

LIVINGSTON COUNTY BOARD
MINUTES OF October 13, 2011 MEETING OF THE COUNTY BOARD

OPENING

Chairman Fairfield called the meeting to order at 6:00p.m., in the Public Safety Complex basement at 844 W. Lincoln St., Pontiac, Illinois.

Eldon Ruff 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, Carl Borngasser, John McGlasson, Daryl Holt, Ronald Deany, Kathy Arbogast, Judy Campbell, Tim Shafer, Eldon Ruff, David Heath, Marty Fannin, Bob Young, William Fairfield, Vicki Allen, Delores “Dee” Woodburn and Mark Runyon **Absent:** Joe Steichen (arrived at 6:20p.m.) and John Franey

Also Present: County Clerk Kristy Masching, Alina Hartley-Administrative Resource Specialist, John Eallonardo -FQC, Jack Hayes-FQC, Terry Laaker-FQC, Nick Sleboda-FQC, Daniel Atilano-PSA Dewberry, Chuck Schopp-Zoning Administrator, June Slagel-Finance Resource Specialist, Treasurer Barb Sear, Public Health Administrator MaLinda Hillman, Mark Jontry-ROE Superintendent, Rick Hiatt-Good Sam Board, Attorney Tom Blakeman and Justin Lotak-Invenenergy

AGENDA

Chair Fairfield called for additions or deletions to the agenda. Fairfield asked that item II. A. Presentations – Helen Barrick, Clifton & Gunderson be removed from the agenda. *Motion by Holt, second by Runyon to approve the agenda.* **MOTION CARRIED WITH ALL EYES ON VOICE VOTE.**

APPROVAL OF MINUTES

Chair Fairfield called for approval of the minutes from the September 15, 2011 meeting. *Motion by Shafer, second by Weller to approve the September 15, 2011 meeting minutes as presented.* **MOTION CARRIED ON ROLL CALL VOTE.**

PRESENTATION

None

APPEARANCES

None

CONSENT AGENDA

A. Approval of Bills

B. Staffing

1. Sheriff’s Dept.- Replacement – FT Deputy
2. Sheriff’s Dept.- Replacement – FT Correctional Officer
3. Maintenance – FT Custodian
4. Maintenance – 2 PT Custodians

C. Regional Office of Education Annual Report

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

LAW & JUSTICE CENTER COMMITTEE

Chair Flott commended Terry Laaker and Nick Sleboda (FQC) on their hard work as the construction foremen on the L&J Center project.

Resolution (#2011-10-45) Asbestos Abatement Bid Award: John Eallonardo explained that Gary Deigan conducted an environmental evaluation of the historic courthouse which led to the abatement bid process. Due to the inaccuracy of the first round of bids a second round was solicited with six contractors submitting. The low responsible bidder was Universal Asbestos Removal, Inc. with a base bid of \$90,000., plus an alternate bid of \$17,000., for demolition of non-ACM walls, partitions and drop ceiling on the second floor. Discussion followed. *Motion by Flott, second by Woodburn to approve the asbestos abatement bid from Universal Asbestos Removal, Inc. of Lemont, Illinois with a base bid of \$90,000 and an alternate bid of \$17,000., for a total of \$107,000.00.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Abstain:** None **Absent:** Franey

Easement: Commonwealth Edison Company – Chair Flott explained that this was a utility easement for the Commonwealth Edison system with regards to the Law & Justice Center building. *Motion to approve the Grant of Easement with the Commonwealth Edison Company by Flott, second by Deany.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Abstain:** None **Absent:** Franey

Updates: Nick Sleboda (FQC) reported that they were 99.99% finished and were completing items on their punch list. **Terry Laaker (FQC)** stated that he has been working with the offices involved in the temporary move. He also expressed his gratitude for the great cooperation he received from the county during the L&J project. **Daniel Atilano (PSA-Dewberry)** updated the members on the historic courthouse renovation project. They were notified by the City that the building permit is available whenever we are ready to start. **John Eallonardo (FQC)** reported the following on the historic courthouse renovation: bid walk through had been conducted on October 10, with a good number in attendance; bids are due November 25th; bring bid award recommendations to November L&J committee meeting, with contracts forwarded to November Board meeting; and the abatement work scheduled to begin December 5th. **Jack Hayes (FQC)** spoke on the transitional services work to date and complimented the departments on their cooperation and preparation work in anticipation of the moves. He anticipates that the move will occur on schedule and without major obstacles.

