

**PROCEEDINGS OF THE COUNTY BOARD**

AT A MEETING OF THE COUNTY BOARD MEMBERS OF CHRISTIAN COUNTY ILLINOIS, BEGUN AND HELD AT THE COURTHOUSE IN TAYLORVILLE, ILLINOIS, ON **September 18, 2018**

*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;

**ROLL CALL**

The roll call by County Clerk Michael Gianasi showing all members present except Tim Carlson, Becky Edwards and Phil Schneider and this did signify a quorum and was declared.

**SELECT TEMPORARY CHAIRMAN FOR THIS MEETING**

Due to the absence of both the Chairman and Vice Chairwoman, County Clerk Michael Gianasi called the Board to order and led the Pledge of Allegiance to the flag. Ken Manning of the Taylorville Christian Church gave the invocation. County Clerk Michael Gianasi called upon the membership to select a temporary chairperson for this meeting. Chad Michel made a motion to select Paul Schmitz and was seconded by Vicki McMahon. The motion carried with one opposed.

Temporary Chairman Paul Schmitz took his seat and requested the membership to bow their heads in memory of the late Senator John McCain.

**ACCEPT COUNTY BOARD MINUTES**

Temporary Chairman Paul Schmitz asked for any corrections and to accept the August 21, 2018, County Board minutes. *It was moved by Marilyn Voggetzer and seconded by Vicki McMahon to approve said minutes of the County Board Meeting.* The motion carried.

**PETITIONS, RESOLUTIONS, ORDINANCES OR PROCLAMATIONS-**

Any and all will be addressed at the committee report.

**PUBLIC COMMENTS-**

There were none.

**READING OF COMMUNICATIONS**

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

- 1- The Prevailing Wage report for September, 2018 and it is placed on file in the Clerk's office and posted.
- 2- The August 2018 Public Defender's report is on file.
- 3- The Treasurer's reports ending 08/31/2018 are on file in the Clerk's office.
- 4- The Local Solid Waste Fees Fund Report for August, 2018, is filed with the Clerk.
- 5- The August 2018 Motor Fuel Tax Allotment Transaction reports were received for both the County and Road Districts.
- 6- The July PCOM letter and report was received from CEFS.

**APPROVE COMMUNICATIONS AS READ**

Temporary Chairman Paul Schmitz *called for a motion by Chad Michel and was seconded by Donna Hibbetts to accept the communications as read.* The motion carried.

**COMMITTEE REPORTS**

**ACCEPT & FILE COMMITTEE REPORTS AS PRINTED**

*A motion was made by Chad Michel and seconded by Venise McWard to accept & file the committee reports as printed.* The motion carried.

**HIGHWAY/BUILDING/GROUNDS/ENVIRONMENTAL/ZONING AND WELFARE COMMITTEE**—No meeting

**EXECUTIVE/PERSONNEL COMMITTEE –9/5/2018**-Minutes read by Donna Hibbetts  
As previously discussed, the committee continued to review new liquor license classifications. The first one was agreed upon with some clarification from the requested change.

**Combination License a Class E License:** This license shall offer the retail sale and consumption on the premises specified in the license of alcoholic liquor and for the retail sale of package sales.

- Currently, the license for the sale of package ales, beer or wine only is \$200.
- AND the current individual license for the consumption of only ales, beer or wine is \$300.

It was suggested that because RJ’s Shak Bait Shop is a small establishment and that the business owner had requested the combo license in order to expand his business, the fee should not be the cost of two licenses. A motion was made by Ben Curtin and seconded by Marilyn Voggetzer to approve the new Liquor License classification E for RJ’s Shak Bait Shop with a \$350 fee for the combination Class E License. The motion carried unanimously. This new classification will be added to the current license classes in the existing ordinance and all provisions of the ordinance apply to this Combination class E license, including the residency requirement for brick and mortar business establishments. States Attorney Havera commented that no action could be taken.

**Caterer License a Class F License:** Licenses issued pursuant to this classification shall entitle the licensee, generally not the owner of the building, to sell all alcoholic liquors for consumption on the premises for which a caterer permit has been issued. The licensee shall sell alcoholic liquor only during the hours prescribed in the ordinance. Such a license shall not be issued to any person holding a Tavern, Bowling Alley or Club License. This license shall be exempt from any residency requirement and does not allow for or permit video gaming. The Class F has special provisions other than as described for full time establishments such as a Tavern, Bowling Alley or Club License.

"Caterer" means a person in the business of providing food or liquor and service for social or business affairs.

