

LIVINGSTON COUNTY BOARD
MINUTES OF FEBRUARY 15TH, 2024 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 Ginger Harris presented the invocation. Steven Lovell 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, William Mays, John J. Vitzthum, Jim Blackard, Gerald L. Earing, James A. Carley, Steven J. Lovell and Paul A. Ritter **Absent:** Joel Barickman, Mark Runyon, Robert F. Weller and Seth L. Welch

Also Present: Executive Director Alina Hartley, Executive Assistant Jordan Uselding, County Clerk Kristy Masching, Network & Computer Systems Administrator Jon Sear, I.T. Support Specialist Jack Phillips, Human Resource Director Ginger Harris, Public Defender Marinna Metoyer, Sheriff Ryan Bohm, Jail Superintendent Lisa Draper, Highway Engineer Clay Metcalf, VAC Superintendent Michael Haerr and Zoning Administrator Brittney Miller

AGENDA

Chair Carley requested to amend the agenda removing item 2e., Road Use Agreement & Traffic Impact Analysis – Illinois Generation, LLC, from the Highway action items. *Motion by Ritter, second by Manker 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 January 11, 2024. *Motion by Blackard, second by Fannin to approve the minutes as submitted.* **MOTION CARRIED ON VOICE VOTE WITH ALL AYES.**

PRESENTATION

N/A

APPEARANCES

N/A

CONSENT AGENDA

- A. Approval of Bills
- B. Appointments:
 - a. Linda Dionne – Livingston County Board of Review
 - b. Nancy Giovanini – Livingston County Board of Review
 - c. Shelby Horner – Livingston County Farmland Assessment & Review Board
 - d. Michael Fogarty – Livingston County Farmland Assessment & Review Board
 - e. Alina Hartley – Vermillion Valley ETSB

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

AGRICULTURE & ZONING

Resolution (#2024-02-07): Zoning Case SU-19-23 – 1400 East Solar 1, LLC: Miller reported that this is a request to develop a 4.99 MW solar farm on 30 acres of a 104.3-acre tract of land, located in Unincorporated Blackstone. Miller reported that this case was unanimously recommended for approval at the RPC, ZBA and Ag & Zoning Committee meeting. *Motion by Earing, second by Lovell to approve Zoning Case SU-19-23 – 1400 East Solar 1, LLC.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Dan Myers, John J. Vitzthum, Jim Blackard, Gerald L. Earing, 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, Mark Runyon, Robert F. Weller and Seth L. Welch

Resolution (#2024-02-08): Zoning Case SU-20-23 – 2700 East Solar 1, LLC: Miller reported that this is a request to develop a 5 MW solar farm on 35.3 acres of a 113.97-acre tract of land, located in Unincorporated Dwight. Miller reported that the Planning Commission and Zoning Board unanimously recommended this case for approval. The Ag & Zoning Committee voted 5 to 1 in favor of the special use. *Motion by Haag, second by Lovell to approve Zoning Case SU-20-23 – 2700 East Solar 1, LLC.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Dan Myers, John J. Vitzthum, Jim Blackard, Gerald L. Earing, 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, Mark Runyon, Robert F. Weller and Seth L. Welch

Resolution (#2024-02-09): Zoning Case SU-1-24 – Pontiac Renewables, LLC: Miller reported that this is a request to develop a 4.99 MW solar farm on 30.5 acres of a 46.6-acre tract of land, located in Pontiac. Miller stated that this is located directly to the West of Phoenix Apartments and East of I-55. Miller reported that the applicant has requested the use of a Battery Energy Storage System and has agreed to abide by the new BESS ordinance. Miller reported that the Planning Commission and Zoning Board unanimously recommended this case for approval and the Ag & Zoning Committee voted 5 to 1 in favor of the project. *Motion by Haag, second by Earing to approve Zoning Case SU-1-24 – Pontiac Renewables, LLC.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Gina Manker, Dan Myers, John J. Vitzthum, Jim Blackard, Gerald L. Earing, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** Rebekah Fehr, Linda Ambrose, Marty Fannin and William Mays **Absent:** Joel Barickman, Mark Runyon, Robert F. Weller and Seth L. Welch

