

LIVINGSTON COUNTY BOARD
MINUTES OF December 20, 2012 MEETING OF THE COUNTY BOARD

OPENING

Chairman Fannin called the meeting to order at 6:00p.m., in the County Board Room of the Historic Courthouse, 112 W. Madison, Pontiac, Illinois.

Kathy Arbogast (in the absence of Vickie Allen) led the Pledge of Allegiance. A moment of silence was observed for the victims and survivors of the Newtown, Connecticut school shooting incident.

The clerk called roll with the following **present:** John “Jack” Vietti, Joan Bullard, Tim Shafer, Kathy Arbogast, Robert F. Weller, Paul A. Ritter, Kelly Cochran Cohlman, Joseph D. Steichen, Carl Borngasser, G. Michael Ingles, Daryl N. Holt, Stanley R. Weber, Earl A. Rients, Judy Campbell, Randall M. Wittenberg, Bob Young, John L. Yoder, Carolyn Gerwin, William G. Flott, Mark Runyon, Marty Fannin, Ronald L. Kestner and William H. Peterson **Absent:** Vicki Allen

Also Present: County Clerk Kristy Masching, Alina Hartley-Administrative Resource Specialist, Jack Hayes & John Eallonardo (FQC), David Winters-County Highway Engineer, Zoning Administrator Chuck Schopp, Treasurer Barb Sear, Daryl Bragg-HVAC, June Slagel-Finance Resource Specialist, and Attorney Tom Blakeman

AGENDA

Chair Fannin asked that item II. a. Presentation of the Minonk Wind Farm be deleted from the agenda. *Motion by Ingles, second by Young to approve the agenda as revised.* **MOTION CARRIED WITH ALL EYES ON VOICE VOTE.**

APPROVAL OF MINUTES

Chair Fannin called for approval of the minutes from the November 15th and December 3, 2012 meetings. Clerk Masching noted that there were two additions to the November 15th minutes: 1) action was taken regarding an early retirement insurance incentive for the Maintenance Supervisor and 2) approval of the reviewed and opened executive session minutes. The December 3, 2012 minutes will be amended to reflect that Joan Bullard (not Carl Borngasser) seconded the motion to nominate Borngasser as permanent Vice-Chairman. *Motion by Ritter, second by Steichen to approve the November 15th and December 3, 2012 meeting minutes as presented.* **MOTION CARRIED ON VOICE VOTE.**

PRESENTATION

None

APPEARANCES

None

CONSENT AGENDA

A. Approval of Bills

B. Appointments

- **Robert Walter** – Mental Health 708 Board, commencing January 1, 2013 – June 2016 (replacing Paul Studnicki)
- **Tim Shafer** - University of Illinois Extension,
- **Carolyn Gerwin** - University of Illinois Extension
- **Joan Bullard** - University of Illinois Extension
- **Judy Campbell** – Emergency Telephone System Board
- **Joe Steichen** - Livingston County Board of Health

C. Regional Office of Education Quarterly Report

Motion to approve all items on the consent agenda by Weber, second by Weller. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cochran Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Wittenberg, Young, Yoder, Gerwin, Flott, Runyon, Fannin, Kestner and Peterson **Nays:** None **Absent:** Allen

PUBLIC COMMENT REGARDING ACTION ITEMS

Comments were heard from Brian Blossom-Future's Unlimited Executive Director, Vickie Day- Mental Health Board member, Carol Flessner-Mental Health Executive Director and Judge Bauknecht (via letter read by Carol Flessner) in support of the County Board to approve their original levy request (an increase of \$40,500.) for the 377 Developmentally Disabled and 708 Mental Health Funds.

BUILDING/RENOVATION COMMITTEE

Historic Courthouse Status Update- John Eallonardo (FQC) reviewed the process of the work as follows: they are working on final stages of punch list; and preparing a package of manuals and guarantees to present to the county, after they have reviewed them. He also commented that in the event of a power outage, the generator at the L&J Center will provide only enough power to the Historic Courthouse to power the fire pump and light the exit signs.

Law & Justice Center Update – John said that a meeting has been scheduled with the Judges for January 21, to address ADA/Attorney General issues. Changes to the jury box will be completed on the 21st, as well. He reported that the signage package should be installed in four to six weeks. Chair Runyon stated that the committee has worked on four of the Judiciary issues and have come up with solutions for three issues.

