

**PROCEEDINGS OF THE COUNTY BOARD**

AT A MEETING OF THE COUNTY BOARD MEMBERS OF CHRISTIAN COUNTY ILLINOIS, BEGUN AND HELD AT THE TAYLORVILLE HIGH SCHOOL CAFETERIA IN TAYLORVILLE, ILLINOIS, ON **February 18, 2020**

*ATTEST: MICHAEL C. GIANASI, COUNTY CLERK*

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The following proceeding had and entered at large upon the records of said Board, which is done accordingly in the following words and figures to wit;

Chairwoman Becky Edwards called the board to order and led the Pledge of Allegiance to the flag. James Jones of Taylorville Christian Church gave the invocation.

**ROLL CALL**

The roll call by County Clerk Michael Gianasi showing all members present except Craig Corzine, Donna Hibbetts, and Clark Pearce did signify a quorum and was declared.

**ACCEPT COUNTY BOARD MINUTES**

Chairwoman Becky Edwards asked for any corrections and to accept the January 21, 2020, County Board minutes. *It was moved by Vicki McMahon and seconded by Linda Curtin to approve said minutes of the County Board Meeting.* The motion carried.

**MOTION TO MOVE FINANCE COMMITTEE DISCUSSION AHEAD**

State' Attorney Mike Havera requested to move the Finance Committee portion of the meeting to this point in the agenda. Chairwoman Becky Edwards called for a motion. *A motion was made by Phil Schneider and seconded by Dale Livingston to move the Finance Committee discussion to this time in the agenda.* The motion carried.

**AUDIT/FINANCE/PURCHASING COMMITTEE**-February 13, 2020-Minutes read by Becky Edwards

**STATES ATTORNEY REQUESTS INCREASED SALARY FOR SECOND ASSISTANT**

**Discussion:**

State's Attorney Mike Havera addressed the board requesting an increase in the starting salary of an entry-level assistant State's Attorney to \$55,000. It was not brought up at budget negotiations because at the current salary, there had been no problems getting applications for the position. The current salary is approximately \$47,690. The position has been posted for four months and \$1,500 - \$2,000 has been spent on advertising the position. Over the four months, two applicants responded. One applicant mistakenly applied thinking it was a different position and the other did not respond to attempts to contact after the interview. This is not unique as Sangamon County has multiple spots to fill and cannot get applicants. The new salary would be \$2,000 - \$3,000 ahead of other nearby counties and may draw others to the position. State's Attorney Havera listed many responsibilities of his office. Board member Venise McWard asked if the State's Attorney could find someone for \$52,000 and he responded that it was likely the person would not have the experience. Board member Phil Schneider asked how the office workload compared to other neighboring counties. State's Attorney Havera responded that the number of serious felonies in Montgomery County pales in comparison to Christian County. Sheriff Bruce Kettelkamp added that the jail population was 74 that morning and Shelby County had less than 20 in their jail.

**Committee Minutes:**

Since October 2019 he has been advertising for a second assistant. With only one application for the position, there is no interest in the position with a \$46,300 salary. Although we are not the only county seeking assistant positions, it is the desire of States Attorney Mike Havera to increase the salary in order to fill the position with someone experienced, but most importantly fill the position. His proposal was to be a \$55,000 annual salary and hopefully a 2% increase next year. He stressed how busy they continue to be. Last year alone 2600 traffic tickets went to court. In this fiscal year no pay has been expended for that position which will counter some of the increase for this year's budget.

Taylorville Police Chief Dwayne Wheeler spoke to the committee about how many meth cases they have worked on together to make a better community. Last year there were 470 cases and

2020 will only increase in cases. Without proper manpower the cases will be lost in the courts. He was hopeful that increasing the salary will bring in a much needed additional attorney. A motion was made by Brian Wilbur and seconded by Mike McClure to set the salary for the second assistant at \$55,000.

Discussion:

Board member Matt Wells reminded the board about previous discussions where it was noted that office holders have control of their budget money. He suggested that if money was needed for the State's Attorney's office budget, a better motion would be to add the amount to the office budget and let the State's Attorney decide on the salary amount with the money available in his budget. Chairwoman Edwards agreed but also said that the money would also be needed for next year's budget. Board member Phil Schneider asked the State's Attorney how much would need to be added to his budget. Mike did not have that number at hand. Mike also acknowledged that he is asking for the money to be able to set the salary and not the permission of the board to set the salary. After taking into account the additional salary amount to the remaining assistant and expenses related to advertising the position, it was estimated that \$7,000 was available to add to the original assistant salary amount. Matt asked if the current motion would be voted down and the State's Attorney return to the Finance Committee and the Board next month with the amount that he needs. Board member Mike McClure stated that they were voting to approve the salary and Matt Wells said again that the Board does not have the authority to approve the salary. Further discussion among several Board members ended with the amount of \$3,000 as the amount necessary to fund the position in the State's Attorney's budget. This was also including benefits.