Resolution (#2024-02-10): Zoning Case ZT-6-23: Zoning Text Amendment BESS Solar: Earing reported that the text amendment to the Solar Ordinance has been recommended for approval by the Zoning Board of Appeals and Agriculture & Zoning Committee to include regulations of Battery Energy Storage Systems. *Motion by Earing, second by Haag to approve Zoning Case ZT-6-23 – Zoning Text Amendment BESS Solar.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Gina Manker, Marty Fannin, Dan Myers, William Mays, John J. Vitzthum, Jim Blackard, Gerald L. Earing, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** Rebekah Fehr and Linda Ambrose **Absent:** Joel Barickman, Mark Runyon, Robert F. Weller and Seth L. Welch

Resolution (#2024-02-11): Zoning Case ZT-7-23: Zoning Text Amendment BESS Wind: Earing reported that the text amendment to the Wind Ordinance has been recommended for approval by the Zoning Board of Appeals and Agriculture & Zoning Committee to include regulations of Battery Energy Storage Systems. *Motion by Earing, second by Haag to approve Zoning Case ZT-7-23 – Zoning Text Amendment BESS Wind.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Gina Manker, Marty Fannin, Dan Myers, William Mays, John J. Vitzthum, Jim Blackard, Gerald L. Earing, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** Rebekah Fehr and Linda Ambrose **Absent:** Joel Barickman, Mark Runyon, Robert F. Weller and Seth L. Welch

Committee Chair Gerald Earing reported that there will be another E-Recycling Day Event on April 13th, 2024, from 9:00 a.m. to 1:00 p.m. in the old K-Mart parking lot.

HIGHWAY

- a. **Letting Results:** February 1, 2024 Letting
- b. **Resolution (#2024-02-12): Local Agency Agreement for Federal Participation:** Federal-Aid Agreement for superstructure replacement of Structure No. 053-3449 on CH 16 located in Ancona. Includes Resolution appropriating County Matching Tax Funds for Local Agency share of cost.
- c. **Resolution (#2024-02-13):** Resolution appropriating County Matching Tax funds for engineering and construction costs to replace S.N. 053-3032 on CH 16 (Flanagan-Long Point Rd.) 2520N, 300E, Section 20- 00196-04-BR
- d. **Quarterly Report:** 3rd and 4th Quarter FY 23
- e. ~~**Agreement:** Illinois Generation LLC Road Use Agreement & Traffic Impact Analysis (TIA) review~~

Motion by Lovell, second by Ambrose for approval of the highway action items a.-d. 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, William Mays, John J. Vitzthum, Jim Blackard, Gerald L. Earing, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None **Absent:** Joel Barickman, Mark Runyon, Robert F. Weller and Seth L. Welch

Committee Chair Steven Lovell thanked Highway Engineer Clay Metcalf for his 30 years of service to the County.

SHERIFF, JAIL & LICENSE

Sheriff's Annual Report: A copy of the Sheriff's annual report was provided to the Board for review. *Motion by Blackard, second by Ritter to accept and approve the Sheriff's annual report.* **MOTION CARRIED ON VOICE VOTE.**

Chair Carley reported that the Committee Chair and Committee Vice-Chair could not be present at the Committee meeting this month but everything is running fine at the Jail and housing is remaining steady.

