

LIVINGSTON COUNTY BOARD
MINUTES OF September 12, 2013 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.

Mike Ingles 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, Kelly Cochran Cohlman, Joseph D. Steichen, Carl Borngasser, G. Michael Ingles, Daryl N. Holt, Stanley R. Weber, Earl A. Rients, Judy Campbell, Vicki Allen, William Mays, Bob Young, John L. Yoder, Carolyn Gerwin, William G. Flott, Mark Runyon, Marty Fannin, Ronald L. Kestner, William H. Peterson
Absent: Paul Ritter (arrived at 7:10pm)

Also Present: County Clerk Kristy Masching, Alina Hartley-Administrative Resource Specialist, Cathy Blunier-U Of I Extension, June Slagel-Finance Resource Specialist, David Winters-County Highway Engineer, Zoning Administrator Chuck Schopp

AGENDA

Chair Fannin requested the following change to the agenda: removal of V. B. 1. a. Resolution Donating Excess Property from Sheriff, Jail & License Committee Report. *Motion by Runyon, second by Arbogast to approve the revised agenda.* **MOTION CARRIED ON VOICE VOTE.**

APPROVAL OF MINUTES

Chair Fannin called for approval of the August 15, 2013 minutes. Kathy Arbogast noted that under the IT report, “Chair Arbogast” should be replaced with “Vice-Chair Allen” as she was absent from that meeting. *Motion by Ingles, second by Holt to approve the August 15, 2013 minutes as revised.* **MOTION CARRIED ON VOICE VOTE.**

PRESENTATION

None

APPEARANCES

Cathy Blunier (U of I Extension) presented an update on the 4-H Program. Additional workshops and day camps were offered this past summer with over 170 youth participants. Livingston County has seventeen 4-H clubs, with 372 youth participants, led by 48 volunteer leaders. They have two special interest clubs, Livestock Judging and Shooting Sports. She thanked the members for their support.

CONSENT AGENDA

A. Approval of Bills

B. Appointments

- **Linda Dionne** – Board of Review appointment, two year term commencing June 1, 2013 – May 31, 2015.
- **Nancy Giovanini** – Board of Review appointment, two year term commencing June 1, 2013 – May 31, 2015.

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

PUBLIC COMMENT REGARDING ACTION ITEMS

Marilyn Schmitt noted two errors in the August 15 minutes. Gerwin was absent from last month's meeting but was included in two aye roll call votes on page 4.

SHERIFF, JAIL & LICENSE

Resolution: Donating Excess Property – Removed from agenda.

FINANCE

Circuit Clerk Semi-Annual Report – Circuit Clerk Judy Cremer highlighted her report. Fines and costs collected for this six month period totaled \$1,718,629.00. There was a \$51,423 increase in the collection of delinquent fines and costs compared to the previous six months. She attributed this increase due to the efforts of their collection agency. Since utilizing this service, \$458,604.25 in delinquent fines and costs have been retrieved. She noted that the receipts taken in are disbursed to 59 county accounts and 43 state agencies. *Motion by Shafer, second by Vietti to approve the Circuit Clerk's Semi-Annual Report.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Riens, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Runyon, Fannin, Kestner and Peterson **Nays:** None **Absent:** Ritter

Approval of FY2013 Budget Amendment – Chair Shafer commented that the proposed amendment was being considered in order to accommodate expenses incurred, which were above the Jail and Maintenance budgets, due to the housing of Cook County Jail inmates. *Motion by Weller, second by Borngasser to approve the FY2013 Budget Amendment.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Cohlman, Steichen, Borngasser, Ingles, Weber, Riens, Campbell, Allen, Mays, Young, Yoder, Flott, Fannin, Kestner and Peterson **Nays:** Holt, Gerwin and Runyon **Absent:** Ritter

June Slagel, Finance Resource Specialist stated that with the approved budget amendments for the jail, their budget would be right at 70%, which is where they should be at this point of the budget year. She also commented that the levy discussed at the last meeting was approved and would be voted on at the next meeting.

