

LIVINGSTON COUNTY BOARD
MINUTES OF October 11, 2012 MEETING OF THE COUNTY BOARD

OPENING

Chairman Fairfield called the meeting to order at 6:00p.m., in the Jury Commission Room of the Law and Justice Center, 110 N. Main, Pontiac, Illinois.

Judy Campbell led the Pledge of Allegiance.

The clerk called roll with the following **present:** John “Jack” Vietti, Robert Weller, Stanley Weber, Mike Ingles, William Flott, John Yoder, Bruce Koerner, Joe Steichen, Carl Borngasser, Daryl Holt, Kathy Arbogast, Judy Campbell, Tim Shafer, Eldon Ruff, David Heath, Marty Fannin, Bob Young, Vicki Allen, William Fairfield, Delores “Dee” Woodburn and Mark Runyon **Absent:** John McGlasson, Ronald L. Deany and John M. Franey

Also Present: County Clerk Kristy Masching, Alina Hartley-Administrative Resource Specialist, Scott Koeppel-IT Specialist, Jack Hayes & John Eallonardo (FQC), David Winters-County Highway Engineer, Zoning Administrator Chuck Schopp, June Slagel-Finance Resource Specialist, MaLinda Hillman-Public Health Administrator and Attorney Tom Blakeman

AGENDA

Chair Fairfield called for approval of the agenda. *Motion by Steichen, second by Ingles to approve the agenda as presented.* **MOTION CARRIED WITH ALL EYES ON VOICE VOTE.**

APPROVAL OF MINUTES

Chair Fairfield called for approval of the minutes from the August 31 and September 13, 2012 meeting. *Motion by Holt, second by Young to approve the August 31 and September 13, 2012 meeting minutes as presented.* **MOTION CARRIED ON VOICE VOTE.**

PRESENTATION

County Website Presentation – Scott Koeppel, Information Technology Specialist demonstrated the user friendly features and highlighted current information as well as future items to be included on the county website at (www.livingstoncountyil.gov). Discussion followed.

APPEARANCES

None

CONSENT AGENDA

- A. Approval of Bills**
- B. Appointments**
 - **Chuck Verdun** – Recreation Ad-Hoc Committee
- C. New Position**
 - **Health Dept.** – FT Home Health Aide
- D. Annual Report** – Regional Office of Education

Motion to approve all items on the consent agenda by Holt, second by Fannin. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, Holt, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None
Absent: McGlasson, Deany and Franey

LAW & JUSTICE CENTER COMMITTEE

Historic Courthouse Update- John Eallonardo (FQC) reviewed the progress of the work as follows: clean up underway, trees planted, landscape restored; metal railings installed on all entrances; mechanical system operational, plumbing substantially done; electricians concentrating on basement, with upper levels substantially

complete; carpet being installed except in work rooms; painting completed in basement and first floor, touching up second floor; ceramic tile on first floor mimics original and is almost completed; fourteen carpenters working on project with last major component being the wooden staircase; furniture installation begins October 22; City of Pontiac building inspectors will tour week of November 6; reasonable amount of contingency available and within budget.

Law & Justice Center – Jack Hayes (FQC) stated that noise abatement drywall had been installed in two jury deliberation rooms, with work finishing this week, making the room ready for the October 22 jury week. The center landing area on the entrance ramp has been removed and replaced. They are currently working on three of four other identified items, which are at no cost to the county to repair. He commented that with regards to the cooling tower noise levels, PSA Dewberry engineers have provided testing and documentation that the sound levels meet acceptable standards at operating conditions and from an engineering standpoint, the issue has come to a conclusion. Some concerns the judiciary still have are being addressed by Daryl Bragg and the Law & Justice Center committee.

Discussion was held on the outside lift at the Historic Courthouse. The direction of the committee was to buy a new lift, and have installed by the opening date. The lift needed to be certified and operational prior to the opening of the building. Since the company selected to provide the lift wouldn't commit to having the work completed by November 15th, it was decided to have current lift maintained, certified and put back into service. They are still looking at option of replacing existing unit.

Public Comment – Joan Bullard asked whether the sound level still experiencing was a design flaw, since sound levels meet acceptable standards. Jack Hayes responded that the design had been implemented to applicable standards and if there is something more the judiciary wants, that would be beyond the design. Marilyn Schmidt thanked Bill Flott for adding the public comment time while FQC representatives were available for questions.

Historic Courthouse - Hartley stated that a meeting had taken place with the department heads and Scott Koeppl on the proposed move-in dates. With the “guaranteed” opening date of November 15, the building will be open for public viewing at 4:00p.m., prior to the Board meeting. Public tours are scheduled for Friday, November 16 (1-4pm) and Saturday, November 17 (9-Noon). The County Board Office and Human Resources will begin moving in on November 19, with 1-2 departments moving in each week thereafter, with all departments moved in by December 15. The Coroner and VAC's offices are scheduled to move to the Regions building in January, with all temporary offices vacated by the end of January.

