

**LIVINGSTON COUNTY BOARD**  
**MINUTES OF August 15 , 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.

Daryl Holt 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 (arrived at 6:10), William G. Flott, Mark Runyon, Marty Fannin, Ronald L. Kestner, William H. Peterson  
**Absent:** Paul Ritter and Carolyn Gerwin

**Also Present:** County Clerk Kristy Masching, Alina Hartley-Administrative Resource Specialist, Mike Hillary/Russ Courter-CliftonLarsonAllen, Rick Hiatt-Good Sam Pontiac, Attorney Tom Blakeman, Tom Ewing-Strevell/Lincoln House, Treasurer Barbara Sear, David Winters-County Highway Engineer, Zoning Administrator Chuck Schopp

**AGENDA**

Chair Fannin requested the following changes to the agenda: removal of VII. Executive Session and VII. Action Resulting from Executive Session. *Motion by Steichen, second by Weller to approve the agenda as revised.*  
**MOTION CARRIED ON VOICE VOTE.**

**APPROVAL OF MINUTES**

Chair Fannin called for approval of the July 11, 2013 minutes. *Motion by Weber, second by Vietti to approve the July 11, 2013 minutes as presented.* **MOTION CARRIED ON VOICE VOTE.**

**PRESENTATION**

**FY 2013 Audit-CliftonLarsonAllen** – Mike Hillary of CliftonLarsonAllen presented the final report on the FY2013 audit. He reported that the financial statements in their opinion, based on their audit are fairly presented in accordance to generally accepted auditing principles (a clean opinion). Hillary stated that the governmental funds showed a decrease of about \$8.9 million in the fund balance due to increased expenses for capital outlay for the Historic Courthouse renovation. Sales tax revenue increased 4.5% over the previous year, with state income tax revenue increasing as well by 9.1%. General fund equity decreased about \$9.2 million with an ending cash balance sufficient to cover 13.3 months of expenditures. The General Fund which is comprised of 9 accounts, saw an overall increase of 2.6% in charges for services revenue, a 46.1% decrease in interest income, a 38% increase in general and administration expenses, a 37.5% decrease in capital outlay expenses and property tax revenues increasing by 3%. Hillary stated that there were no funds with fund balances below three months of cash reserves, and none with a deficit fund balance at FY2012 year end. Hillary reported that the county (mainly Public Health Dept.) received about \$1.1 million in federal funds. He noted that there were no compliance findings, and reported that the internal control findings (segregation of duties, trial balance adjustments and preparation of the financial statements) were the same as in prior years. Discussion highlights follow: the increase in the General Fund Administration expenditures; request for an itemized breakout of accounting and auditing services auditors are providing; and solutions to reduce or eliminate the internal controls issues. *Motion to approve the FY2012 Audit by Steichen, second by Shafer.* **MOTION CARRIED ON ROLL CALL VOTE.**  
**Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Flott, Runyon, Fannin, Kestner and Peterson **Nays:** None **Absent:** Ritter and Gerwin

**APPEARANCES**

None

## CONSENT AGENDA

### A. Approval of Bills

### B. Appointments

- **Mike Ingles** – ETSB appointment, unexpired three year term (replaces Judy Campbell) commencing August 15, 2013 – December 2015.

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

## PUBLIC COMMENT REGARDING ACTION ITEMS

None

## SHERIFF, JAIL & LICENSE

**Resolution (#2013-08-41) Authorizing Amendment of Pro-Active Intergovernmental Agreement** – Chairman Fannin explained that this resolution would amend the language in one sentence. Currently, section #3 reads “The Sheriff of Livingston County shall have command of the Intergovernmental Law Enforcement Task Force”; which will be amended to say, “The Sheriff of Livingston County shall have command of the Intergovernmental Law Enforcement Task Force, subject to the Manual of Protocols and Procedures as approved by a majority vote of the Administrative Oversight Committee, created hereinafter.” This agreement will remain in effect through December 2013. The Oversight Committee is comprised of the State’s Attorney, the Sheriff and the Chiefs of Police from Dwight, Fairbury and Pontiac. The Protocol and Procedures manual is being worked on at this time. *Motion by Borngasser, second by Weller to approve the resolution authorizing the Amendment of the Pro-Active Agreement.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Cohlman, Borngasser, Ingles, Holt, Weber, Rients, Campbell, Allen, Mays, Young, Flott, Fannin, Kestner and Peterson **Nays:** Steichen, Yoder and Runyon **Absent:** Ritter and Gerwin

**Resolution: Donating Excess Property** – Chair Borngasser stated that this resolution would allow the Sheriff to transfer equipment to Henderson County for a specified period of time. Their county has suffered from recent flooding. No action will be taken as this is under review by the State’s Attorney’s Office.