HIGHWAY

Chair Weber introduced David Winters, County Highway Engineer, who reviewed **County Board Action Items** as follows:

- I. **Letting Results:**
 - September 3, 2013 Letting
- II. **Quarterly Report:**
 - 3rd Quarter FY13

Motion by Weber, second by Riens to approve County Board Action items #1 & #2, with one roll call vote. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Riens, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Runyon, Fannin, Kestner and Peterson **Nays:** None **Absent:** Ritter

Other Items: Daryl Holt reported that the committee had learned that a senior maintenance worker would be retiring November 1 and had approved posting and advertising to fill the vacancy. Discussion had also taken place on three audit findings from the CliftonLarsonAllen Single Audit Report for FY2011, which could adversely affect the status of their federal funding. Consensus was that this should be reviewed further as it also affects grants received by the Public Health Department. GAMESA has not paid the \$2,000 monthly administrative fee to the Highway Department since April. Winters has contacted the State's Attorney for help with this issue. The committee also heard information on a drainage problem on a road in Long Point Township and agreed that the county highway department should contact the Long Point Highway Commissioner to help resolve this issue. Winters elaborated on the audit findings from the CliftonLarsonAllen Single File Audit Report for FY2011. He stated that the county had been contacted by the IDOT Bureau of Business Services regarding

the three single audit findings: segregation of duties, financial statement preparation and significant audit adjustments. These same findings were repeated in the FY2012 audit. Through his investigation of this matter, he was referred to the Public Health Department, as they had also been contacted by some of their state agencies too, regarding these same audit findings. These agencies perceive these findings as a lack of adherence to all of the GASB rules. He and MaLinda had to submit responses to the inquiries, under the threat of suspension of federal funding. David felt that the county needs to address these issues and come up with a solid plan of action to rectify these infractions or we will continually be cited and under the threat of suspension of federal funding. He noted that other counties operating in the same manner as ours are not being cited for these findings by their auditors. Fannin noted that the county is looking into the acquisition of an outside auditor.

AG & ZONING

Agreement: ETSB Governance – Mike Ingles gave an update on his participation in negotiating a new agreement between the County and the Emergency Telephone System Board (ETSB)/911. He commented that the agreement basically represents current practice and presented an overview of some of the items it addresses: such as duties, personnel, organizational structure and funding. He explained that 911, by state statute, is a telephone number where emergency calls are answered by an employee and forwarded on to the emergency responders (fire department, police agency, sheriff department, etc). Central dispatching (Liv Com) is done by the employees who receive the phone calls via 911. ETSB is responsible for the technical side (equipment) which receives the calls. The 911 Coordinator is the single employee of the ETSB. The agreement has shared responsibility for the central dispatch side and their employees (manager and dispatchers). Funding for the operation comes from three sources: monthly landline telephone charge (\$1.50); monthly wireless surcharges (cell phones); and dispatching fees from the three municipalities, the county, police, emergency medical services, and fire protection districts. The dispatch fees will be part of separate agreements between the county, ETSB and numerous individual agencies which will be negotiated and put in place after this agreement has been approved. Mike stated that ETSB approved this document at their last meeting. *Motion by Ingles, second by Weller to adopt the ETSB Governance Agreement.* Some discussion followed. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Cohlman, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Runyon, Fannin, Kestner and Peterson **Nays:** Steichen **Absent:** Ritter

ELECTION, RULES & LEGISLATION

No Report

INFORMATION & TECHNOLOGY

No Report

PERSONNEL

Chair Holt reported that the Ad Hoc Committee had submitted a draft resolution, with the Personnel Committee taking no action. He then asked Seth Uphoff, Kristy Masching, MaLinda Hillman and David Winters to work on a proposal which would meet their needs as well as the county. Linda Daniels will also work on the project. Holt also noted that twelve employees had met with Vickie Dawson, a Nationwide 457 plan representative. A CPR/AED training class has been scheduled, with forty-eight employees signed up so far.

PUBLIC PROPERTY

Chair Runyon reported that there was a good turnout for the Regions Bank Building tour held earlier in the day.

VETERANS

No Report

ADMINISTRATIVE

No Report

Mike Ingles stated that the election season was upon us with petition signing for the upcoming primary and the general election. He reminded everyone that Livingston County has a long standing policy that does not allow electioneering or campaigning on county property, in county buildings, to department heads or employees during work hours or during public or county committee and board meetings.

Joe Steichen reported on the quarterly meeting of the TB & Public Health Boards. Information had been sent out to all the board members regarding the abandoned property program. Public Health is going to try to hold their levy at last year's amounts. They have had an influx of services rendered due to the state severely cutting the funding of the link card program.