*With the original motion rescinded, a motion was made by Vicki McMahon and seconded by Mike McClure to add \$3,000 to the State's Attorney's office budget, to be paid for out of contingency.*

After additional discussion Vicki McMahon rescinded her motion and Mike McClure rescinded his second.

*A motion was made by Mike McClure and seconded by Vicki McMahon to set the salary for the second assistant at \$55,000. A roll call vote being called upon polled the following: Becky Edwards, Ray Koonce, Dale Livingston, Mike McClure, Vicki McMahon, Phil Schneider, Brian Wilbur, Tim Carlson, Linda Curtin, (9) aye; Venise McWard, Matt Wells, Molly Alaria, Charles DeClerck, (4) nay; Donna Hibbetts, Clark Pearce, Craig Corzine, (3) absent; The motion carried. Matt Wells asked about the County Board reviewing additional salaries in the future and State's Attorney Havera said this situation was not initiated by the County Board but by request of the elected official.*

**BEN JACOBI INTRODUCED AS SPECIAL COUNSEL**

State's Attorney Havera introduced Ben Jacobi from O'Halloran, Kosoff, Geitner & Cook, LLC as special counsel for the county handling wind farm and zoning issues. Ben described his firm and stated that they are the general counsel for the Illinois Counties Risk Management Trust, the insurance carrier for the county. He also described his background in helping local government and stated he is there to protect the county from liability. He continued by discussing the matter of combining the separate ordinances for wind farms and solar farms into the zoning code. This would allow the Zoning Board of Appeals to act upon text amendments to the Code which could then include the combined ordinances. He also described the role of the County Board to accept or reject the recommendations of the Zoning Board of Appeals. Matt Wells asked for clarification of the term "primary structure" from the WECS ordinance. Vince Harris responded with the reference in the definitions section of the ordinance. Ben also stated that any changes to the text of the Zoning Code, even if those changes started with the County Board, must go through the Zoning Board of Appeals. Variances are handled by the Zoning Board of Appeals and not the County Board. Wind Energy Conversion Systems (WECS) are required to be a special use under agricultural districts.

**PETITIONS, RESOLUTIONS, ORDINANCES OR PROCLAMATIONS**

*A motion was made by Ray Koonce and seconded by Mike McClure to adopt O2020ZN004 – An ordinance amending the Zoning Code by combining: Ordinance O2008ZN004 – Ordinance regulating the siting of Wind Energy Conversion Systems, as Appendix A; and Ordinance O2017ZN012 – Solar Energy Ordinance, as Appendix B to the Christian County Zoning Code O2008ZN005. A roll call vote being called upon polled the following: Ray Koonce, Dale Livingston, Mike McClure, Vicki McMahon, Venise McWard, Phil Schneider, Matt Wells, Brian Wilbur, Molly Alaria, Tim Carlson, Linda Curtin, Charles DeClerck, Becky Edwards, (13) aye; (0) nay; Donna Hibbetts, Clark Pearce, Craig Corzine, (3) absent; The motion carried.*

*A motion was made by Mike McClure and seconded by Linda Curtin to adopt O2020CB002 – An Ordinance to Provide for Public Transportation in Christian County, Illinois, for Fiscal year 2021, beginning on July 1, 2020 and ending on June 30, 2021; and O2020CB003 – Intergovernmental Agreement between the County of Shelby and the counties of Fayette, Clay, Moultrie, Montgomery, and Christian, for the provision of public transportation in said counties. A roll call vote being called upon polled the following: Dale Livingston, Mike McClure, Vicki McMahan, Venise McWard, Phil Schneider, Matt Wells, Brian Wilbur, Molly Alaria, Tim Carlson, Linda Curtin, Charles DeClerck, Becky Edwards, Ray Koonce, (13) aye; (0) nay; Donna Hibbetts, Clark Pearce, Craig Corzine, (3) absent; The motion carried.*

### **PUBLIC COMMENTS**

Chairwoman Edwards called for public comments.

Jeff Nolen asked for clarification of ‘nuisance’ in the Zoning Code and whether the County Board can choose to ignore that.