FINANCE

Resolution (2024-02-14): Authorizing End of Year Budget Transfer: Fannin reported that this is the final end of year budget transfer for 2023. *Motion by Fannin, second by Fehr to approve the authorization of the end of year budget transfer.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Linda Ambrose, Marty Fannin, Dan Myers, William Mays, John J. Vitzthum, Jim Blackard, Gerald L. Earing, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None **Absent:** Joel Barickman, Mark Runyon, Robert F. Weller and Seth L. Welch

Resolution (2024-02-15): Temporary Closure of County Clerk's Office during Election: Fannin reported that due to the Election on March 19, 2024, the County Clerk's Office is asking to temporarily close their offices to all services that do not pertain to Elections. *Motion by Ritter, second by Earing to authorize the temporary closure of the County Clerk's Office.* **MOTION CARRIED ON VOICE VOTE.**

Circuit Clerk's Semi-Annual Report: A copy of the Circuit Clerk's semi-annual report was provided to the Board for review. *Motion by Earing, second by Haag to accept and approve the Circuit Clerk's semi-annual report.* **MOTION CARRIED ON VOICE VOTE.**

County Clerk's Semi-Annual Report: A copy of the Circuit Clerk's semi-annual report was provided to the Board for review. *Motion by Ritter, second by Manker to accept and approve the County Clerk's semi-annual report.* **MOTION CARRIED ON VOICE VOTE.**

Fiscal Agent Agreement: Vermillion Valley: Fannin reported this is an agreement that the County has with the 911 Vermillion Valley Board for services rendered. *Motion by Manker, second by Earing to approve the Fiscal Agent Agreement with Vermillion Valley.* **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, 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 **Nays:** None **Absent:** None

Committee Chair Marty Fannin reported that the County has received two rebate checks from CIRMA for the years 2013-2014 and 2014-2015. Fannin stated this comes out of a self-insured loss fund and once all claims have been settled then they will be rebated.

PUBLIC PROPERTY

Design Services Proposal Amendment: Hewn. HCH Roof Project: Hartley reported that they have been working with Scharnett Architects on the Historic Courthouse Roofing Project but there have been some changes that need to be addressed. Hartley reported that the proposal is being amended to reflect the new company name, Hewn, as well as updated their report. Hartley noted that all the numbers will remain the same. *Motion by Earing, second by Fannin to approve the amendment to the design services proposal with Hewn.* **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, 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 **Nays:** None **Absent:** None

Resolution (#2024-02-16): Lease Agreement – Mosaic: Vitzthum reported this is an annual lease agreement with Mosaic that the County has been doing for years. *Motion by Ritter, second by Manker to approve the lease agreement with Mosaic.* **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, 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 **Nays:** None **Absent:** None

Committee Chair John Vitzthum reported that they had the pre-bid meeting for the H&E Drive-thru and 4 companies attended.

INFORMATION and TECHNOLOGY

Committee Chair Gina Manker reported that the Committee met this month to introduce the new I.T employee, Jack Phillips, and advised that they are still having some minor issues with the new jail door system. Manker reported that the new technology has been installed in the Courtrooms and the UPS servers have increased in price.

RULES, LEGISLATION, VETERANS, AND COMMUNITY SERVICES

Amendment of Standing Rules related to ESDA: Vietti reported that the ESDA Coordinator position has been separated from the Regional Planning and Zoning Department, noting that due to these changes ESDA should report to the Sheriff, Jail & License Committee. The Standing Rules will be placed on display and action will take place in March.

ADMINISTRATIVE

Resolution (#2024-02-17): Authorizing Vice-Chair to act as Temporary Chair: Carley reported that he will be gone for the month of March, and in his absence Vice-Chair Steven Lovell will conduct business. *Motion by Fannin, second by Haag authorizing Vice-Chair to act as temporary Chair.* **MOTION CARRIED ON VOICE VOTE.**

PUBLIC COMMENTS

The floor was open for public comment.

EXECUTIVE SESSION

N/A

ACTION RESULTING FROM EXECUTIVE SESSION

N/A

ANNOUNCEMENTS

N/A

ADJOURNMENT

The meeting adjourned at 6:31 p.m. on motion by Mays, 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