

LIVINGSTON COUNTY BOARD
MINUTES OF DECEMBER 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 Jan Ambrose presented the invocation. Rebekah Fehr 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, Steven J. Lovell and Paul A. Ritter **Absent:** Joel Barickman

Also Present: Executive Director Alina Hartley, Executive Assistant Jordan Uselding, County Clerk Kristy Masching, Network & Computer Systems Administrator Jon Sear, State’s Attorney Michael Regnier, Sheriff Ryan Bohm, Regional Planning & Zoning Administrator Brittney Miller, and Mike Renner.

AGENDA

Chair Carley called for any additions or changes to the agenda with none requested. *Motion by Manker, second by Lovell to approve the agenda as presented.* **MOTION CARRIED ON VOICE VOTE WITH ALL AYES.**

APPROVAL OF MINUTES

Chair Carley called for approval of the meeting minutes from November 16th, 2023. *Motion by Fannin, second by Ritter to approve the minutes as submitted.* **MOTION CARRIED ON VOICE VOTE WITH ALL AYES.**

Board Appointment to Fill Coroner Vacancy – Mike Renner: Carley reported that there were three candidates for the Coroner position with Mike Renner being one of them. Carley stated that Renner has filed for candidacy of Coroner and is on the ballot as a Republican candidate. Carley reported that Renner was interviewed by himself, Vice-Chair Steven Lovell and Board Member Paul Ritter and after much consideration indicated that Renner is the most qualified of all of the candidates to fill the position. *Motion by Ritter, second by Lovell for approval of the Board Appointment to fill the Coroner vacancy.* **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, Steven J. Lovell and Paul A. Ritter **Absent:** Joel Barickman

PRESENTATION

N/A

APPEARANCES

N/A

CONSENT AGENDA

- A. Approval of Bills
- B. Acknowledgement of Receipt - Decennial Report on Local Government Efficiency
 - a. Union Township
 - b. Forrest Township
 - c. Odell Township
 - d. Odell Township Road District
 - e. Prairie Creek Public Library District

Motion by Fannin, second by Blackard 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, Steven J. Lovell and Paul A. Ritter **Absent:** Joel Barickman

AGRICULTURE & ZONING

Resolution (#2023-12-78): Zoning Case SU-14-23 – USS Man Solar, LLC: Miller reported this is a proposed special use to develop a 1.998 MW solar farm on approximately 10.52 acres of a 57.90-acre tract in section 16 of Newtown Township. Miller reported that the applicant has agreed to abide by the pending Battery Energy Storage Systems Ordinance. Miller mentioned the case was unanimously recommended for approval by the ZBA and the Agriculture & Zoning Committee voted 6 to 1 in favor of the project. *Motion by Haag, second by Earing to approve Zoning Case SU-14-23 – USS Man Solar, LLC. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Michael Haag, Dan Myers, 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, Linda Ambrose, Marty Fannin, Mark Runyon and William Mays **Absent:** Joel Barickman

Resolution (#2023-12-79): Zoning Case SU-15-23 – USS Avoca Solar, LLC: Miller reported this is a proposed special use to develop a 4.995 MW solar farm on approximately 32.03 acres of a 63.49-acre tract in section 21 of Avoca Township. Miller reported that the applicant has agreed to abide by the pending Battery Energy Storage Systems Ordinance. Miller mentioned the ZBA has unanimously recommended this case for approval and the Agriculture & Zoning Committee voted 6 to 1 in favor of the project. *Motion by Earing, second by Haag to approve Zoning Case SU-15-23 – USS Avoca Solar, LLC. 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, Linda Ambrose, Marty Fannin and William Mays **Absent:** Joel Barickman

Resolution (#2023-12-80): Zoning Case SU-16-23 – USS CEK2 Solar, LLC: Miller reported this is a proposed special use to develop a 4.995 MW solar farm on approximately 32.21 acres of a 80-acre tract in section 21 of Avoca Township. Miller reported that the applicant has agreed to abide by the pending Battery Energy Storage Systems Ordinance. Miller mentioned the case was recommended for approval by both the Zoning Board of Appeals and the Agriculture & Zoning Committee. *Motion by Haag, second by Lovell to approve Zoning Case SU-16-23 – USS CEK2 Solar, LLC. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, 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 **Nays:** Linda Ambrose and William Mays **Absent:** Joel Barickman

Resolution (#2023-12-81): Zoning Case SU-17-23 – USS CEK3 Solar, LLC: Miller reported this is a proposed special use to develop a 4.995 MW solar farm on approximately 32.25 acres of a 39.25-acre tract in section 21 of Avoca Township. Miller reported that the applicant has agreed to abide by the pending Battery Energy Storage Systems Ordinance. Miller mentioned the ZBA has unanimously recommended this case for approval and the Agriculture & Zoning Committee had a 6 to 1 vote in favor of the project. *Motion by Earing, second by Haag to approve Zoning Case SU-17-23 – USS CEK3 Solar, LLC. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Michael Haag, Gina Manker, 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 **Nays:** Rebekah Fehr, Linda Ambrose and William Mays **Absent:** Joel Barickman