Clint Gabriel asked if the combining of the WECS and solar ordinances into the Zoning Code set a precedent for future actions and made it more difficult to amend them.

Matt Wells asked if the action to combine the ordinances makes them stronger against a lawsuit.

Phil Schneider asked if new applicants would follow the current ordinances or amended ordinances if the ordinances were amended in the future.

Brian Wilbur stated that the Board action moved the ordinances into the Zoning Code and nothing else.

Zoning Administrator Vince Harris also stated that the action was to combine the ordinances into the Zoning Code so the Zoning Board of Appeals could act upon text amendment requests to those ordinances. He also stated there had been no special use requests submitted.

Roxanne Green asked about signed leases.

Charles Dammerman distributed some pages from a wind turbine operating manual and discussed some of the safety recommendations.

### **CLAIMS**

*A motion was made by Vicki McMahan and seconded by Venise McWard to approve the claims as presented for February. A roll call vote being called upon polled the following: Mike McClure, Vicki McMahan, Venise McWard, Phil Schneider, Matt Wells, Brian Wilbur, Molly Alaria, Tim Carlson, Linda Curtin, Charles DeClerck, Becky Edwards, Ray Koonce, Dale Livingston, (13) aye; (0) nay; Donna Hibbetts, Clark Pearce, Craig Corzine, (3) absent; The motion carried.*

### **READING OF COMMUNICATIONS**

The following communications were presented and read and placed on file in the Clerk’s Office.

1. The February Prevailing Wage Report has been placed on file in the Clerk’s Office.
2. The January 2020, Public Defender’s Report has been placed on file in the Clerk’s Office.
3. The Treasurer’s Reports for the period ending on January 31st, 2020, have been placed on file in the Clerk’s Office.
4. The Local Solid Waste Fees Fund report for January 2020 has been placed on file in the Clerk’s Office.
5. The January 2020, Motor Fuel Tax Allotment Transaction Reports, dated February 5, 2020, were received for both the County and the Road Districts.
6. The Christian County December PCOM report was received from the C.E.F.S. Economic Opportunity Corporation. The letter and attached report have been placed on file in the Clerk’s Office.
7. A check and a report were received from Cable One, Inc. for the 4th quarter, 2019, franchise fees for NewWave Communications. The check was in the amount of \$1,202.27 and was deposited with the Treasurer.

### **APPROVE COMMUNICATIONS AS READ**

Chairwoman Becky Edwards called for a *motion by Molly Alaria and was seconded by Venise McWard to accept the communications as read.* The motion carried.

### **COMMITTEE REPORTS**

#### **ACCEPT & FILE COMMITTEE REPORTS AS PRINTED**

*A motion was made by Tim Carlson and was seconded by Brian Wilbur to accept & file the committee reports as printed.* The motion carried.

#### **HIGHWAY/BUILDING/GROUNDS/ENVIRONMENTAL/ZONING AND WELFARE COMMITTEE**-February 10, 2020-Minutes read by Phil Schneider

#### COURTHOUSE FLOOR UPDATES

##### Basement floor sag

Bill Kennedy, Cliff Frye and staff worked on the floor under the ROE office and have it completed. The office is back to normal business. Mr. Kennedy has submitted the plans to a structural engineer for the purpose to approve as permanent. He suggested that we might consider doing the rest of the first floor including the south entrance. It is a good system and the rest of the floors are higher and easier to work under. If we are able to do the south door in the same manner, there would not be any closure of the entrance and temporary installation at the west door. It was also suggested that the concrete floors underside (basement) be painted/sprayed to seal the concrete to prevent further chemical reaction within.

Bill Kennedy and Cliff Frye have been doing deflection measurements on all the areas in the courthouse. Although the measurements and calculations are not complete, nothing drastic is being noticed. He did mention further testing as a load test with water.

- Chairman Schneider thanked both Cliff and Bill for all their time and work on the floor issues.
- There has been no interest or response for the clock face repairs.
- The roof company will be here tomorrow to look for the leaks.

*Bill Kennedy updated the County Board on the status of the floors and said there would be recommendations forthcoming. He also discussed the need to remove a large number of record boxes from the basement.*

#### ELEVATOR UPDATE

Chairman Schneider noted the letter from OTIS responding to the question of termination of the contract posed by the Board and in summary "...moving forward with the project as per the agreement is the best option for this customer.... At this point, OTIS is not willing or able to delay this project or accept a buyout." He concluded the money is paid and it is scheduled to begin on Tuesday, February 18, 2020.

