

**LIVINGSTON COUNTY BOARD**  
**MINUTES OF March 14, 2013 MEETING OF THE COUNTY BOARD**  
*(Revised 04-11-13)*

**OPENING**

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

Judy Campbell led the Pledge of Allegiance.

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. Riens, Judy Campbell, Vicki Allen, Bob Young, John L. Yoder, Carolyn Gerwin, William G. Flott, Mark Runyon Ronald L. Kestner, William H. Peterson      **Absent:** Randall M. Wittenberg and Marty Fannin

**Also Present:** County Clerk Kristy Masching, Alina Hartley-Administrative Resource Specialist, MaLinda Hillman, Administrator-Public Health Dept., Sheriff Marty Meredith, Jail Administrator Bill Cox, Linda Daniels-Human Resources, David Winters-County Highway Engineer, Zoning Administrator Chuck Schopp

**AGENDA**

Vice-Chair Borngasser called for approval of the agenda. *Motion by Runyon, second by Steichen to approve the revised agenda.* **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.**

**APPROVAL OF MINUTES**

Vice-Chair Borngasser called for approval of the February 14, 2013 minutes. *Motion by Weller, second by Ritter to approve the February 14, 2013 meeting minutes as presented.* **MOTION CARRIED ON VOICE VOTE.**

**PRESENTATION**

**Public Health – 2012 Annual Report:** MaLinda Hillman-Administrator, Public Health Dept. highlighted the report. Her department is comprised of 37 full-time and 11 PT/PRN employees. The TB Clinic Fund ended with a November 30<sup>th</sup> balance of \$42,104., with local tax support being \$29,644. She explained that local tax support to the Public Health Department was \$375,524 or 16% of their total revenue source. Programs this funding helps to subsidize are: Maternal Child Health, Senior Services, Environmental Health, Animal Control, rent, Communicable Diseases, and School Vision and Hearing Clinics. She stated that the financial is figured on a cash basis. She reviewed the various revenue sources and stated that personnel and insurance comprised 69% of their expenditures. Grant funding is 50% of their budget, with the state behind in payments of \$266,000. The Livingston County Community Health Care Program was implemented to help keep residents out of the nursing homes and has been very well received in the county. She also provided information on the various services offered and the number of county participants. With regards to the Animal Control Program, she explained that an RFP is issued every three years, with the current administrator of the program being Dr. Susan Albright. There are about 3,500 dogs registered in the county. *Motion by Borngasser, second by Steichen to recommend that the Board accept the 2012 Public Health Annual Report.* **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.**

**APPEARANCES**

None

**CONSENT AGENDA**

**A. Approval of Bills**

**B. Appointments**

- **Chad Brown** – ETSB, three year term commencing May 1, 2013 through May 2015 (replacing Earl McCoy).

- **Dennis Wenger** – Fairbury Rural Fire Protection District, term ending first Monday of May, 2016.
- **Richard Runyon** – Livingston County Planning Commission, 4 year term commencing March 14, 2013 through March 13, 2017
- **Josh Eitenmiller** - Livingston County Planning Commission, 4 year term commencing March 14, 2013 through March 13, 2017
- **Scott Cranford** – Livingston County Planning Commission, 4 year term commencing March 14, 2013 through March 13, 2017
- **Shane Long** - Livingston County Planning Commission, 4 year term commencing April 1, 2013 – March 31, 2017
- **Mary Etta Mullen** - Mental Health 377 Board, term commencing February 21, 2013 through June 2016.

*Motion to approve all items on the consent agenda by Ingles, second by Arbogast.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Young, Yoder, Flott, Kestner and Peterson **Nays:** Gerwin **Present:** Runyon **Absent:** Wittenberg and Fannin

### **PUBLIC COMMENT REGARDING ACTION ITEMS**

No comments

### **BUILDING/RENOVATION COMMITTEE**

Chair Mark Runyon stated that Jack Hayes and John Eallonardo (FQC) would no longer be present at the board meetings unless there was an issue necessitating their presence. He commented that the chiller work is on hold until favorable weather conditions prevail. Bragg will coordinate the project with the judges’ court schedule, so the work will not interfere with court proceedings.

### **PUBLIC PROPERTY**

**Resolution (#2013-03-12): Authorizing Electricity Contract Execution** - Chair Runyon commented that the board had previously extended the electricity contract for three months in order to release an RFP for electricity. Bids are scheduled to be opened at 4:00p.m., March 25<sup>th</sup>. The committee is asking the board to approve a resolution authorizing Chairman Fannin to sign the energy contract selected from the bid process and approve a one-month extension on the current contract in the event they are not the successful bidder. *Motion by Runyon, second by Gerwin to approve the resolution authorizing the County Board Chairman to enter into a contract for electricity and to authorize a thirty day extension with Constellation Energy.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Yoder, Gerwin, Flott, Runyon, Kestner and Peterson **Nays:** Young **Absent:** Wittenberg and Fannin

Chair Runyon also reported that the committee had scheduled a tour of the H&E building on April 11, at 3:00p.m. He encouraged members to attend as there will be future discussions on issues at that site.