The committee requirements have been changed and will be read during the full board meeting. They are as follows:

A REVISION for Class F

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**License-Caterer/Special Use-Class F License:** Licenses issued pursuant to this classification shall entitle the licensee [generally not the owner of the building] to sell all alcoholic liquors for consumption on the premises for which a special use permit has been issued. The licensee shall be allowed to sell alcoholic liquor only during the hours prescribed in **the Christian County Ordinance**. The licensee shall be exempt from any residency requirement and this permit *does not allow for or permit video gaming*. The Class F has special provisions other than as described for full time establishments such as a Tavern, Bowling Alley or Club License.

For the purposes of this classification, a “Caterer/Special Use” *permit allows a business which provides liquor for sale and its service for social or business affairs at an off premise site (vendor’s place of business) the opportunity to do business for special events.*

All application procedures shall apply for an applicant:

- Describe with reasonable certainty the boundary of the area in which alcoholic liquor is to be sold and the address of the venue.
- The *vendor* must provide proof of dram shop insurance, also referred to as Liquor Liability Insurance and General Liability Insurance with at least \$1 million of coverage.

- Comply with the state BASSET training program certified by the State of Illinois Liquor Control Commission as required by 235 ILCS 5/3-12. At least one certified BASSET bartender must be at all times within the serving location (bar). BASSET certifications are required prior to the issue of the license. Bartenders must be 21 years of age.
- For each event and/or location a separate license shall be obtained.
- At least a 15 day notice shall be required for each application.
- A copy of a valid State of Illinois “Special Use License” shall be requested to be either attached to the application or submitted after the State issuance. The fee for the special event liquor license Class F: \$75/day/event at the same location.
- No refunds will be made for either voluntary or involuntary cancelations.
- Providing all requirements are met, the Liquor Commissioner may approve a Classification F License per event, but for no more than 15 days at the same location.
- The fee must be paid by cash, cashier’s check or a company/business check.

NOTE:

- The Health Department shall be notified of the event and Health Ordinance fees may apply. (Temporary permits from the health department are \$25 for an event of 1 to 4 days; \$50 for an event 5-14 and a seasonal permit is also available.)

The above was the proposed requirements for a caterer license. This type of license is available and widely used in the City of Taylorville, Sangamon County and other municipalities, some members had reservations with the “no residency” requirement. The initial request was from “The Barn at Bridge Out” in the unincorporated part of the county which could be the only venue currently that would be requesting this type of liquor license. However, it should be noted that if the clients of the Barn would want to offer the sale of alcohol at their private function and local caterers were requested, they would not be able to cater that specific event due to the County not having a “special event caterers” license. A motion was made by Bev Graham and seconded by Donna Hibbetts to create and add to the County’s Liquor License classifications that of Class F -- Caterer License with a 15 day event notice. A voice response resulted in a 2 to 3 vote and the motion failed. Attorney Havera was asked his opinion on this type of license. He commented that he could see it both ways and from both sides of the issue: New businesses mostly cannot start off with an investment of a fully stocked bar [selling alcohol is not the type of business these owners offer, it is renting their building for parties/events] and the cons would not have any more or less issues or consequences of alcohol use as would any other retail business.

Discussion at the full Board meeting:

Bev Graham described the new information gathered since the first request. It is now understood that the “barn” is really two different locations. The Barn at the Landing is a venue that would or could have catered events of both food and alcohol. This special F license would then cover more venues than just the Barn at Bridge Out. From the first description that currently brought this to the County’s attention and that there was no license created by the County, this action could be happening. [It was believed that those involved believed it was in the city jurisdiction having a Taylorville address.] Jerry Cocagne questioned how that can be done legally. Now knowing the situation, the County is attempting to address the situation. The County Board Chairman is the Liquor Commissioner and actions to be enforced by the Sheriff. Other comments and confusing questions were asked. Karen Beck owner of Barn at Bridge Out apologized for such controversy and she has researched this new trend in other counties for traveling vendors. They have special event license also with the State and dram shop coverage.