AG & ZONING

Resolution (#2011-10-46) Livingston County All Hazards Mitigation Plan – Zoning Administrator Chuck Schopp reviewed the process to date and explained that Molly O’Toole Associates were the consultants used in compiling this plan. The plan identifies ways to reduce the impact of natural and manmade hazards throughout Livingston County. With this plan in place, it also enables procurement of mitigation funding in the event of a disaster. This plan has been approved by the state as well as the federal government. *Motion by Ruff, second by Flott to approve the resolutions adopting the Livingston County All Hazards Mitigation Plan and Continuation of the Hazard Mitigation Planning Committee.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Abstain:** None **Absent:** Franey

FINANCE

Presentation of FY2012 Budget – June Slagel, Finance Resource Specialist commented as follows: proposing a \$10.9 million budget, balanced because of the \$2.13million transfer in from the Pontiac Host Fund; an additional \$250,000. transferred for the operations of the Law and Justice Center; and a majority of the department heads had a zero or negative increase to their expenses. *Motion by Borngasser, second by Heath to put the proposed FY2012 Budget and Levy Draft on display.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Abstain:** None **Absent:** Franey

Resolution (#2011-10-47) Authorizing Cancellation of Mobile Home Sale for Back Taxes: Treasurer Sear explained that the trustee on behalf of the county had acquired a mobile home in Carriage Lane Estates for nonpayment of taxes. Since the owner of the mobile home has redeemed the back taxes, penalties and fees, this resolution would approve acceptance of the redemption and return the title to the owner. *Motion by Holt, second by Young to approve the resolution cancelling the mobile home sale of Lot 129 Carriage Lane Estates (PIN#01-01-200-129) for back taxes and return the title to the owner.* **MOTION CARRIED ON ROLL CALL VOTE.**
Ayes: Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None
Abstain: None **Absent:** Franey

Electronic Document Services Agreement: Treasurer Sear explained that due to space constraints at their temporary location, they would be unable to move all of their equipment used to process the tax bills. She is asking for approval to contract with a firm from Iowa for the processing and mailing out of the tax bills at a cost of about \$.52 cents an envelope. *Motion by Vietti, second by Arbogast to approve entering into a contract with Electronic Document Services for the processing and mailing of the tax bills.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon
Nays: None **Abstain:** None **Absent:** Franey

Resolution (#2011-10-48) Livingston County Community Health Care Program: MaLinda Hillman-Public Health Administrator was present to request program funding for FY2012. This program provides an enhanced community health care program to assist individuals to remain in their homes utilizing home nursing and homemaking services. In ten months, they have served 27 home nursing patients for 406 visits and 48 home health aid/homemaker patients for 2700 visits. The majority of individuals in both programs are age 80 or older. Income eligibility is based on 185% of poverty for one person. The program is projected to cost \$200,000 this year, with the county reimbursing just for the actual costs. *Motion by Heath, second by Ruff to approve the Livingston County Community Health Program for FY2012.* **MOTION CARRIED ON ROLL CALL VOTE.**
Ayes: Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None
Abstain: None **Absent:** Franey

