

LIVINGSTON COUNTY BOARD
MINUTES OF AUGUSTS 17TH, 2023 MEETING OF THE COUNTY BOARD

OPENING

County Board Chair James A. Carley called the meeting to order at 6:01 p.m., in the County Board Room of the Historic Courthouse, 112 W. Madison, Pontiac, Illinois.

Pastor Jan Ambrose presented the invocation. Linda Ambrose led the group in the Pledge of Allegiance.

County Clerk Kristy Masching called roll with the following members **present:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Mark Runyon, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Absent:** William Mays

Also Present: Executive Director Alina Hartley, Executive Assistant Jordan Uselding, Finance Director Diane Schwahn, Sheriff Ryan Bohm, States Attorney Michael Regnier, Jail Superintendent Lisa Draper, Zoning & Planning Administrator Jesse King, Veterans Assistance Commission Superintendent Michael Haerr, Environmental Health Director Donnie Simmons and Attorney Seth Uphoff (Trajectory Energy Partners)

AGENDA

Chair Carley called for three amendments to the agenda requesting to move public comment up to “G” before presentations; add the Accommodation of Safety Awards Presentation before the Tire Recycling Presentation; and move Appointment “b. Marvin Hilti – Regional Planning Commission” to the Rules, Legislation, Veterans and Community Services Committee section. *Motion by Ritter, second by Welch to approve the agenda as amended.*
MOTION CARRIED ON VOICE VOTE WITH ALL AYES.

APPROVAL OF MINUTES

Chair Carley called for approval of the meeting minutes from July 20, 2023. *Motion by Blackard, second by Earing to approve the minutes as submitted.* **MOTION CARRIED ON VOICE VOTE WITH ALL AYES.**

PUBLIC COMMENTS

The floor was open for public comment.

PRESENTATION

Accommodation of Safety Award: Sheriff Bohm & Superintendent Draper were present to congratulate Officer Blair and Officer May and present them with an Accommodation Award for the life-saving measures taken to help save an inmate's life. Sheriff Bohm stated on August 8th, 2023, an inmate tried to take his own life; with the quick actions of these two officers, they were able to remove the item from around his neck, safely lower him to the ground and perform CPR until medics arrived.

Tire Recycling Program: Donnie Simmons, Environmental Health Director, was present to inform the committee that the Livingston County Health Department will be assisting in the collection of unused tires. Simmons stated the Collection is scheduled to start on September 5 and end September 27, 2023. Simmons stated it is required that you call the LCHD Environmental Health Division at 815-842-5921 to schedule an appointment to drop off any tires or they will not be accepted. Simmons mentioned that they accept all tires on or off the rim, except farm or construction equipment tires.

APPEARANCES

N/A

CONSENT AGENDA

- A. Approval of Bills
- B. Appointments
 - a. Clark Reamer – Mental Health 708 Board
 - b. ~~Marvin Hilti – Regional Planning Commission~~
 - c. **Resolution (#2023-08-46):** Parnell Kennedy – Odell Fire Protection District
 - d. **Resolution (#2023-08-47):** Andrew Abry – Odell Fire Protection District
 - e. **Resolution (#2023-08-48):** Don Bunting – Odell Fire Protection District
- C. Acceptance of Decennial Report on Local Government Efficiency
 - a. Chatsworth Public Library

Motion by Fannin, second by Ritter for approval of the Consent Agenda. MOTION CARRIED ON ROLL CALL VOTE. Ayes: John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Mark Runyon, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Absent:** William Mays

AGRICULTURE & ZONING

Resolution (#2023-08-49): Zoning Case SU-13-22 – Prairie Dock Solar: King reported this is a request for a 300 MW Solar Farm on approximately 1600 acres. King stated the RPC held a meeting in December 2022 and there was a motion and second to recommend denial, which failed on roll call vote. The ZBA had 3 hearings on the case and unanimously recommended approval. The Agriculture & Zoning Committee recommended approval at the August 2023 meeting with one Nay and one absent. Attorney Seth Uphoff was present to provide a brief explanation of the project. Uphoff reported this project is seeking to be sited on least productive ground just East of Cayuga. Uphoff stated the project would produce enough energy to power approximately 75,000 homes every year. Uphoff reported the project is brought to you by Competitive Power Ventures (CPV), a U.S. based developer and operator of power-based facilities across the nation. Uphoff mentioned that this project will bring in a substantial amount of tax revenue, noting over \$20 million alone just to Odell Grade School & Pontiac High School. *Motion by Earing, second by Lovell to approve Zoning Case SU-13-22 – Prairie Dock Solar. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Michael Haag, Dan Myers, Mark Runyon, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose and Marty Fannin **Absent:** William Mays