**Odell Town Contract** – Chair Borngasser explained that under this contract deputy patrol services would be provided to Odell, at a cost of \$10,000., and would continue through November 30, 2013. It would allow for deputy patrol up to twenty (20) hours per week, minus vacation time, holidays, sick time and training. Discussion followed. It was voiced that future contracts should be entered into based upon actual cost of deputy (\$80-\$90,000. including benefits). At the committee meeting it was explained that the Sheriff’s Department does allow for a set amount of patrol time for the towns, regardless of whether they have a contract or not. *Motion by Borngasser, second by Yoder to approve the Odell Town Contract for Sheriff Deputy Services.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Cohlman, Steichen, Borngasser, Weber, Rients, Campbell, Allen, Mays, Young, Yoder, Fannin, Kestner and Peterson **Nays:** Ingles, Holt, Flott and Runyon **Absent:** Ritter and Gerwin

## ADMINISTRATIVE

**Resolution (#2013-08-42) Amendment of Good Samaritan Agreement** – Rick Hiatt-Good Samaritan Board Member and Attorney Tom Blakeman presented information on the proposed amended agreement. Hiatt informed the group that their application had been under review at the USDA. In order to qualify for financing from the USDA, their original proposal of a 122 bed facility with all beds available for Medicaid patients would need to be modified. Results from a feasibility study conducted by their consultant, concluded that changes would need to be made based upon current economic circumstances and the prospective need for beds in the area. Their current proposal is for a 90 bed facility, with 28% allocated to private pay, 13% to Medicare and 59% to Medicaid. If the proposal is approved, steps would be taken to amend the conditional Certificate of Need with the Illinois Health Facilities and Services Review Board. The Planning Review Board has granted an extension

through December 21, 2013 due to the additional time needed to compile information for the feasibility study. The loan would be a forty year loan with a locked in rate of 3.25%. If the USDA does not approve the loan, the nursing home will not be built, and the \$2.5 million set aside as a down payment for procuring a loan will be returned to the county. The proposed changes would make the project economically feasible and would still allow them to fulfill their mission. Blakeman commented that the amended agreements were necessary since the current proposal did not match the terms of the current agreement. Discussion followed. *Motion by Young, second by Borngasser to approve the Amendment of the Good Samaritan Agreement.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Cohlman, Steichen, Borngasser, Ingles, Holt, Weber, Campbell, Allen, Mays, Young, Yoder, Flott, Fannin, Kestner and Peterson **Nays:** Riens and Runyon **Absent:** Ritter and Gerwin

### FINANCE

**Resolution (#2013-08-43): Authorizing Redemption of Taxes** – Treasurer Sear was requesting the approval of a resolution authorizing the redemption of back taxes by the owners on property located in Chatsworth (Walnut St. 27-99-02-160-000). She explained that the time frame for allowing the redemption had expired and since the trustee for the county had obtained the deed, county board approval was needed to complete the process. *Motion by Shafer, second by Vietti to approve the resolution authorizing the redemption and reconveyance of deed.* **MOTION CARRIED ON 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, Flott, Flott, Fannin, Kestner and Peterson **Nays:** None **Absent:** Ritter and Gerwin

**Resolution (#2013-08-44): Authorizing Purchase of Brick for Strevell-Lincoln House** –Tom Ewing was present to request the Board authorize the purchase of a \$5,000. commemorative brick, as a contribution to the Strevell-Lincoln renovation project. He presented an overview of what has happened so far, contributions received and future plans for the house. Discussion followed. Those in favor commented that it is the only known house in Livingston County where Abraham Lincoln visited and is an asset for tourism in Livingston County. Those not in favor commented that the county hasn't donated to other projects in other towns which have helped tourism; not county's function to fund such projects; and the need to prioritize projects being paid for from the Pontiac Host Fund. *Motion by Bullard, second by Cohlman to approve the resolution authorizing the purchase of a brick for the Strevell-Lincoln House.* **MOTION CARRIED ON ROLL CALL VOTE. MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** Vietti, Bullard, Shafer, Arbogast, Weller, Cohlman, Borngasser, Ingles, Weber, Campbell, Allen, Mays, Fannin and Kestner **Nays:** Steichen, Holt, Riens, Young, Yoder, Flott, Runyon and Peterson **Absent:** Ritter and Gerwin

**Notice of Budget Amendment** – Chairman Shafer noted that the proposed FY2013 amendments to the jail and maintenance budgets have been posted, with Board action to take place next month. The increase to the jail budget is \$154,908 and \$9,000 to the maintenance budget.