Comments:

- Why are we stopping people from coming to our county? Why are we denying people to create their businesses in the unincorporated areas? The County needs to determine the needs of the County, and not to be compared with the city.
- The comments and experiences continued. With so much confusion, others asked for more information and a *motion was made by Ben Curtin and seconded by Marilyn*

*Voggetzer to NOT issue the caterer/special use license and a roll call vote was polled: Marilyn Voggetzer, Matt Wells, Molly Alaria, Ben Curtin, Charles DeClerck, Mike McClure ayes (6); Bev Graham, Craig Corzine, Donna Hibbetts, Vicki McMahon, Venise McWard, Chad Michel, and Paul Schmitz (7) nay and (3) absent. The motion failed. Matt Wells noted that this was a negative motion which cannot be done and still that was not a motion to accept the classification.*

- *With that, Bev Graham made a motion and Donna Hibbetts seconded the motion to issue a caterers/special use license. Questions were asked to clarify that motion, and Bev Graham rescinded her motion.*
- *Discussion continued, when Craig Corzine motioned that the issue be sent back to the committee for clarity. Mike McClure seconded the motion with the two corrections about the age of the bartenders and \$1million in insurance. Roll called being called for polled the following: Molly Alaria, Bev Graham, Craig Corzine, Mike McClure, Chad Michel, Charles DeClerck, Donna Hibbetts, Vicki McMahon, Venise McWard, Paul Schmitz and Marilyn Voggetzer (11) ayes; Matt Wells and Ben Curtin (2) nays: and (3) absent. The motion carried.*

### **AUDIT/FINANCE COMMITTEE MEETING-9/13/2018--** Minutes read by Vicki McMahon

#### **BUDGETS**

Mike Crews, ESDA Director presented a revised budget due to new information for a Mitigation Grant of \$45,877. This money will be spent and reimbursed back to the County. Most of the EMA budget is funded by grants which reimburse the general fund.

Amanda Cole, U of I Extension director for Christian County presented a budget showing Matchable income (privately sought funding) which will reduce the levied amount by 2.58%. The levy amount is \$132,000.

Julie Wollerman, Regional Superintendent of Schools ROE#3 explained that her budget was reduced due to the elimination of the Bond County secretary. The total decrease from FY 2018 is \$21,068 for the total five counties. Christian County's share for FY19 at a 28.1545% will be \$70,653 plus health insurance as compared to FY18 at \$76,814 plus health insurance.

Gerry Mahr, Christian County Senior Citizens Director presented all of the local budgets and the overall combined budget. Transportation still is the biggest expense but so necessary for the senior citizens with travel to local locations and also Springfield and Decatur. Paid staff is two fulltime, nine part time drivers, one part time receptionist and volunteers. Their money is levied through the County.

#### **CLAIMS**

*A motion was made by Vicki McMahon and seconded by Venise McWard to approve the claims as presented for September. A roll call being called for polled the following: Bev Graham, Craig Corzine, Ben Curtin, Charles DeClerck, Donna Hibbetts, Mike McClure, Vicki McMahon, Venise McWard, Chad Michel, Paul Schmitz, Marilyn Voggetzer, Matt Wells; ( 12) yea: (0); nay; (4) Molly Alaria, Tim Carlson, Becky Edwards, Phil Schneider absent. The motion carried*

#### **DELINQUENT TAX RESOLUTIONS**

Four resolutions were presented for approval and to be forwarded to the full Board. They are as follows:

- R2018 TR 018-to accept full payment for delinquent taxes and fines for the parcel number 17-13-26-302-004-00 in Taylorville.
- R2018 TR 019 to accept full payment for delinquent taxes and fines for the parcel number 11-25-22-400-002-00 in Pana.
- R2018 TR 020- Authorizing the County Board Chair to execute a deed of conveyance for the parcel number 01-20-02-208-017-00 in Assumption.

*A motion was made by Vicki McMahon and seconded by Chad Michel to adopt the above three resolutions. A motion being called for polled: Bev Graham, Craig Corzine, Ben Curtin, Charles DeClerck, Donna Hibbetts, Mike McClure, Vicki McMahon, Venise McWard, Chad Michel, Paul Schmitz, Marilyn Voggetzer, Matt Wells; ( 12) ayes: (0); nay; (4) Molly Alaria, Tim Carlson, Becky Edwards, Phil Schneider absent. The motion carried*

### RECORDING FEE INCREASED IN DECEMBER 2018

Due to the signing of Public Act 100-0271, the County is required to implement a predictable fee factor and schedule for the recording of documents by January 1, 2019. As a fee study was completed for the 2017 fee adjustments, the same company was available to calculate the predictable fee factor at no charge. The ordinance includes the statutory language describing the Nonstandard Documents and the calculated \$3.00 predictable fee factor. The current recording fee of \$75.00 will increase to \$78.00 as of December 1, 2018. *A motion was made by Vicki McMahon and seconded by Marilyn Voggetzer to recommend to the full Board O2018 CB 010—to increase the recording fees.* A motion being called for polled: Craig Corzine, Ben Curtin, Charles DeClerck, Donna Hibbetts, Mike McClure, Vicki McMahon, Venise McWard, Chad Michel, Paul Schmitz, Marilyn Voggetzer, Matt Wells, Bev Graham; ( 12) ayes: (0); nay; (4) Molly Alaria, Tim Carlson, Becky Edwards, Phil Schneider absent. The motion carried