### **SHERIFF, JAIL & LICENSE**

**Sheriff’s Annual Report** – Sheriff Marty Meredith reviewed the 2012 Sheriff’s Annual Report. Some highlights follow: 43 arrests for driving under the influence (39 alcohol, and 4 drugs); “bid gasoline” purchased at an average of \$2.97; average detainee days was 15.8, with the average daily population of males at 46 and 7 for females; total calls –2,854; 1,934 civil process papers served, generating \$138,093.07 in fees; total of 90,614 passed through Court Security in 2012 (363.91 daily average); and confiscated \$41,708. in cash seizures. Property seized for drug forfeiture is forwarded onto the State, where it is auctioned off, with a percentage of the proceeds being distributed to the State, State’s Attorney and the Sheriff’s Department. He also commented that the Pro-Active Unit is short a member from Fairbury and Pontiac units. It was noted that the entities received a prorated amount based on the number of months they supplied an officer. The next quarterly payment has been put on hold until the situation has been reviewed. *Motion by Borngasser, second by Weber to approve the*

*Sheriff's 2012 Annual Report.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Young, Yoder, Gerwin, Flott, Runyon, Kestner and Peterson **Nays:** None **Absent:** Wittenberg and Fannin

**Addition of 2 FT Correctional Officers** – Jail Administrator Bill Cox presented information on their request to hire two additional correctional officers. They would like to raise their staffing level from 24 to 26 in order to reduce rising OT costs and to come more in line with the Department of Corrections original staffing pattern recommendation of 28 officers. Cox presented the financial information regarding the projected revenues and expenses of the Cook County detainee program. The 31 additional beds were recently installed so that the number of inmates contracted with Cook County wouldn't have to be reduced if our numbers went up, due to Federal or Pro-Active Unit detainees. After the Department of Corrections inspection was completed, they were informed that the extra beds could only be used for overflow, unless their staffing level increased to 26. Cox stated that they can comfortably house up to sixty additional detainees. Projected income based on 55 Cook County inmates is a little over \$1 million, with expenses (including 2 additional C/O packages) at \$308,135., with a net gain of \$693,363. Borngasser commented that the proposed addition of 2 correctional officers has been approved by three committees. *Motion by Ingles, second by Kestner to increase the Correctional Officer full-time staffing level by two (from 24 to 26) and prepare a resolution for next month's Board meeting to increase the budget to cover the salary package of the two additional correctional officers.* **Discussion highlights follow:** figures presented didn't include all costs (pensions); difficulty in eliminating positions once added; revenue generated from Cook County should go to the General Fund with an amount allocated to the Sheriff's Department to cover the additional officers; PSC was designed with room for additional beds, for the purpose of housing outside inmates; six outside prisoners would cover the cost of the two additional C/O; payments from Cook County have been arriving on a regular basis and within sixty days of billing; Federal cases take 1-3 years so inmates would be here longer; the cost of hiring two officers would be higher than continuing to give current officers OT; and laid off employees receive unemployment compensation. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Young, Yoder, Kestner and Peterson **Nays:** Shafer, Gerwin, Flott and Runyon **Absent:** Wittenberg and Fannin

#### FINANCE

**Resolution (#2013-13-13) Requesting Transfer from Working Cash to Veterans Fund** – Chair Shafer presented the resolution requesting that \$60,000. be transferred from Working Cash Fund to the Veterans Fund, for operating expenses for the months of April through August. This money is to be repaid once the tax levy money has been distributed. *Motion by Shafer, second by Weller to approve the \$60,000.00 transfer from Working Cash to the Veterans Fund.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Young, Yoder, Gerwin, Flott, Runyon, Kestner and Peterson **Nays:** None **Absent:** Wittenberg and Fannin

#### HIGHWAY COMMITTEE

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

- Received word this week from IDOT that a protest was filed by the Laborer's Union, on the responsible bidder clause of the Illinois Procurement Code on the Broughton Rd District project (Gray's Material Service). IDOT will investigate their apprenticeship training program to see if it meets the U.S. Dept. of Labor standards and will then make their ruling. Winters recommends the Board approve all the items contingent upon the outcome of the IDOT ruling for the Broughton Road District project.

#### **I. Letting Results: March 5, 2013**

- Received word this week from IDOT that a protest filed by the Laborer's Union, on the responsible bidder clause of the Illinois procurement code on the Broughton Rd District project (Gray's Material Service). IDOT will investigate their apprenticeship training program to see if it meets the U.S. Dept. of Labor standards.

## II. Bridge Petition:

- **Eppards Point Road District**, Section 10-08125-01-BR, Replace structure number 053-4021 carrying 1000N Rd over Hickory Creek. Coordinate location 1595E. 1000N. Est. Cost = \$350,000. STP-BR Program FY15.
- **Eppards Point Road District**, Section 11-08108-00-BR, Replace structure number 053-3331 carrying 950N Rd over Rooks Creek. Coordinate location 1305E, 950N. Est. Cost = \$550,000. STP-BR Program FY16.