HIGHWAY

- a. ~~Resolution: Cost Share Agreement Eppards Pt. Road District, Sect. No 23-08125-02-BR, located at 1000N, 1600E, Road & Intersection Upgrade~~
- b. **Bridge Petition** - Owego Rd. District – Replace culverts along 2000N from 1800E to 2150E, Estimated Cost = \$50,000 Sect. No 23-19000-01-AB

Motion by Lovell, second by Blackard for approval of the highway action items with one roll call vote, noting the Resolution of Cost Share Agreement in Eppards Point Rd. District was removed. MOTION CARRIED ON ROLL CALL VOTE. Ayes: John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Mark Runyon, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Absent:** William Mays

Committee Chair Steven Lovell reported that they are progressing on the building and hoping to be completed by October 1st. Lovell stated they are meeting with the architect tomorrow and will know more regarding the timeline.

FINANCE

Committee Chair Marty Fannin reported they are knee deep in budget season. Fannin stated the Finance Committee has had to make some tough decisions and they will be bringing it to the board next month.

SHERIFF, JAIL & LICENSE

Committee Chair Bob Weller reported the Sheriff was present to give the monthly department reports at the committee meeting, along with a few additional appropriation requests. Weller stated there was a raffle license approved for Futures Unlimited.

PUBLIC PROPERTY

Committee Chair John Vitzthum reported there was a hot water issue at the Jail that has been taken care of.

RULES, LEGISLATION, VETERANS, AND COMMUNITY SERVICES

Appointment: Marvin Hilti – Regional Planning Commission: Discussion took place regarding the proposed appointment, as well as whether a conflict of interest may exist. *Motion by Haag, second by Ritter to approve the appointment of Marvin Hilti to the Regional Planning Commission.* **MOTION FAILED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Marty Fannin, Robert F. Weller, Jim Blackard, Gerald L. Earing, James A. Carley and Steven J. Lovell. **Nays:** Rebekah Fehr, Gina Manker, Linda Ambrose Dan Myers, Mark Runyon, Seth L. Welch and Paul A. Ritter **Abstain:** Joel Barickman and John J. Vitzthum **Absent:** William Mays

ADMINISTRATIVE

Committee Chair James A. Carley reported that he is going to stick by the Standing Rules in regards to public comment and setting timeframes. Carley reported there are upcoming training sessions coming up by Attorney Andrew Keyt on August 21st and 22nd, for all board members, regional planning members, zoning board of appeals members and the public to attend.

INFORMATION and TECHNOLOGY

Committee Chair Gina Manker reported the cameras will be replaced next year in Downtown Pontiac at the Historic Courthouse and Law & Justice Center. Manker reported Jon Sear and Superintendent Draper will be traveling to Indiana to review the jail door system project before installation.

ANNOUNCEMENTS

N/A

EXECUTIVE SESSION

Executive Session *Motion by Fannin, second by Ritter to go into Executive Session pursuant to 5ILCS 120/2(c) (21) – Semi-Annual Review of Executive Session Minutes.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Mark Runyon, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Absent:** William Mays

The board took a brief break prior to Executive Session from 7:19p.m. – 7:24p.m.

Executive session began at 7:25 p.m.
Regular session resumed at 7:46 p.m.

ACTION RESULTING FROM EXECUTIVE SESSION

5ILCS 120/2 (c) (21) Semi-Annual Review of Executive Session Minutes – The Board reviewed minutes from: April 11, 2013; May 14, 2015; October 15, 2015; July 20, 2017; August 16, 2018; February 14, 2019; March 14, 2019; April 11, 2019; July 11, 2019; August 15, 2019; December 12, 2019; February 24, 2022; August 11, 2022;

September 15, 2022, October 13, 2022, November 17, 2022, February 16, 2023, March 16, 2023 and April 13, 2023. *Motion by Weller, second by Fannin to open the Executive Session Minutes of September 15, 2022 and October 13, 2022, and leave closed all remaining Executive Session Minutes, and further authorize the destruction of all verbatim records dated eighteen months and older.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Mark Runyon, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Absent:** William Mays

ADJOURNMENT

The meeting adjourned at 7:49 p.m. on motion by Haag, second by Lovell. **MOTION CARRIED ON VOICE VOTE.**

James A. Carley, Chair

Attest:

Jordan E. Uselding

Executive Assistant

On behalf of County Clerk, Kristy Masching