

**LIVINGSTON COUNTY BOARD**  
**MINUTES OF May 16, 2013 MEETING OF THE COUNTY BOARD**

**OPENING**

Vice-Chairman Borngasser (in the absence of Chairman Fannin) called the meeting to order at 6:05p.m., in the County Board Room of the Historic Courthouse, 112 W. Madison, Pontiac, Illinois.

Bill Flott 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 (arrived at 6:15), Stanley R. Weber, Earl A. Rients, Judy Campbell, Vicki Allen, Bob Young, John L. Yoder, Carolyn Gerwin, William G. Flott, Mark Runyon, Ronald L. Kestner, William H. Peterson  
**Absent:** Marty Fannin                   **Vacancy:** Randall M. Wittenberg

**Also Present:** County Clerk Kristy Masching, Alina Hartley-Administrative Resource Specialist, Carol Flessner-Mental Health Director, Bobbie Lewis-Sibley-U of I Cooperative Extension Office Director, David Winters-County Highway Engineer, Zoning Administrator Chuck Schopp, Duane Kiesewetter-County Assessor

There was a fifteen minute delay at this time due to technical difficulties with the speaker/recording system.

**District #1 Board Appointment & Swearing In**

Vice-Chairman Borngasser announced that Chairman Fannin had recommended the appointment of William (Bill) Mays to fill the District #1 vacancy created with the resignation of Randy Wittenberg. *Motion by Ritter, second by Rients to confirm the appointment of William (Bill) Mays for County Board District #1.* **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:** Fannin **Vacancy:** Wittenberg

County Clerk Kristy Masching swore-in William (Bill) Mays, as the newest member of the Board.

**AGENDA**

Vice-Chair Borngasser asked for approval of the consent agenda. Steichen asked that the following item be removed from the agenda, IV. B. Appointments, e. Roger Ribbke, Jr.-Reddick Community Fire Protection District. *Motion by Runyon, second by Steichen to approve the amended agenda.* **MOTION CARRIED ON VOICE VOTE, with Young voting no.**

**APPROVAL OF MINUTES**

Vice-Chair Borngasser called for approval of the April 11, 2013 minutes. *Motion by Holt, second by Vietti to approve the April 11, 2013 minutes.* **MOTION CARRIED UNANIMOUSLY ON VOICE VOTE.**

**PRESENTATION**

**Mental Health Annual Report** – Carol Flessner-Mental Health Director, presented information from the annual report. IHR served 2,219 unduplicated Livingston County residents, with their child psychiatrist treating over 400 children. IHR, in conjunction with OSF St. James-John W. Albrecht Medical offices and funded through the 708 Board, has been providing services in Chatsworth and Fairbury and will soon be in Dwight. Futures Unlimited operates 13 programs which serve 365 unduplicated individuals on a daily basis, at the Pontiac and Dwight locations. The Early Intervention Program serves children up to age 5, who screen positive with early development delays. She stated that 15% of the 7,000 school aged children, screened positive for social/emotional issues. The closing of the Jacksonville and Murray Developmental Centers has allowed some residents to relocate to CILA homes, funded by the State and operated by Futures Unlimited and MOSAIC. State funding for human services was halted around the first of May and will not resume until the new state budget is enacted, with the possibility that providers may not receive funding until August or early September. Discussion

followed with her commenting that the Mental Health Court started in April, with two individuals qualifying for the program. *Motion by Vietti, second by Weber to accept the Mental Health Annual Report.* **MOTION CARRIED ON ROLL CALL VOTE: Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Runyon, Kestner and Peterson **Nays:** None **Absent:** Fannin

#### APPEARANCES

Patrick Doggett-Field Representative for Congressman Adam Kinzinger announced that he would be available after the meeting for questions.

#### CONSENT AGENDA

##### **A. Approval of Bills**

##### **B. Appointments**

- **Parnell Kennedy** – Odell Fire Protection District, one year term ending first Monday of May, 2014.
- **Jim Schott** – Odell Fire Protection District, three year term ending first Monday of May, 2016.
- **Marjo Stadel** - Odell Fire Protection District, three year term ending first Monday of May, 2016.
- **Dean Wilhelm** – Long Point Fire Protection District, three year term ending first Monday of May, 2016.
- ~~**Roger Ribbke, Jr.** – Reddick Fire Protection District, term ending first Monday of May, 2016.~~-(removed from agenda)
- **Marvin Wood** – Flanagan-Graymont Community Fire Protection District, three year term ending first Monday of May, 2016
- **Bill Rich** – Saunemin Fire Protection District, three year term ending first Monday of May, 2016
- **Merle Jehle** - Cullom Fire Protection District, three year term ending first Monday of May, 2016

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

*Motion by Steichen, second by Runyon to refer the appointment of Roger Ribbke, Jr. (Reddick Fire Protection District), back to the committee for further review.* Discussion followed regarding the selection process for this fire protection district appointment, as there were two candidates vying for this appointment; and the reason for sending it back to committee for further review. **MOTION CARRIED UNANIMOUSLY ON VOICE VOTE.**

#### PUBLIC COMMENT REGARDING ACTION ITEMS

No comments.