Resolution (#2023-12-82): ZT-6-23 – Zoning Text Amendment Commercial Solar Energy Facilities and Battery Energy Storage Systems

Resolution (#2023-12-83): ZT-7-23 – Zoning Text Amendment Commercial Wind Energy Facilities

Motion by Ritter, second by Lovell to approve both Zoning Text Amendments for commercial solar and wind facilities related to battery energy storage systems. 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, Steven J. Lovell and Paul A. Ritter **Absent:** Joel Barickman

Work Agreement: Deigan & Associates: Earing reported this work agreement is with Deigan & Associates for their continued environmental and solid waste consulting services. *Motion by Fannin, second by Blackard to approve the work agreement with Deigan & Associates. 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, Steven J. Lovell and Paul A. Ritter **Absent:** Joel Barickman

Committee Chair Gerald Earing thanked all of the board members who participated in the zoning text amendments, noting it took many months to get this completed.

FINANCE

Resolution (2023-12-84): Appellate Prosecutor: Committee Chair Marty Fannin stated this is a resolution done annually, noting that there was a slight increase in the rate. *Motion by Fannin, second by Ritter to approve the State's Attorney Appellate Prosecutor 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, Steven J. Lovell and Paul A. Ritter **Absent:** Joel Barickman

Committee Chair Marty Fannin reported that as the new year comes along the Finance Committee will be starting on the budget once again.

HIGHWAY

Committee Chair Steven Lovell reported that the Highway Department has moved into the new building.

PUBLIC PROPERTY

Resolution (#2023-12-85): Authorizing Sublease Agreement with VAC & IL Dept. of Veteran Affairs: Hartley reported the payments of this lease agreement will go directly from the IL Department of Veteran Affairs to the VAC. Hartley stated the VAC will utilize these funds to help offset some of their expenses and what they pay the County, noting this will be a benefit to the Veterans. *Motion by Vitzthum, second by Manker to approve the sublease agreement with the VAC and IL Dept. of Veteran Affairs. 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, Steven J. Lovell and Paul A. Ritter **Absent:** Joel Barickman

Committee Chair John Vitzthum reported that the facility services manager has been making many repairs in our buildings to ensure they are running smoothly.

ADMINISTRATIVE

Committee Chair James Carley thanked the Board Members for their time, efforts and service to the County.

SHERIFF, JAIL & LICENSE

Committee Chair Robert Weller reported that the committee met briefly and will provide a more extensive report next month.

INFORMATION and TECHNOLOGY

Committee Chair Gina Manker reported that the committee did not meet this month, but they have hired a new IT support specialist to work with Jon Sear.

RULES, LEGISLATION, VETERANS, AND COMMUNITY SERVICES

Committee Chair Jack Vietti reported that the committee did not have a meeting in December.

PUBLIC COMMENTS

The floor was open for public comment.

Masching reported that the fourth quarter per diems will be paid out on December 29, 2023.

EXECUTIVE SESSION

Motion by Fannin, second by Manker to go into Executive Session pursuant to 5ILCS 120/2(c)(11) – Pending Litigation. 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, Steven J. Lovell and Paul A. Ritter **Absent:** Joel Barickman

The board took a brief break prior to Executive Session from 6:31p.m. – 6:32p.m.

Executive session began at 6:32 p.m.

Regular session resumed at 6:46 p.m.

ACTION RESULTING FROM EXECUTIVE SESSION

Resolution (#2023-12-86): Ordinance Allium Solar: *Motion by Vitzthum, second by Haag to approve the ordinance authorizing the special use permit for Allium Solar. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Michael Haag, Gina Manker, 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 (Gina Manker, Mark Runyon and Jim Blackard noted their affirmative votes were pursuant to court order.) **Nays:** None **Absent:** Joel Barickman **Excused from Vote:** Rebekah Fehr, Linda Ambrose, Marty Fannin, Dan Myers and William Mays.

Resolution (#2023-12-87): Ordinance Beebalm Solar: *Motion by Earing, second by Haag to approve the ordinance authorizing the special use permit for Beebalm Solar. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Michael Haag, Gina Manker, 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 (Gina Manker, Mark Runyon and Jim Blackard noted their affirmative votes were pursuant to court order.) **Nays:** None **Absent:** Joel Barickman **Excused from Vote:** Rebekah Fehr, Linda Ambrose, Marty Fannin, Dan Myers and William Mays.

ANNOUNCEMENTS

N/A

ADJOURNMENT

The meeting adjourned at 6:51 p.m. on motion by Ritter, second by Weller. MOTION CARRIED ON VOICE VOTE.

James A. Carley, Chair

Attest:

Jordan E. Uselding

Executive Assistant

On behalf of County Clerk, Kristy Masching