HIGHWAY COMMITTEE

Chair Weber introduced David Winters-County Highway Engineer, who reviewed items to be approved on the **Highway Consent Agenda** as follows:

- a. **Local Agency Agreement for Federal Participation:** Forrest/Chatsworth Rd Districts, Sections 10-11103-03-BR. Replace existing structure 053-3379 at 560N, 3000E. Est Cost: FHWA \$260,000., Local Share \$65,000.
- b. **Local Agency Agreement for Federal Participation:** Nevada Rd District, Section 11-16105-05-BR. Replace structure number 053-3113 at 2365E, 3000N. Est Cost: FHWA \$220,000., Local Share \$55,000.
- c. **Bridge Petition:** Amity Rd District, Section 12-01000-01-AB, Repair deteriorated truss members of structure number 053-3196. Est cost = \$30,000.
- d. **Bridge Petition:** Odell/Esmen Rd District, Sections 12-8000-00-AB & 12-09000-00-Br, Replace existing 42" x 34' CMP in kind. Est cost = \$5,000.
- e. **Bridge Petition:** Sunbury Rd District, Section 12-28000-00-AB, Replace existing 36" x 26' CMP with 54" x 34' CMP. Est cost = \$4,000.
- f. **Engineering Agreement:** Coombe-Bloxdorf P.C., Springfield, IL. Amity Rd District, Section 12-01000-01-AB. Prepare plans for repair of S.N. 053-3198. Cost not to exceed \$7,000.
- g. **Engineering Agreement:** Coombe-Bloxdorf P.C., Springfield, IL. Long Point Rd District, Section 11-14106-03-BR. Design new structure replacing S.N. 053-3107 over Mole Creek, 210N, 500E. Cost not to exceed \$29,500. Environmental coordination, preparation of Project Report a land surveying if necessary to be billed at consultant's schedule of chargeable rates.
- h. **Engineering Agreement:** Hampton, Lenzini & Renwick, Springfield, IL. Livingston County Section 12-00109-02-BR. Design new structure over tributary to North Fork Vermilion River, County Highway 9, 1.5 miles east of Charlotte. Cost not to exceed \$29,500. Environmental coordination, preparation of Project Report a land surveying if necessary to be billed at consultant's schedule of chargeable rates.
- i. **Engineering Agreement:** Hampton, Lenzini & Renwick, Springfield, IL. Nebraska Rd District, Section 11-15127-00-BR. Design new structure over Mole Creek, 180E, 2000N. Cost not to exceed \$26,500. Environmental coordination, preparation of Project Report a land surveying if necessary to be billed at consultant's schedule of chargeable rates.
- j. **Engineering Agreement:** Hampton, Lenzini & Renwick, Springfield, IL. Pike/Rooks Creek Rd Districts, Section 11-20117-00-BR & 11-24133-00-BR. Design new structure over Pike Creek, 1180E,

150N. Cost not to exceed \$26,500. Environmental coordination, preparation of Project Report a land surveying if necessary to be billed at consultant's schedule of chargeable rates.

k. **Quarterly Report:** 4th Quarter FY12

Motion by Campbell, second by Rients to approve Highway Consent agenda items a. through item k. Discussion followed with it being noted that all the action items had been sent to the State's Attorney's office for review.

MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cochran Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Wittenberg, Young, Yoder, Flott, Runyon, Fannin, Kestner and Peterson **Nays:** None **Absent:** Allen **Abstain:** Gerwin

Resolution (#2012-12-51): Setting the 2013 salary and expenses of the County Engineer & Resolution (#2012-12-52): Appropriating County MFT Funds for the 2013 salary and expenses of the County Engineer – Winters explained that his salary and expenses must be set by the board and that Motor Fuel Tax funds must be appropriated to cover this expense. His salary was set at \$97,561., with an additional \$4,500 allowed for expenses and will be effective January 1, 2013. The resolutions reflect the 2.5% increase authorized by the board for salaries for FY2013. *Motion by Weber, second by Weller to approve* **Resolution (#2012-12-51): Setting the 2013 salary and expenses of the County Engineer & Resolution (#2012-12-52): Appropriating County MFT Funds for the 2013 salary and expenses of the County Engineer. MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Wittenberg, Young, Yoder, Flott, Runyon, Fannin, Kestner and Peterson **Nays:** None **Absent:** Allen **Abstain:** Cohlman and Gerwin

AG & ZONING

Chair Young reported that Zoning Administrator Chuck Schopp presented the committee with a synopsis of his position and office, as well as a history of the committee. He also noted that the Farm Bureau Young Farmer's group was touring the courthouse and ended up staying for their meeting. The committee had voted to change their meeting time to 6:00, but due to a conflict, the January meeting will be at 6:30p.m. After January the meetings will start at 6:00p.m.

FINANCE

DevNet Inc. Real Estate Software Contract – Chair Shafer explained that this is a contract renewal with our real estate/mobile home tax software service provider DevNet. Treasurer Sear noted that they have been our service provider since 2002. This software is used by the Treasurer, Assessor and County Clerk's offices. It is a five-year contract to maintain and upgrade service and includes an initial 5% increase. *Motion by Shafer, second by Cohlman to approve the DevNet Inc. real estate software renewal contract. MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Wittenberg, Young, Yoder, Gerwin, Flott, Runyon, Fannin, Kestner and Peterson **Nays:** None **Absent:** Allen*

Mental Health: Request to amend 708 & 377 Levies – Chair Shafer explained that the committee had discussed the Mental Health Department's request for the Board to reconsider amending the 708 & 377 Fund levies back to their original request (increase of \$40,500.) and had decided to forward the request to the full board without a recommendation. A robust and wide range of discussion followed.