#### FINANCE

**Agreement: University of Illinois Extension** – Chair Shafer explained that this agreement is for the levy extension amount of \$139,459.00, which was included in the county’s FY13 budget for the U of I Extension Office’s FY14 budget. Bobbie Lewis-Sibley, the U of I Cooperative Extension Director commented that Livingston County ranks seventh in the state for number of 4H members. She expressed her gratitude for the help they receive from the county and noted that for every dollar they raise, the state matches. *Motion by Shafer, second by Arbogast to approve the University of Illinois Extension Agreement.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Runyon, Kestner and Peterson **Nays:** None **Absent:** Fannin

**Joint Resolution (#2013-05-20): Incorporating Livingston County into Service Region** - Chair Shafer commented that in an effort to improve efficiency across the state, regional offices were being asked to consolidate. The proposed joint resolution will add Logan County to the current district comprised of DeWitt, Livingston and McLean Counties. *Motion by Shafer, second by Vietti to approve the joint resolution.* Discussion followed with it being noted that Livingston County's cost will be reduced from 17% to 12% and that the change will go into effect July 1, 2015. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Flott, Runyon, Kestner and Peterson **Nays:** None **Abstain:** Gerwin **Absent:** Fannin

**Intergovernmental Agreement: Regional Office of Education (ROE)** - *Motion by Shafer, second by Steichen to approve the Intergovernmental Agreement for the Regional Office of Education consolidation.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Runyon, Kestner and Peterson **Nays:** None **Absent:** Fannin

## HIGHWAY

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

**I. Letting Results:** May 7, 2013

**II. Engineering Agreement:**

- Farnsworth Group, Pontiac, IL – Preliminary Engineering Services Agreement for Phase I study of replacement of S.N. 053-3331 over Rooks Creek, (1305E, 950N) Eppards Point Rd District, Section 11-08108-00-BR. Cost not to exceed \$25,680 including soil borings. STR-BR Program FY16.

**III. Resolutions:**

- Resolution appropriating \$3,000.00 from CAB Funds for Livingston County's share of constructing a 72" ERS pipe culvert on the Livingston/McLean County Line between Eppards Point and Yates Rd Districts (1290E, 900N), Section 13-00224-00-DR.
- Resolution concurring in the award of a bridge on the Grundy-Livingston County Line to Riber Construction Company, Dwight, IL in the amount of \$245,300.62.

**IV. Bridge Petition:**

- **Sunbury Road District** - Replace existing double 66" x 36' Corrugated Metal Pipe with double 66" x 44' Precoated CMP @ 3220N, 1300E Rd. Estimated Cost = \$15,000. Section 13-28000-00-AB.
- **Nevada Road District** – Repair scour behind east abutment Structure Number 053-3132 @ 2260E, 2900N Rd. Est. Cost = \$2,000. Section 13-16000-00-AB.
- **Nevada/Sunbury Road District** – Replace existing 48"x51' CMP with a 90" ERS x 52' Precoated CMP @ 2942N, 1800E Rd. Est. Cost = \$20,000. Section 13-16000-01-AB & 13-28000-01-AB.

*Motion by Weber, second by Campbell to combine action items 1 - 4, for one roll call vote.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Mays, Yoder, Flott, Runyon, Kestner and Peterson **Nays:** Weller, Allen, Young and Gerwin **Absent:** Fannin

Discussion was held on the following: who is responsible for taking care of soil settlement issues on a bridge east of Campus and who is covering the cost for damages incurred due to flooding in the North West part of the county. Winters stated that discussions are ongoing with FEMA, as Livingston County hasn't been declared a disaster area as they are still gathering information. The county's expense so far has consisted of man hours for stalk/debris removal and shoulder repair.

After moving on to the next items, discussion came up regarding whether or not the board had actually approved the “Highway Action Items”. It was decided that the motion had been to combine all the items for one roll call vote, not to approve. Therefore, another motion would be needed for approval of the items. *Motion by Weber, second by Vietti to approve the four Highway Committee action items.* At this time, Weller and Allen announced they would abstain from the vote, citing conflict of interest as the reason for doing so. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Mays, Young, Yoder, Gerwin, Flott, Runyon, Kestner and Peterson **Nays:** None **Abstain:** Weller, Allen **Absent:** Fannin

### **AG & ZONING**

Chair Young noted that with the committee restructuring the ETSB/911 department was now under A&Z. As a result, he asked the A&Z members to attend the ETSB/911 meetings scheduled for May 21 and 28 at 10:00a.m. Chuck Schopp said that FEMA approved individual assistance for citizens affected by the spring flooding. There are three homes along the river that may be eligible for mitigation grants. FEMA has yet to determine if Livingston County would receive public assistance for governmental entities such as townships.

