoning Case ZT-1-22 Zoning Text Amendment Article VIII B Solar Farm Moratorium (Resolution #2022-09-45): Attorney, Andrew Keyt, from Heyl Royster provided an overview of the amendment process for a moratorium. Keyt stated that the safest process to take when going through with a moratorium is establishing a zoning text amendment, which requires a public hearing process, then back to the board for approval of the text

amendment. This process can take up to 60 days minimum. Keyt stated the County can move forward without a text amendment, but he does not advise as this can cause more of a legal risk if challenged. *Motion by Bunting, second by Kirkton to approve Zoning Case ZT-1-22 Zoning Text Amendment Article VIII B Solar Farm Moratorium.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Jason Bunting, Mike Kirkton, Gina Manker, Joel J. Barickman, Vicki Allen, Marty Fannin, Scott Mennenga, Seth Welch, James A. Carley, Robert F. Weller, William Mays, Steven Lovell, Linda Ambrose, John Vitzthum, Kathy Arbogast and Mark Runyon. **Nays:** Tim Shafer, James Blackard and Gerald Earing. **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter and Bill Wilkey.

Resolution: Solar Farm Moratorium: Discussion took place regarding this resolution that would establish a temporary moratorium on the processing of any special use application for the development of a solar farm. *Motion by Bunting, second by Barickman to approve the Solar Farm Moratorium Resolution.* **MOTION FAILED ON ROLL CALL VOTE.** **Ayes:** Jason Bunting, Mike Kirkton, Gina Manker, Joel J. Barickman, Vicki Allen, Scott Mennenga, Seth Welch, William Mays, Linda Ambrose and Mark Runyon. **Nays:** John L. Vietti, Marty Fannin, Tim Shafer, James A. Carley, Robert F. Weller, Steven Lovell, James Blackard, Gerald Earing, John Vitzthum, and Kathy Arbogast. **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter and Bill Wilkey.

Resolution (#2022-09-46): Expiration of Emergency Disaster Declaration: The board reviewed a resolution rescinding the Public Health Emergency Declaration. *Motion by Bunting, second by Blackard to approve the Expiration of Emergency Disaster Declaration Resolution.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Jason Bunting, Mike Kirkton, Joel J. Barickman, Vicki Allen, Marty Fannin, Tim Shafer, Scott Mennenga, Seth Welch, James A. Carley, Robert F. Weller, William Mays, Steven Lovell, Linda Ambrose, James Blackard, Gerald Earing, John Vitzthum, Kathy Arbogast and Mark Runyon. **Nays:** Gina Manker. **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter, Bill Wilkey.

HIGHWAY

No report.

PUBLIC PROPERTY

Lease/Sublease Agreement – Project Oz: Committee Chair John Vitzthum stated that Project Oz has leased this building previously, renting two office spaces. This Lease is for a portion of the building located at 310 E. Torrance Avenue, Pontiac, IL 61764. *Motion by Vitzthum, second by Lovell for approval of the Consent Agenda.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Jason Bunting, Mike Kirkton, Gina Manker, Joel J. Barickman, Vicki Allen, Marty Fannin, Tim Shafer, Scott Mennenga, Seth Welch, James A. Carley, Robert F. Weller, Steven Lovell, Linda Ambrose, James Blackard, Gerald Earing, John Vitzthum, Kathy Arbogast and Mark Runyon. **Nays:** None. **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter, Bill Wilkey. **Present:** William Mays.

Approval of Plaque – New Public Health Building: Committee Chair John Vitzthum stated they would like to place a new interior plaque within the Livingston County Public Health Building. *Motion by Vitzthum, second by Weller to approve the purchase of the Plaque.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Jason Bunting, Mike Kirkton, Gina Manker, Vicki Allen, Marty Fannin, Tim Shafer, Scott Mennenga, Seth Welch, James A. Carley, Robert F. Weller, William Mays, Steven Lovell, Linda Ambrose, Gerald Earing, John Vitzthum, Kathy Arbogast and Mark Runyon. **Nays:** Joel J. Barickman and James Blackard. **Absent:** Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter, Bill Wilkey.

ELECTIONS, RULES and LEGISLATION

Committee Chair Mike Kirkton stated that he has no action items to discuss. Kirkton did mention that Safe Journey's gave a great presentation last week at the committee meeting and he is glad to have them a part of our County. Kirkton also mentioned that on November 12th there will be a Veteran's Day Prayer Breakfast free for all veterans and their families.

SHERIFF, JAIL and LICENSE

Committee Chair James Carley stated that they are searching for correctional officers, as they have only filled 5 out of 7 vacancies. He also stated that the Pro-Active unit has been extremely successful.

INFORMATION and TECHNOLOGY

No report.

EXECUTIVE

No report.

ANNOUNCEMENTS

N/A

PUBLIC COMMENTS

The floor was open for public comment.

EXECUTIVE SESSION

Executive Session motion by Fannin, second by Blackard to go into Executive Session pursuant to 5ILCS 120/2(c)(1) – Personnel Matters. **MOTION CARRIED ON ROLL CALL VOTE.** Ayes: John L. Vietti, Jason Bunting, Mike Kirkton, Gina Manker, Joel J. Barickman, Vicki Allen, Marty Fannin, Tim Shafer, Scott Mennenga, Seth Welch, James A. Carley, Robert F. Weller, William Mays, Steven Lovell, Linda Ambrose, James Blackard, Gerald Earing, John Vitzthum, Kathy Arbogast and Mark Runyon. Nays: None. Absent: Joseph D. Steichen, Ronald L Kestner, Paul A. Ritter, Bill Wilkey.

The board took a brief break prior to Executive Session at 7:35 p.m. – 7:40 p.m.

Executive session began at 7:40 p.m.
Regular session resumed at 8:15 p.m.

ACTION RESULTING FROM EXECUTIVE SESSION

None

ADJOURNMENT

The meeting adjourned at 8:16 p.m. on motion by Barickman, second by Fannin. **MOTION CARRIED ON VOICE VOTE.**

Kathy Arbogast, Chair

Attest:

Jordan E. Uselding
Jordan E. Uselding
Executive Assistant
On behalf of County Clerk, Kristy Masching