Members in favor of the increase cited the following reasons. There was concern that the board was trying to cut bills on the backs of people with mental health needs, who without appropriate care would cost more than need be. The 708 & 377 levies need to be addressed in light of the Newtown, Connecticut incident. The mental health of our residents should be a top priority. GASB and the Illinois State Comptroller's office recommends no less than four months of reserves, which they have and can use in the event of an emergency. They shouldn't be penalized for their frugal diligence.

Members opposing the increase sited the following reasons. Believes that Mental Health provides valuable services needed by the residents of the county, but feel that based on the amount of reserves in both funds at the

end of the fiscal year there is significantly more than enough to cover the \$40,000 reduction. Decisions need to be made on fact and not on emotions as the statistical handouts received show that the fund balances have been increasing over the last ten years. The Board has a statutory obligation to be responsible with spending the property taxes. The county should have to make up the state's shortfall.

Amy Zick-Mental Health Financial Officer stated they are not part of the general fund and have no other accounts to rely upon. If they run out of money, they are not eligible for bank loans as they have no collateral. They use the reserves to assist their agencies in the event they have an emergency and need a loan. She explained that the tax money they received late in 2012 is for their FY2013 obligations and is considered deferred revenue. This money has to last for 9-10 months until the next levy money is received. They feel that the \$132,000. in reserves at the end of July is reasonable as it is less than GASB and the Illinois State Comptroller recommend. She stated that the money levied will be expensed in FY14, and as such there is no budget available at this time.

Motion by Kestner, second by Steichen that the proposal to amend the 708 & 377 Fund levies back to their original request of 1.49(increase of \$40,500.) be approved. MOTION CARRIED ON ROLL CALL VOTE.
Ayes: Vietti, Bullard, Arbogast, Cohlman, Steichen, Borngasser, Holt, Rients, Wittenberg, Young, Yoder, Kestner and Peterson **Nays:** Shafer, Weller, Ritter, Ingles, Weber, Campbell, Gerwin, Runyon and Fannin
Abstain: Flott **Absent:** Allen

ELECTION, RULES & LEGISLATION

No report

SHERIFF, JAIL & LICENSE

Town Contracts – Chair Borngasser stated that the Town Contracts cover Chatsworth, Cornell, Cullom, Flanagan, Reading Township and Saunemin and would need Board approval. Discussion followed with Sheriff Meredith clarifying that contracts split between towns would not include replacement deputy services when the resident deputy was absent due to illness, vacation or schooling. They are still trying to work out something with Odell at this time. *Motion by Borngasser, second by Yoder to approve the Town Contracts for Deputy service.*
MOTION CARRIED ON ROLL CALL VOTE. **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Wittenberg, Young, Yoder, Gerwin, Flott, Runyon, Fannin, Kestner and Peterson **Nays:** None **Absent:** Allen

PUBLIC PROPERTY

Daryl Bragg reported that the electric utility contract would be up for renewal January 1st. Our supplier Exelon has extended a three month contract to enable us to research for competitive pricing from other suppliers. He is asking for authorization from the board to sign the three month contact. The contract has been sent to the State's Attorney for review. If no action is taken, we automatically revert back to the default supplier (ComEd) for one year. It was suggested that the county look into the possibility of electrical aggregation for the residents in the unincorporated areas of the county. Consensus of the Board is that the Board Chairman be allowed to execute the contract contingent upon review by the State's Attorney.

Daryl also reported on an HVAC issue in the Historic Courthouse which occurs with the air-handlers tripping when the temperatures dip below 25 degrees. He is working with mechanical contractors on a long-term solution.

PERSONNEL

Chair Holt reported that they allowed 105 sick days be reported to IMRF for additional service credit for Tom Brown. The county is eligible for a safety grant up to \$22,400. Linda Daniels is to notify departments and set the date requests are to be submitted by. They also are looking at reducing costs through updated job descriptions this year.

INFORMATION & TECHNOLOGY

No report

VETERANS

No report

ADMINISTRATIVE

No report

ADMINISTRATIVE

No report

PUBLIC COMMENT

Comments were heard from Marilyn Schmidt thanking the members who voted in favor of increasing the Mental Health levy ad on banning guns using multiple round clips.

COMMUNICATIONS/ANNOUNCEMENTS

None

ADJOURNMENT

The meeting adjourned at 8:00 p.m. on motion by Vietti, second by Arbogast. MOTION CARRIED WITH ALL AYES ON VOICE VOTE.

The next meeting is scheduled for Thursday, January 17, 2013 at 6:00 p.m., at the Historic Courthouse Board Room.

Marty Fannin, Chairman

Attest:

Kristy A. Masching
County Clerk

Approved