

**LIVINGSTON COUNTY BOARD
MINUTES OF SEPTEMBER 14TH, 2023 MEETING OF THE COUNTY BOARD**

OPENING

County Board Chair James A. Carley 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. Gerald Earing 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, Linda Ambrose, Marty Fannin, Dan Myers, Mark Runyon, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley and Steven J. Lovell **Absent:** Joel Barickman and Paul A. Ritter

Also Present: Executive Director Alina Hartley, Executive Assistant Jordan Uselding, Human Resource Director Ginger Harris, County Clerk Kristy Masching, Sheriff Ryan Bohm, Public Defender Marinna Metoyer, Highway Engineer Clay Metcalf, IT Support Tech Dakota Russell, Zoning & Planning Assistant Administrator Patricia Merlino, Jesse King, Attorney Kyle Berry (McGuireWoods), Keith Morel and Michael Keith (Ironwood Renewables)

AGENDA

Chair Carley called for an amendment to the agenda requesting the Pledge of Allegiance be given by Gerald Earing instead of Joel Barickman due to his absence. *Motion by Manker, second by Fannin 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 August 17th, 2023, county board training minutes of August 21st, 2023 and August 22nd, 2023 and the public hearing minutes of September 14th, 2023. *Motion by Fannin, second by Weller to approve all four sets of minutes as submitted.* **MOTION CARRIED ON VOICE VOTE WITH ALL AYES.**

PRESENTATION

N/A

CONSENT AGENDA

- A. Approval of Bills
- B. Acceptance of Decennial Report on Local Government Efficiency
 - a. Flanagan Public Library

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

AGRICULTURE & ZONING

Resolution (#2023-09-51): Zoning Case SF-1-23 – Steffen Farms Subdivision: King reported this is a parcel just over 5-acres located on the south county line near Cropsey, consisting of the applicants home as well as their soil lab testing business. King stated the applicants are planning to retire and have already found a buyer for the business, noting the buyer does not want to buy the home only the business. The applicant is requesting to split the parcel evenly to separate the business portion from the home. King mentioned this case was unanimously

approved at the RPC and ZBA meetings. *Motion by Earing, second by Fehr to approve Zoning Case SF-1-23 – Steffen Farms Subdivision.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Linda Ambrose, Marty Fannin, Dan Myers, Mark Runyon, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley and Steven J. Lovell **Absent:** Joel Barickman and Paul A. Ritter

Resolution (#2023-09-52): Zoning Case SU-7-23 – Beckham Solar, LLC: King reported this is a proposed special use to develop a 5 MW solar farm on approximately 66.7 acres of a 139.38-acre tract located in unincorporated Odell. King stated the company had originally proposed battery storage energy on the property but concerns were raised at the Agriculture & Zoning Committee meeting due to safety issues and there not being an ordinance on the matter. King reported after much discussion, the applicants submitted a letter to withdraw the battery storage portion of the project requesting to move forward with only the solar farm. King mentioned the case was recommended for approval by the RPC and ZBA with the battery storage. The Agriculture & Zoning Committee recommended approval without the battery storage at the September 2023 meeting with four ayes, one nay and two absent. *Motion by Haag, second by Lovell to approve Zoning Case SU-7-23 – Beckham Solar, LLC.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Gina Manker, Dan Myers, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley and Steven J. Lovell **Nays:** Rebekah Fehr, Linda Ambrose, Marty Fannin, Mark Runyon and William Mays **Absent:** Joel Barickman and Paul A. Ritter

Review of Decommissioning Plans of Previously Approved Solar Farms:

Resolution (#2023-09-53): Miacomet Solar: King reported prior to obtaining a building permit the company must come before the ZBA and County Board to get approval of their final decommissioning plan and bond. King stated Miacomet submitted a \$135,000 bond and were issued a building permit, however this needed to be reevaluated because more than three years had gone by. King stated they company has submitted a new bond of \$180,000 as well as an additional letter of credit for the \$45,000 difference. *Motion by Earing, second by Ambrose for approval of the Decommissioning Plan by Miacomet Solar.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Linda Ambrose, Marty Fannin, Dan Myers, Mark Runyon, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley and Steven J. Lovell **Absent:** Joel Barickman and Paul A. Ritter

Resolution (#2023-09-57): Vermillion Solar 1: King reported this project was approved in 2018 and the decommissioning bond was estimated to be \$135,000 at the time of approval. King stated the company had the bond reevaluated and it came in lower than the original estimated figure, but the company is willing to leave it at \$135,000 moving forward. *Motion by Blackard, second by Haag for approval of the Decommissioning Plan by Vermillion Solar 1.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Linda Ambrose, Marty Fannin, Dan Myers, Mark Runyon, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley and Steven J. Lovell **Absent:** Joel Barickman and Paul A. Ritter