### HIGHWAY

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

#### I. **Bridge Petitions:**

- **Amity Road District:** Replace existing 24" x 20" x 20' Nelsen culvert with a 42" ERS x 80' precast CMP, 2478N, 732E, Section 13-01000-00-AB.
- **Forrest/Pleasant Ridge Road Districts:** Replace existing 30" x 33' CMP with 2-36" x 46' CMP's, 2965E 900N, Section 13-11000-00-AB & 13-21000-00-AB. Estimated cost = \$10,000.00

#### II. **Engineering Agreement:**

- Coombe-Bloxdorf, P.C., Springfield, IL. Agreement to perform National Bridge Inspection Standards biennial bridge inspections on 296 road district bridges. Cost not to exceed \$39,000.00.

*Motion by Weber, second by Rients 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, Rients, Campbell, Allen, Mays, Young, Yoder, Gerwin, Flott, Fannin, Kestner and Peterson **Nays:** None **Absent:** Ritter and Gerwin

### AG & ZONING

**Ordinance (#2013-08-45): Zoning Case ZT-1-13 (New Special Use – Tattoo Parlors or Studios)** – Chuck Schopp-Zoning Administrator explained that the proposed ordinance was adding tattoo parlors or studios as a special use to the C1, C2 and C3 sections of the Livingston County Zoning Regulations. An additional text amendment would add tattoo parlors or studios to the sections of lists as “home occupations that shall not be interpreted to include.” The Livingston County Zoning Board of appeals has reviewed and recommends approval of this case. *Motion by Young, second by Rients to approve Ordinance (#2013-08-45): Zoning Case ZT-1-13(New Special Use – Tattoo Parlors or Studios).* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Shafer, Arbogast, Weller, Cohlman, Borngasser, Ingles, Holt, Weber, Rients, Allen, Mays, Young, Yoder, Gerwin, Flott, Fannin, Kestner and Peterson **Nays:** Bullard, Steichen and Campbell **Absent:** Ritter and Gerwin

Schopp also reminded the members of the upcoming Ag & Zoning Committee meeting scheduled for 9:30 a.m., August 23<sup>rd</sup>, the same day as the Livingston Landfill open house.

### ELECTION, RULES & LEGISLATION

**Election Services Contract: Liberty Systems** – No action needed.

**Resolution (#2013-08-46): Repeal of Tattoo Ordinance** – Chair Vietti reported that the committee had recommended forwarding the deletion of the current tattoo ordinance to the full board without recommendation. *Motion by Vietti, second by Arbogast approving the repeal of the current Tattoo Ordinance.* Discussion followed on the pros and cons of this proposed action with it being noted that tattoo studios or parlors are licensed through the state. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** Vietti, Shafer, Arbogast, Weller, Cohlman, Ingles, Holt, Weber, Allen, Mays, Young, Yoder, Flott, Fannin and Peterson **Nays:** Bullard, Steichen, Borngasser, Rients, Campbell, Runyon and Kestner **Absent:** Ritter and Gerwin

### INFORMATION & TECHNOLOGY

Chair Arbogast reported that there wasn’t a quorum at their meeting. As a result, Kehinde discussed his monthly report with the members. Highlights included: upgraded Assessor’s office to Windows 7, which enhanced their map viewer software; conference phone lines were installed in the Committee Room and Law & Justice Center training room; and four workstations in three departments were infected with a virus.

### PERSONNEL

Chair Holt reported that the committee had been visited by Vicki Dawson, a Nationwide 457 plan representative who spoke at the Employee Rep meeting earlier in the day. She will be meeting individually with employees on Thursday, September 12<sup>th</sup>.

Holt stated that the committee had reviewed the Ad-Hoc committee’s draft resolution, with the Board members receiving it in their packets. He asked that members review it and if they had questions or suggestions, contact any of the ad hoc committee members. The final resolution will be acted upon at the September meeting.

### PUBLIC PROPERTY

Chair Runyon reported the following. The restructuring of the Facilities Management Services Department has been finalized with the hiring of Wayne (Geno) Hetelle for the Maintenance Laborer position.

**VETERANS**

Chair Steichen reported that they had reviewed the 2014 Budget approved by the Veterans Commission and had forwarded it on to the Finance Committee for review. He noted that there were more veterans seeking assistance and that they have four vehicles running trips.

**PUBLIC COMMENT**

None

**EXECUTIVE SESSION**

Removed from agenda

**ACTION RESULTING FROM EXECUTIVE SESSION**

Removed from agenda

**COMMUNICATIONS/ANNOUNCEMENTS**

None

**ADJOURNMENT**

*The meeting adjourned at 7:46 p.m. on motion by Vietti, second by Steichen. MOTION CARRIED WITH ALL AYES ON VOICE VOTE.*

The next meeting is scheduled for Thursday, September 12, 2013 at 6:00 p.m., at the Historic Courthouse Board Room.

**Marty Fannin, Chairman**

Attest:

Kristy A. Masching  
County Clerk

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Approved