HIGHWAY COMMITTEE

Eldon Ruff (in the absence of Deany) introduced David Winters-County Highway Engineer, who reviewed items to be approved on the **Highway Consent Agenda** as follows:

I. **Bridge Petition:**

- Esmen Road District: Repair of structure Number 053-3214, Livingston County
Coordinates 2625N, 1290E Estimated Cost = \$65,000.00.

*Motion by Ruff, second by Weller to approve the Highway Consent agenda as presented. **MOTION CARRIED ON ROLL CALL VOTE.** Ayes: Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, Holt, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon*
Nays: None **Absent:** McGlasson, Deany and Franey

David Winters reported that they have three bridges under construction at this time, with completion of the two township bridges (Avoca & Nevada) within the next two weeks and the Fairbury bridge scheduled for completion in December.

AG & ZONING

Iberdrola – Post-Construction Avian Fatality Survey: Chuck Schopp, Zoning Administrator explained that one of the conditions prior to approving the Streator-Cayuga Ridge South Wind Farm was that they conduct a wildlife monitoring study. He highlighted the one-page summary report which was provided to each member. The objective of this study was to provide regional information regarding bird and bat fatalities attributed to collisions with turbines. After a yearlong study, it was noted that there were less than two birds and less than 6 bat fatalities per megawatt per year. Discussion followed. *Motion by Ruff, second by Steichen to accept the Iberdrola (Streator-Cayuga Ridge South Wind Farm), Post-Construction Avian Fatality Surveys for meeting the special use condition.* **MOTION CARRIED UNANIMOUS ON VOICE VOTE.**

FINANCE

Presentation of FY2013 Budget & Levies – *Chair Borngasser made a motion to put the proposed FY2013 Budgets and Levies on public display.* Discussion followed. Woodburn was glad the county levies would remain the same, but concerned that Mental Health levies were raised to the limit, when they have surplus funds they could be using. Ingles was surprised that there was a 10% increase for Central Dispatch fees to the county, when county was included in the budget from ETSB and three communities involved are unaware of increase. The proposed agreement, crafted by the sub-committee, stated no increases for a year to allow the entities to get through a budget cycle and to see if increases were necessary. Borngasser commented that the increase was approved by the 911 committee and was to be included in the county's budget at this time, with meetings to be held with the users to formalize agreements. There was discussion as to the make-up of the ETSB, surplus accumulated from under spending of budget appropriations in the three funds making up the budget and whether 911 funding could be used to cover the cost of dispatching as well as for equipment replacement costs. It was noted that the money cannot be spent, until agreements have been drawn up and approved by the three municipalities and the County Board. **Chairman Fairfield called for a voice vote, with there being ayes as well as many nays.** Ingles requested that a roll call vote be taken. *Motion by Borngasser, second by Weber to put the proposed FY2013 Budgets and Levies on public display.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Flott, Yoder, Koerner, Steichen, Borngasser, Holt, Arbogast, Campbell, Ruff, Heath, Fannin, Young and Allen **Nays:** Ingles, Shafer, Fairfield, Woodburn and Runyon **Absent:** McGlasson, Deany and Franey

Resolution (#2012-10-32) Livingston County Community Healthcare Program - Malinda Hillman-Public Health Director was present to request continuation of the program for another year. The request is for \$300,000. In the last nine months the home nursing side has served 31 unduplicated patients, with homemaker program serving 63, with total service hours for both programs being 3,025. To qualify for services, you must be a resident of the county and meet income guidelines, with a sliding fee. The vast majority falls within the no fee or 25% of the full fee program. Altogether they have served 87 unduplicated residents, for nine months worth of service at \$2,000. for each patient. *Motion by Borngasser, second by Flott to approve the resolution continuing the Livingston County Community Healthcare Program beginning December 1, 2012 for the fiscal year 2012-2013.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, Holt, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Absent:** McGlasson, Deany and Franey

Resolution (#2012-10-33) Granting funds to GLCEDC for EVT - Chair Borngasser reported that this agreement had been approved about a year ago, and was back due to changes that had taken place. They are requesting a reduction of their original grant from \$500,000. to \$200,000., due to the fact that they are remodeling a building rather than building a new one. This is a seven year loan to the GLCEDC on behalf of EVT. *Motion by Borngasser, second by Ingles to approve the resolution authorizing a \$200,000. grant to GLCEDC for EVT.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, Holt, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Present:** Weber **Absent:** McGlasson, Deany and Franey

PERSONNEL

Resolution (#2012-10-34): Amending Hiring Freeze and Establishing FY13 Staffing Levels – Chair Shafer explained that this resolution allows departments heads to observe their current staffing levels without having to

appear before the Personnel and Finance committees. The committee and the County Board will review annually the FT staffing levels within the county. *Motion by Shafer, second by Fannin to approve the finalized FY13 staffing levels.* **MOTION CARRIED ON VOICE VOTE** (Nays: Runyon).