## III. Quarterly Report: 1<sup>st</sup> Quarter FY13

Ingles brought up a point of order regarding the “Consent Agenda” format for the Highway items. He noted that discussion was held in ERL Committee, and that a memo is to go out to all Board members explaining how this should be handled in the future. Winters explained that it was done this way so that time wasn’t wasted with an abundance of motions. *Motion by Weber, second by Peterson to approve the Highway Consent agenda items, with the exception of the Broughton Rd District project (Gray’s Material Service) which is contingent upon the ruling from IDOT.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Ritter, Cohlman, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Young, Yoder, Flott, Runyon, Kestner and Peterson **Nays:** Steichen **Abstain:** Weller, Allen and Gerwin **Absent:** Wittenberg and Fannin

**Resolution (#2013-03-14): Reappointing Highway Engineer** – Winters explained that the six-year term of the County Highway Engineer expires April 11, 2013. The County Board by resolution dated March 7, 2013, requested the consent of the Dept. of Transportation to the reappointment of Mr. David R. Winters; and as of March 11, 2013 the Department of Transportation gave its consent to the reappointment. *Motion by Weber, second by Rients to appoint David R. Winters as Livingston County Engineer for a term of six years effective April 12, 2013.* **MOTION CARRIED UNANIMOUSLY ON VOICE VOTE.**

### AG & ZONING

Zoning Administrator Chuck Schopp presented follow up information from the last meeting. Will County is in the initial stages of consideration on whether to allow expansion of their county landfill to start accepting out of town waste. Another caveat is that the landfill is located on federal property; therefore they would have to have federal approval. At this time, it is unknown what effect this would have on our landfill. The other unknown issue regarded how long we could anticipate receiving landfill host fees. There is no time line for the host fees, but the 2001 agreement specifies that they have to receive local waste for 25 years (2026) and since they have to be open to accept our waste they will still be paying a host fee. The initial minimum host fee agreement guaranteed \$300,000/year and was adjusted per the tipping fee at the landfill. Currently, the fee is between \$5-600,000. At this time, up to 2% of the waste at the landfill comes from Livingston County.

### ELECTION, RULES & LEGISLATION

**Resolution (#2013-03-15) Amending Liquor License Ordinance - Video Gaming** – Chair Vietti explained that the Dwight Country Club had requested the county ordinance be changed to allow for video gaming, as the City of Dwight had passed this action. There is no fee charged by the county as the State of Illinois licenses and regulates this activity. It was explained that the section of our ordinance that addressed the video gaming was included in the liquor license ordinance, which is why the liquor ordinance is referenced in the resolution. An establishment does not need to have a liquor license in order to engage in video gambling activities. *Motion by Vietti, second by Flott to approve the Resolution amending the County’s Alcoholic Beverages Ordinance to allow for video gambling.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Young, Yoder, Gerwin, Flott, Runyon, Kestner and Peterson **Nays:** None **Absent:** Wittenberg and Fannin

### PERSONNEL

Chair Holt reported that Jeff Gilmore-Benefit Planning Associates had attended their meeting and shared information regarding the Healthcare Reform Act Pay to Play. Linda Daniels-Human Resources Specialist commented on the following items. Gilmore has been guiding them through each step and has prepared a

checklist for us to follow. As of January 1, 2014 employees working an average of 30 hours must be offered health insurance coverage (county offers at 32hrs/wk). Daniels will need to monitor the hours continually to ensure compliance. There is a requirement to notify employees of the exchanges, but that has been delayed until next summer as none of the exchanges have been set up. The county will need to decide who will absorb the \$5.25 per employee re-insurance fee.

#### **ADMINISTRATIVE**

Vice-Chair Borngasser reported that they discussed budgeting and committee goals.

#### **INFORMATION & TECHNOLOGY**

Chair Arbogast stated that testing for the IT position was scheduled for March 15<sup>th</sup>, with eight prospective candidates. It was also brought to our attention that our website had been reviewed by a good government organization for transparency and sunshine review and coupéd one of the higher county scores. Accolades were expressed to our former IT Specialist Scott Koeppel for all of his hard work and to Alina for her part in sprucing up the site right before the review and to former IT committee members who supported the effort to improve the website.

#### **VETERANS**

Chair Steichen thanked the members for passing the working cash resolution; reported that trips to Indianapolis were down; and the new van is in commission with a noticeable fuel savings.

#### **PUBLIC COMMENT**

None

#### **COMMUNICATIONS/ANNOUNCEMENTS**

Clerk Masching reminded the members to review their per diem sheets and report any changes/additions to her Friday a.m.

Hartley reminded the members that the Farm Bureau has volunteered to host an Agriculture 101 workshop, along with additional information on the proposed change to the Illinois Farmland Assessment Act. The proposed tentative date is March 28 at 6:00 p.m. at the Farm Bureau office. An announcement will be sent out too.

#### **ADJOURNMENT**

*The meeting adjourned at 7:41 p.m. on motion by Vietti, second by Steichen. **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.***

The next meeting is scheduled for Thursday, March 14, 2013 at 6:00 p.m., at the Historic Courthouse Board Room.

**Marty Fannin, Chairman**

Attest:

Kristy A. Masching  
County Clerk

April 11, 2013  
Approved