Resolution (2011-10-49) Regional Office of Education Memorandum of Understanding: Mark Jontry-Regional Superintendent of Schools presented information on the status of his and the assistant's positions, since state budget cuts have eliminated funding for their salaries for FY2012. He is proposing a plan whereby their salaries could be paid from some of the ROE funds (ie: enterprise fund). His legal counsel's opinion is that this fund could be used, as it is comprised from General State Aid and professional service fees, not from county funds. The salary amounts paid from the enterprise fund would be reimbursed if the state does provide funding. McLean County would administer the payment of their salaries under this proposal. Mark is requesting that Livingston County approve the Resolution for the Memorandum of Understanding showing support of this proposal. Discussion followed. *Motion by Borngasser, second by Ingles to approve the resolution contingent upon approval by McLean and DeWitt Counties for FY2012.* **MOTION CARRIED ON ROLL CALL VOTE.**
Ayes: Vietti, Weller, Ingles, Flott, Koerner, Borngasser, Holt, Deany, Arbogast, Shafer, Ruff, Heath, Young, Allen, Fairfield and Woodburn **Nays:** Weber, Yoder, Steichen, McGlasson, Fannin and Runyon
Present: Campbell **Absent:** Franey

Intergovernmental Agreement: Regional Office of Education – This agreement spells out the percentage contribution for each of the three counties for the FY12 budget year. Livingston County's share is \$68,740.00 or 17% of the \$404,351.00 budget. *Motion by Borngasser, second by Weller to approve the Intergovernmental Agreement for the Regional Office of Education for the FY 2012 budget.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Koerner, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Young, Allen, Fairfield and Woodburn **Nays:** Yoder, Steichen, Fannin and Runyon
Absent: Franey

Resolution (2011-10-50) Odell Tower Bid Award – Chair Borngasser stated that Finance as well as the ETSB Board had recommended approval of awarding the public safety radio antenna tower bid to Sabre Communications, with a bid amount of \$214,742.00. *Motion by Borngasser, second by Vietti to award the public safety radio antenna tower bid to Sabre Communications, with a base bid amount of \$214,742.00.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** McGlasson **Absent:** Franey

PERSONNEL

Resolution (#2011-10-51) Personnel Policies: Residency – Chair Shafer said the committee had reviewed a revision to the policy regarding residency. The consensus of the committee was to recommend the revision stating that they have a strong preference that current and new employees live within the county, but it is not a requirement. *Motion by Holt, second by Yoder to approve the revision to the Personnel Code regarding residency.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn **Nays:** Yoder, Campbell, Runyon **Present:** Koerner **Absent:** Franey

NURSING HOME

Rick Hiatt representing Good Samaritan Nursing Home presented information on the status of Good Sam-Pontiac, the problems with the prior administration, and the inadequacies of their earlier financial reports with respect to obtaining additional funding and the CON. After thorough review of their financials with the auditors, they are projecting a construction budget of \$21.5 million. They are asking the county to consider \$2.8 million for help with the Pontiac building project, and an additional \$8,000. per month, for approximately 18 months, to help with current operational cash flow issues. Chairman Heath stated that the committee had discussed whether action should be taken at this time due to the significant amount of money requested (about \$8.9 million), without further study. As a result, the committee passed the following motion: To extend the operations grant part of the Economic Development Grant previously given to Good Samaritan Home of Flanagan, Illinois, Good Samaritan Group, and Good Samaritan-Pontiac on November 13, 2008 for three additional payments of \$80,000 per month with first monthly to be made immediately and the subsequent monthly payments to be made on the 15th of November and December, 2011. This money would be transferred from the Nursing Home Construction Fund. Discussion followed. *Motion by McGlasson, second by Yoder to extend the operations grant part of the Economic Development Grant previously given to Good Samaritan Home of Flanagan, Illinois, Good Samaritan Group, and Good Samaritan-Pontiac on November 13, 2008 for three additional payments of \$80,000 per month with first monthly to be made immediately and the subsequent monthly payments to be made on the 15th of November and December, 2011. This money would be transferred from the Nursing Home Construction Fund.* Discussion followed on the following: future census and positive cash flow projections; 80% Medicaid census; and that three months are needed to evaluate the request and explore alternatives. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weber, Ingles, Yoder, Borngasser, McGlasson, Holt, Arbogast, Campbell, Shafer, Fannin, Allen, Fairfield **Nays:** Weller, Flott, Koerner, Steichen, Deany, Ruff, Heath, Young, Woodburn, Runyon **Absent:** Franey