ADMINISTRATIVE

Resolution (#2012-10-35) Authorizing Amendment to Settlement Agreement regarding Standing Rules – Attorney Blakeman explained that 6-7 years ago, as a result of a suit filed against the county’s violation of the open meetings act, a settlement agreement had been reached which included certain terms. With the proposed revisions of the Standing Rules of the County Board some terms have become obsolete. This amendment to the settlement agreement, in concurrence with Joseph and Carolyn Gerwin, follows the open meetings law, states that if there is an overflow of people at a committee meeting they will move to the Historic Courthouse Board Room. It also allows the Board Chairman, in the event of an overflow crowd to move the meeting somewhere else, convene and reconvene at a larger location. Prior to this, the agreement stipulated that if there was an overflow crowd at the Board meeting, the meeting would be moved to the City Hall Council Chambers. This will no longer be necessary as the new County Board Room is much larger. Carolyn Gerwin attended the Administrative meeting and acknowledged that she and Joe were in agreement with these changes. *Motion by Weber, second by Holt to approve the resolution authorizing the amendment to the Settlement Agreement between the County and the Gerwins with regard to the revision process of the Standing Rules of the County Board.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, Holt, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Absent:** McGlasson, Deany and Franey

ELECTION, RULES & LEGISLATION

Standing Rules - Chair Weber commented that work had been on-going the last few months on the Standing Rules, with everyone receiving a draft copy of the proposed document. The Public Health Committee will no longer be in existence, but a member will be appointed per the law, to serve on the Board of Health. It was also pointed out that effective this December, the re-organizational meeting will be held on the first Monday of December, with committee meetings held the following week and the Board meeting the Thursday after the committee week. *Motion by Weber, second by Young to adopt the revised Standing Rules of the County Board effective December 1, 2012.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, Holt, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Absent:** McGlasson, Deany and Franey

PUBLIC PROPERTY

Chair Flott noted that the farmland lease was released on October 5, advertised on October 6, with bids due November 5th at 4:00p.m. They will be opened at the Public Property meeting at 6:00p.m., on November 5. The committee is currently assessing the HVAC system at the H&E building.

SHERIFF, JAIL & LICENSE

Chair Vietti reported the following: the average daily jail population was 71 with the average number of days spent being 23 days; the Sheriff had requested the use of a private lab (Northeastern Illinois Regional Crime Lab) for processing evidence and testing; and we have 30 Cook County detainees.

INSURANCE

No report

NURSING HOME

No report

INFORMATION & TECHNOLOGY

Chair Holt reported the following IT department activities: website presentation; the Probation Department has access to the Secretary of State's office for background checks and arrest records; and have implemented two LEADS connections, one for Sheriff Dept. and Law & Justice Center, with the other servicing the 911 unit.

VETERANS

Chair Koerner stated that they had very little activity, with trips slightly down from last month.

PUBLIC HEALTH

No report

PUBLIC COMMENT

Joan Bullard commented on the Mental Health levy with regards to providing services at the Jail. Chairman Fairfield stated that a meeting has been set for November 8th to look into the possibility of setting up a Mental Health Court. Adam Dontz-LCCEDC Director thanked the Board for moving quickly on the EVT process. Glen Ludwig commented on his observations of the workings and potential flaw of the committee structure and his concern with the county budget with regard to the anticipated amount of revenue to be generated from the housing of Cook County inmates and the 2.5-2.8 million to be transferred from special funds to balance the budget. Judy Campbell commented that the members had received the results from a 2011 health study conducted by the Livingston County Environmental Association on the effects of living within a wind farm. Ron Kestner said that the main concern of some of his constituents is having a balanced county budget.

COMMUNICATIONS/ANNOUNCEMENTS

Chairman Fairfield stated that the November meeting will be held at the historic Courthouse, with information to be released regarding the open house and tours.

ADJOURNMENT

The meeting recessed at 7:40 p.m. on motion by Weller, second by Ingles. **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.**

The next meeting is scheduled for Thursday, November 15, 2012 at 6:00 p.m., at the historic Courthouse Board Room.

William Fairfield, CHAIRMAN

Attest:

Kristy A. Masching
County Clerk

November 15, 2012
Approved

Minutes Bd 10-11-12.A