### REIMBURSE COUNTY CLERK'S AGENCY FUND

County Clerk Michael Gianasi informed the committee that a letter was received from the Internal Revenue Service dated May 21, 2018, regarding questions about the Schedule B form submitted with the quarterly Form 941. It was determined that the Schedule B page was not submitted with the Form 941. The county clerk noted that all required tax payments were correct and submitted on time. The Schedule B merely details a monthly breakdown of payments and the payroll days of each month that the tax amounts are calculated. The Schedule B form was submitted as requested and a second letter was received on August 27 indicating an amount due of \$1,076.83. A call was placed to the IRS to discuss the letter and the county clerk was told the submittal of the Schedule B form was five days past the due date. He also confirmed with the IRS representative that all tax payments made in the first quarter were correct and on time. Due to the September 17 due date for payment, the county clerk paid the amount from the Clerk's Agency Fund account. Along with the check for payment, the Form 843, Claim for Refund and Request for Abatement, was submitted requesting a review of the situation.

After a preliminary discussion with the chair of the finance committee, the county clerk appeared before committee and requested a payment from contingency for \$1076.83 to reimburse the Clerk's Agency Fund Account. *A motion was made by Vicki McMahon and seconded by Mike McClure to approve the transfer from contingency to the County Clerk's Agency Account and if the County receives the money back, it should be returned to contingency.* A motion being called for polled: Bev Graham, Craig Corzine, Ben Curtin, Charles DeClerck, Donna Hibbetts, Mike McClure, Vicki McMahon, Venise McWard, Chad Michel, Paul Schmitz, Marilyn Voggetzer, Matt Wells, Molly Alaria; (13) ayes: (0); nay; (3) Tim Carlson, Becky Edwards, Phil Schneider absent. The motion carried

### COUNTY BOARD CHAIRMAN'S SALARY DISCUSSION TABLED

Matt Wells had requested to revisit the salary for the County Board Chairman beginning in December 2018. A motion was made by Vicki McMahon and seconded by Paul Schmitz to table the discussion until the next the meeting. The motion carried at committee.

### EXECUTIVE SESSION

The Committee elected to go into executive session pursuant to 5ILCS 120/2(c): Collective negotiating matters between the public body and its employees or their representatives. A motion was made by Paul Schmitz and seconded by Vicki McMahon. A roll call vote polled all ayes.

A motion was made by Venise McWard and seconded by Paul Schmitz to come out of executive session pursuant to the above stated reason. A roll call vote polled all ayes. No action was taken.

NO ACTION NECESSARY AT THE FULL BOARD

### UPDATES

- In open session, the next meeting was scheduled for September 20<sup>th</sup> to review the budget. [Changed to September 25]
- Venise McWard noted that the new County website went online last week. Training will take place next week to allow several department heads to make changes on the website.

- A claim will be submitted for Russ Winans for his website service up to going live.

**NEW OR UNFINISHED BUSINESS:**

None

**MILEAGE AND PER DIEM REPORT:**

*A motion was made by Chad Michel and seconded by Venise McWard to approve the mileage and per diem report for the month of September 2018. The motion carried.*

	<b><u>Salary</u></b>	<b><u>Rate</u></b>	<b><u>Meetings this month</u></b>
Molly Alaria	\$200.00	\$50.00	2
Timothy Carlson	\$813.73		
Craig Corzine	\$200.00	\$50.00	1
Ben Curtin	\$200.00	\$50.00	2
Charles DeClerck	\$200.00	\$50.00	1
Becky Edwards	\$200.00	\$50.00	1
Bev Graham	\$200.00	\$50.00	2
Donna Hibbetts	\$200.00	\$50.00	2
Venise McWard	\$200.00	\$50.00	2
Mike McClure	\$200.00	\$50.00	3
Vicki McMahan	\$200.00	\$50.00	2
Chad Michel	\$200.00	\$50.00	1
Paul Schmitz	\$200.00	\$50.00	2
Philip Schneider	\$200.00	\$50.00	0
Marilyn Voggetzer	\$200.00	\$50.00	2
Matt Wells	\$200.00	\$50.00	1

**APPOINTMENTS/REAPPOINTMENTS:**

None

**ADJOURNMENT**

With no other unfinished business to come before the Board, *a motion was made by Chad Michel and seconded by Mike McClure to adjourn until **Tuesday, October 16, 2018** for the regular County Board meeting at 6:30 p.m. The motion carried.*