HIGHWAY

- a. **Engineering Agreement:** CH 3 (Campus Rd.), Sect. No. 20-00199-04-BR, (2830N, 3300E), - Hampton Lenzini & Renwick (HLR), STP-Br Program FY 24. Phase II Design to Replace Existing Bridge 053-0102
- b. **Bridge Petition:** Township line of Charlotte & Chatsworth Rd. Districts – Replace existing culvert with 2-36” ERS x 40’ long Precoated CMP’s @ 900N, 3024E Road. Estimated Cost = \$10,000. Section 23-05000-00-AB / 23-06000-00-AB
- c. **Resolution (#2023-09-54):** Cost Share Agreement Eppards Pt. Road District, Sect. No 23-08125-02-BR, located at 1000N, 1600E, Road & Intersection Upgrade

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

Committee Chair Steven Lovell provided a brief building report, noting that the fuel storage is done, tanks are set, the fence is up, the salt shed is completed and Nicor, ComEd and the water supply are all installed. Lovell reported they have a completion date of October 1, 2023.

FINANCE

Resolution (#2023-09-55): Anti-Displacement & Relocation Plan: Hartley reported the anti-displacement & relocation plan was required as part of the grant process indicating that if you tear down any type of housing with your grant funds then you agree to put those back up. *Motion by Fannin, second by Earing for approval of the Anti-Displacement & Relocation Plan Resolution. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Linda Ambrose, Marty Fannin, Dan Myers, Mark Runyon, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley and Steven J. Lovell **Absent:** Joel Barickman and Paul A. Ritter

Committee Chair Marty Fannin reported that there were a few things the Finance Committee was waiting on for the FY 2024 budget, that now are completed. Fanning stated there will be a special finance meeting on Wednesday, September 27 at 5:00p.m. to go over the final draft of the budget, capital requests & levies.

SHERIFF, JAIL & LICENSE

Resolution (#2023-09-56): 2024 Amended Holiday Schedule: Weller reported the holiday schedule was amended to add the November 5, 2024 Election Day. *Motion by Weller, second by Blackard to approve the 2024 amended holiday schedule. MOTION CARRIED ON VOICE VOTE.*

Sheriff Ryan Bohm was present to give an update regarding a case the Sheriff's Office was looking into. Bohm reported that a couple months ago the department had examined an area on Timber St. where they found penetrating radar while following up on a lead from a 1983 homicide. Bohm stated the area was excavated and there were no human remains located, noting it appeared to be where the ground had settled and left a void underneath the concrete.

PUBLIC PROPERTY

Committee Chair John Vitzthum reported that there has been regular maintenance on all of the buildings and they met with the company who will be replacing the hot water system in the Jail.

Carley announced that the county has hired Shawn Johnson for the Facility Services Manager position and he is doing an excellent job.

INFORMATION and TECHNOLOGY

Committee Chair Gina Manker reported that the committee did not meet this month but will in October. Manker reported the jail door system project will begin October 2, 2023.

ADMINISTRATIVE

Committee Chair James A. Carley reported that the training sessions on August 21st and 22nd were excellent and had a great turnout.

RULES, LEGISLATION, VETERANS, AND COMMUNITY SERVICES

Reconsideration of Vote: Appointment of Marvin Hilti – Regional Planning Commission: Marvin Hilti was present to introduce himself and answer any questions the board may have. Hilti noted he is from District 3. *Motion by Manker, second by Fannin to reconsider the vote of the appointment of Marvin Hilti to the Regional Planning Commission. MOTION PASSED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Michael Haag, Gina Manker, 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 and Steven J. Lovell **Nays:** William Mays **Abstain:** Rebekah Fehr **Absent:** Joel Barickman and Paul A. Ritter

Appointment of Marvin Hilti – Regional Planning Commission: *Motion by Haag, second by Manker to approve the appointment of Marvin Hilti to the Regional Planning Commission. MOTION PASSED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Michael Haag, Gina Manker, 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 and Steven J. Lovell **Nays:** William Mays **Abstain:** Rebekah Fehr **Absent:** Joel Barickman and Paul A. Ritter

ANNOUNCEMENTS

Masching reported she passed out the board members per diem sheets for review.

PUBLIC COMMENTS

The floor was open for public comment.

EXECUTIVE SESSION

N/A

ADJOURNMENT

The meeting adjourned at 6:49 p.m. on motion by Vietti, second by Fannin. MOTION CARRIED ON VOICE VOTE.

James A. Carley, Chair

Attest:

Jordan E. Uselding

Executive Assistant

On behalf of County Clerk, Kristy Masching