### **ELECTION, RULES & LEGISLATION**

**Resolution (#2013-05-23): Re-appointment of Supervisor of Assessments** – Chair Vietti reported that the County Assessor’s position is a four-year term expiring at the end of May. The resolution would re-appoint the current assessor; Duane Kiesewetter. *Motion by Vietti, second by Young to approve the resolution appointing Duane Kiesewetter as Supervisor of Assessments.* Discussion followed. Duane was present and explained that the position has certain educational requirements that must be met such as a CIAO (Certified Illinois Assessing Official) certificate and successful completion of testing through the Department of Revenue. He also announced that he was contemplating retirement the end of 2015. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Runyon, Kestner and Peterson **Nays:** None **Absent:** Fannin

**Resolution (#2013-05-24): Amending Standing Rules** – Chair Vietti reported that the changes had been distributed to the members last month for their review. The rules would be amended to adopt a protocol for members to announce and address any legal conflict of interest in a matter under consideration by the County and to clarify the effects of certain kinds of votes. *Motion by Vietti, second by Ingles to approve the resolution amending the Standing Rules of the County Board.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Allen, Mays, Young, Yoder, Gerwin, Flott, Runyon, Kestner and Peterson **Nays:** Campbell **Absent:** Fannin

### **INFORMATION & TECHNOLOGY**

**Customer Service Agreement: Central Illinois Regional Broadband Network** – Chair Arbogast stated that the agreement would provide for internet connectivity via fiber-optic cable to facilities and communities throughout Central Illinois. The cost is \$275 per month, but may allow us to eliminate two DSL connections. The State’s Attorney’s Office has recommended that the County not be a member of the LLC board, but may act as an advisory member. *Motion by Arbogast, second by Runyon to approve the Customer Service Agreement with the Central Illinois Regional Broadband Network (CIRBN).* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter, Cohlman, Borngasser, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Runyon and Peterson **Nays:** Steichen, Ingles, Kestner **Absent:** Fannin

Chair Arbogast also reported that Louis Kehinde, the new IT Specialist started work April 29. The committee had directed Alina to review all the telephone accounts for unused lines that we are being billed for. A traffic study revealed that seven lines were inactive for two weeks, so the committee authorized Alina to cancel the lines.

**PERSONNEL**

Chair Holt stated that Steve Tock had presented information on the 457 plan to the Employee Rep Committee and will attend the June meeting of the Personnel Committee. Linda Daniels informed them that an amendment may need to be made to the county’s personnel policies regarding Leaves of Absence and ADA compliance. She will know more after attending an upcoming seminar. The Personnel Sub-Committee had a meeting and will schedule more meetings in the future to help implement processes that can be used county-wide to reduce budget expenditures. He emphasized that the changes wouldn’t affect current employees, but could be implemented as employees retire or resign.

**BUILDING/RENOVATION COMMITTEE**

Chair Runyon reported that State’s Attorney Seth Uphoff informed the committee that he would be asking for a 90 day extension in order to develop a formal response regarding the open ADA issues. John Eallonardo (FQC) had met earlier with the committee to discuss concerns we had on payments we had made for some work that was performed. Some discussion was held on the sidewalk ADA modification project on the north side of the Law & Justice Center Building.

**PUBLIC PROPERTY**

Chair Runyon reported that the work to help resolve the negative pressure issue in the Historic Courthouse had been completed. Testing results revealed a positive pressure reading when employees were at work, with a slight decrease in pressure at night when the building is not occupied. He commented that Daryll Bragg is having caulking done to windows to help improve the issue. He also reported that a coupling valve on a water pipe had broken in the basement of the Historic Courthouse, with no major damage occurring. He noted that a tour of the Law & Justice Center building is scheduled for Thursday, May 13<sup>th</sup>, at 4:00p.m. (County Board meeting date). A tour of the Public Safety Complex building had taken place earlier today.

**SHERIFF, JAIL & LICENSE**

Chairman Borngasser commented on the Sheriff’s request to relocate the ETSB/911 report from SJL committee to the A&Z committee. He encouraged all members to attend the meetings scheduled for May 21<sup>st</sup> and 28<sup>th</sup>, at 10:00 a.m., in order to gain a broader understanding of issues that may come up in the future. Weller asked that the SJL Committee work with the Sheriff on preliminary negotiations with the State, regarding the housing of inmates at the Dwight Correctional Center. Bullard stated that Senator Barrickman had offered his assistance but felt that the Board should give it their due diligence, as the final decision would be the Boards. Some discussion took place with it being voiced that all concerns, especially financial aspects of this proposal be thoroughly reviewed, as well as state’s attorney participation, before any decisions are made.

**VETERANS**

Chair Steichen stated that they are working diligently on their budget and are close to finalizing their needs. The new van is running efficiently and has helped to reduce fuel costs.

**ADMINISTRATIVE**

No report

**PUBLIC COMMENT**

None

**EXECUTIVE SESSION**

Removed from agenda.

**ACTION RESULTING FROM EXECUTIVE SESSION**

Removed from agenda.

**COMMUNICATIONS/ANNOUNCEMENTS**

None

**ADJOURNMENT**

*The meeting adjourned at 7:35 p.m. on motion by Vietti, second by Arbogast.* **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.**

The next meeting is scheduled for Thursday, May 13, 2013 at 6:00 p.m., at the Historic Courthouse Board Room.

**Carl Borngasser, Vice-Chairman**

Attest:

Kristy A. Masching  
County Clerk

June 13, 2013  
Approved

Minutes Bd 05-16-13.A