PUBLIC COMMENT

Chief Deputy Tony Childress addressed the board of his interest to be appointed as the Interim Sheriff upon the resignation of Sheriff Meredith.

State's Attorney Seth Uphoff explained the succession procedures to fill the sheriff's position upon vacancy. He stated that according to statute, the sheriff has the option of designating a temporary sheriff. The temporary sheriff may either be the Chief Deputy or an undersheriff (we do not have an undersheriff position). That person may accept or decline the designation. The temporary sheriff would fill the vacancy, until the Chairman of the Board, with the advice and consent of the Board, appoints an "interim sheriff". The Chairman will put forth the name of his nominee, with board approval coming from a majority vote of the board. The "interim sheriff" would serve out the rest of the term, until December 2014.

Discussion followed. Sgt. Dutko and Lt. Glowacki commented that both have worked for many sheriffs and would work with whoever was appointed. Both hoped the Board would consider a candidate who would make the transition the smoothest for everyone. Childress stated that the Cook County agreement will continue, and reported that the Pro-Active Unit also conducted two recent searches with one yielding four pounds of marijuana and another with over \$10,000 of stolen property and guns.

Marvin Rutledge, former Sheriff and Chief Deputy stepped forward to be considered for the Interim Sheriff position too. He stated that he resigned due to personal conflict with the current sheriff. He said he enjoyed working with the individuals of the Sheriff's Department, as they were a great group of professionals.

EXECUTIVE SESSION

*Motion by Arbogast, second by Kestner to move into executive session pursuant to: 5 ILCS 120/2 (c)(2) Collective Negotiating Matters and 5 ILCS 120/2(c)(3) Public Office Vacancy. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Runyon, Fannin, Kestner and Peterson **Nays:** None **Absent:** Ritter (arrived at 7:10 p.m.)*

There was a break from 7:15 p.m. until 7:25 p.m. Executive Session commenced at 7:25p.m., open session resumed at 8:05 p.m. There was a second break from 8:10 p.m. until 8:20 p.m.

ACTION RESULTING FROM EXECUTIVE SESSION

5ILCS 120/2 (c)(2) Collective Negotiating Matters – *Motion by Young, second by Holt to approve the Sheriff's Deputy FOP contract as it stands and to authorize the County Board Chairman and Secretary to sign on behalf of the Board. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Ritter (arrived at 7:10pm), Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Fannin, Kestner and Peterson **Nays:** Runyon **Absent:** None*

5ILCS 120/2 (c)(3) Public Office Vacancy – Chairman Fannin read the resolution as follows: Upon the resignation of the Livingston County Sheriff, Martin Meredith (hereinafter "sheriff"), effective 12:00 p.m. September 12, 2013, and in exchange for the sheriff agreeing to make no employment changes, including the creation of ranks or positions, for any deputies, officers or staff; and in exchange for the sheriff agreeing not to

make any expenditures from any accounts controlled by the sheriff, or his department, nor take any actions that may negatively impact any financial agreements, including existing contracts or any other such written agreement; the Livingston County Board, in regular session, does hereby authorize Livingston County Board Chair, Marty Fannin, to sign an agreement whereby Livingston County would pay the sheriff's regular salary through October 1, 2013, and a lump sum amount of \$4,355.82 dollars, said amount being the cash equivalent of six months of insurance premiums for health, dental, and vision coverage. *Motion by Fannin, second by Holt to approve the resolution regarding the resignation agreement for Livingston County Sheriff Marty Meredith.*
MOTION CARRIED ON ROLL CALL VOTE. Ayes: Vietti, Bullard, Shafer, Arbogast, Weller, Ritter (arrived at 7:10pm), Cohlman, Borngasser, Ingles, Holt, Weber, Campbell, Allen, Mays, Young, Flott, Runyon, Fannin and Peterson **Nays:** Steichen, Rients, Yoder and Gerwin **Absent:** Kestner

COMMUNICATIONS/ANNOUNCEMENTS

None

ADJOURNMENT

The meeting adjourned at 8:25 p.m. on motion by Holt, second by Yoder. **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.**

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

Marty Fannin, Chairman

Attest:

Kristy A. Masching
County Clerk

October 17, 2013
Approved

Minutes Bd 09-12-13.A