PUBLIC PROPERTY

Odell Tower Lease: Chair Flott reported that this lease is for the land the tower sits on. The new lease includes the actual legal description of the land and also includes a five year option through 2030. *Motion by Flott, second by Weller to approve the amended lease with Fortino & Sons for the Odell tower site.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Absent:** Franey

ADMINISTRATIVE

Intergovernmental Agreement: Amending Streator Area Enterprise Zone - Justin Lotak presented information on his company's request to have the Streator Area Enterprise Zone Ordinance and Intergovernmental Agreement amended to include the site of Invenergy Illinois Solar I, LLC solar farm project. The company is a

20 megawatts solar photovoltaic project, which covers about 160 acres (twenty to be used for landscaping), three miles east of Streator. The company has entered into a 20-year agreement with ComEd for the purchase of the electricity generated at the site. He stated that it has gone through the approval process in LaSalle County and the City of Streator. There will not be any Livingston County area deleted from the zone as a result of this amendment. Attorney Blakeman commented that he had found discrepancies on the legal descriptions on the proposed document compared to the legal descriptions on our ordinance from prior amendments. He will work with the engineer from the City of Streator to remedy this issue. *Motion by Flott, second by Steichen to approve the Intergovernmental Agreement: Amending Streator Enterprise Zone.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Absent:** Franey

Ordinance (#2011-10-52) Providing for Amendment of Streator Area Enterprise Zone - Motion by Holt, second by Steichen to approve the Ordinance providing for Amendment of Streator Area Enterprise Zone subject to final attorney review. **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Weller, Weber, Ingles, Flott, Yoder, Koerner, Steichen, Borngasser, McGlasson, Holt, Deany, Arbogast, Campbell, Shafer, Ruff, Heath, Fannin, Young, Allen, Fairfield, Woodburn and Runyon **Nays:** None **Absent:** Franey

ELECTION, RULES & LEGISLATION

No report

HIGHWAY COMMITTEE

No report.

INSURANCE

Chair Woodburn reported that IMRF is endorsing a long-term care benefit plan. A representative will be on hand for the Employee Wellness Fair on October 19th. Linda Daniels invited all the board members to the Fair which will take place at the Public Safety Complex Conference room and will be open from 9:00 until 4:00p.m.

SHERIFF, JAIL & LICENSE

Chair Vietti reported the following: jail population averaged 62, with average number of days spent being 16; town contracts are up for renewal; reviewed request to replace a FT deputy; studied the Odell Tower Lease; and were updated on the activities of the pro-active unit.

INFORMATION & TECHNOLOGY

Chair Holt reported the following: Koeppel is spending majority of time preparing projects for the temporary and permanent relocations; Probation Dept. has been moved to the new email system; and that the Laserfiche scanning software was upgraded allowing for new features to be implemented and allowed for more users on the system.

VETERANS

Chair Koerner stated the following: the number of trips, the number of people utilizing the services and the number of utilities paid were all down; and the cruise control installed on the handicap van was working great.

PUBLIC HEALTH

Public Health –MaLinda thanked the Board for turning the Courthouse “pink” for Breast Cancer Awareness for the month of October.

PUBLIC COMMENT

Judy Campbell passed out information from the Illinois Health Care’s Coalition and informed the group that October is Domestic Violence Awareness month. She invited everyone to attend “A Stand against Violence” demonstration taking place on Wednesday, October 26th at noon, on the Courthouse lawn. Chairman Fairfield commended Judy on the great job she is doing representing Livingston County not only on the Public Health Committee but also on the many other committees she is a member of.

COMMUNICATIONS/ANNOUNCEMENTS

None

EXECUTIVE SESSION

None

ADJOURNMENT

The meeting recessed at 7:50 p.m. on motion by Vietti, second by Yoder. **MOTION CARRIED WITH ALL AYES ON VOICE VOTE.**

The next meeting is scheduled for Thursday, November 17, 2011 at 6:00 p.m., at the Public Safety Complex building.

BILL FAIRFIELD, CHAIRMAN

Attest:

Kristy A. Masching
County Clerk

November 17, 2011

Approved

Minutes Bd 10-13-11.A