#### NO HIGHWAY BUSINESS THIS MONTH

#### ANIMAL CONTROL UPDATE

- Director Vince Harris announced the dinner/dance fundraiser was a success. It was Saturday, February 8 at the Kincaid American Legion. The purpose of the event is to raise funds in order to build an addition to the cat room. By law the facility has a limit of 25 cats in the current space. This expansion would allow another 25 cats to be housed for adoption.
- A new State law requires that prior to the adoption of cats that they are spayed or neutered, given shots and microchipped. This will increase the costs and adoption fees will need to be adjusted as well. Harris asked for suggestions to cover the newly required expenses. The current fee to adopt a cat is \$15. He suggested an increase to \$50/cat for adoption but that still would not cover all vet costs. Decatur was reported to charge \$75/cat. Dogs too are now required to be microchipped prior to adoption at an additional \$30/dog. Next month he will present a proposal for increase adoption fees.

Vince Harris talked about the costs for microchipping and adoption fees.

#### ZONING

- The website is being updated with reporting forms for complaints for both zoning and animal issues. Printing the form and/or stopping by the facility is available at this time.

#### PUBLIC COMMENTS

A clarification was asked about the feral cat project—the cats are trapped if the neighbors want the cats to be spayed/neutered and returned to the neighborhood. They call Animal Control to make the appointment with the vet. The cats are taken to the vet and the payment comes for the Feral Cat Program Fund from the Friends of CC Animal Shelter. Mr. Harris noted that they have attended several trainings on how to determine the difference between a feral cat, not feral cat and friendly (one that is just scared).

Chairman Schneider took a moment to ask the farmers to be safe—the danger is real in grain bins.

#### **EXECUTIVE/PERSONNEL/LIQUOR COMMITTEE**-No Meeting

#### **NEW BUSINESS:**

In January the Intergovernmental Agreement with the City of Taylorville (temporary lease for official court business) was approved, however the accompanying ordinance was inadvertently skipped. Chairwoman Edwards called for a motion to adopt O2020CB001. *A motion was made by Vicki McMahon and seconded by Brian Wilbur to adopt O2020CB001 – An Ordinance Authorizing an Intergovernmental Cooperation Agreement with the City of Taylorville.* A roll call vote being called upon polled the following: Vicki McMahon, Venise McWard, Phil Schneider, Matt Wells, Brian Wilbur, Molly Alaria, Tim Carlson, Linda Curtin, Charles DeClerck, Becky Edwards, Ray Koonce, Dale Livingston, Mike McClure, (13) aye; (0) nay; Donna Hibbetts, Clark Pearce, Craig Corzine, (3) absent; The motion carried.

#### **MILEAGE AND PER DIEM REPORT:**

*A motion was made by Tim Carlson and seconded by Dale Livingston to approve the mileage and per diem report for the month of February 2020. The motion carried.*

<b><u>Board Member</u></b>	<b><u>Salary</u></b>	<b><u>Rate</u></b>	<b><u># of Meetings This Month</u></b>
Molly Alaria	\$200.00	\$50.00	1
Timothy Carlson	\$200.00	\$25.00	1
Craig Corzine	\$200.00	\$50.00	0
Linda Curtin	\$100.00	\$25.00	2
Charles DeClerck	\$200.00	\$50.00	2
Becky Edwards	\$846.16		
Donna Hibbetts	\$100.00	\$25.00	1
Ray Koonce	\$100.00	\$25.00	1
Dale Livingston	\$100.00	\$25.00	2
Mike McClure	\$200.00	\$50.00	3
Vicki McMahon	\$200.00	\$50.00	3
Venise McWard	\$100.00	\$25.00	2
Clark Pearce	\$100.00	\$25.00	1
Philip Schneider	\$200.00	\$50.00	2
Matt Wells	\$100.00	\$25.00	1
Brian Wilbur	\$100.00	\$25.00	1

#### **APPOINTMENTS/REAPPOINTMENTS:**

Christian County Water Reclamation District Trustees:

Tom Snyder – 04/01/2021

Tom Fergin – 04/01/2022

Frankie Blanchfield – 04/01/2023

*A motion was made by Molly Alaria and seconded by Tim Carlson to reappoint the trustees to the Christian County Water Reclamation District Board. The motion carried.*

**CHAIRWOMAN'S OFFICE UPDATES:**

None.

**ADJOURNMENT**

With no other unfinished business to come before the Board, a *motion was made by Mike McClure and seconded by Dale Livingston to adjourn until **Tuesday, March 24, 2020** for the regular County Board meeting at 6:30 p.m.* The motion carried.