

**LIVINGSTON COUNTY BOARD
MINUTES OF MAY 16, 2024 MEETING OF THE COUNTY BOARD**

OPENING

County Board Chair James A. Carley called the meeting to order at 6:00 p.m., in the County Board Room of the Historic Courthouse, 112 W. Madison, Pontiac, Illinois.

Pastor Jan Ambrose presented the invocation. Craig Monson led the group in the Pledge of Allegiance.

Executive Director Alina Hartley called roll with the following members **present:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Absent:** None

Also Present: Executive Director Alina Hartley, Executive Assistant Jordan Uselding, I.T. Support Specialist Jack Phillips, Human Resource Director Ginger Harris, Finance Director Diane Schwahn, State’s Attorney Michael Regnier, Public Defender Marinna Metoyer, Sheriff Ryan Bohm, Zoning Administrator Brittney Miller, Zoning Assistant Angela Teske, Director of Health Education Erin Fogarty and Highway Engineer Clay Metcalf

AGENDA

Chair Carley requested to amend the agenda to add presentation b. “Recognition of Student Volunteers”. *Motion by Ritter, second by Blackard to approve the agenda as amended.* **MOTION CARRIED ON VOICE VOTE WITH ALL AYES.**

APPROVAL OF MINUTES

Chair Carley called for approval of the meeting minutes from April 11, 2024. *Motion by Earing, second by Haag to approve the minutes as submitted.* **MOTION CARRIED ON VOICE VOTE WITH ALL AYES.**

PRESENTATION

Resolution (#2024-05-29) of Respect– Mark Runyon: Chair Carley presented the wife and children of Mark Runyon with a Resolution of Respect to honor his memory and the time he served as a member of the Livingston County Board. *Motion by Fannin, second by Monson to approve the Resolution of Respect for Mark Runyon.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

Recognition of Student Volunteers: Ritter recognized the students from the Pontiac High School Environmental Science Program, Computer Maintenance Program and the Boy Scouts who volunteered their time to help out at the Electronic Recycling Event. Ritter acknowledged their hard work and service to the County.

APPEARANCES

N/A

CONSENT AGENDA

- A. Approval of Bills
- B. Appointments:
 - a. Dr. Andrew Jordan D.D.S. – Livingston County Board of Health & TB Board
 - b. Rodney Bahler – Fairbury Rural Fire Protection District (**Resolution #2024-05-30**)
 - c. Greg Yoder – Fairbury Rural Fire Protection District (**Resolution #2024-05-31**)

- d. Jeff Ifft – Farmland Assessment Review Committee
- e. Bill Flott – Livingston County Zoning Board of Appeals
- C. Acceptance of Decennial Reports:
 - a. Belle Prairie Township
 - b. Illinois Central College
 - c. Pleasant Ridge Road District
 - d. Pleasant Ridge Township
 - e. Pontiac Rural Fire Protection District
 - f. Forrest Public Library

Motion by Lovell, second by Manker for approval of the Consent Agenda. MOTION CARRIED ON ROLL CALL VOTE. Ayes: John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

AGRICULTURE & ZONING

Resolution (#2024-05-32): Approval of Decommissioning Plan – Vermillion Solar II, LLC: Earing reported this zoning case pertains to the review of a decommissioning plan of a previously approved 2MW solar farm and indicated the decommissioning plan is in the amount of \$135,000. Earing stated the decommissioning plan was approved at the Zoning Board of Appeals and Agriculture & Zoning Committee. **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

Resolution (#2024-05-33): Zoning Cases SU-3-24 & V-2-24 – Schneider Airport: Earing reported this is a special use request to operate a private use airport on a 20-acre tract of land in unincorporated Flanagan. Earing reported the variance is to bypass the fencing and living buffer requirements on a proposed airport. Earing stated both the special use and variance were recommended for approval at the Regional Planning Commission, Zoning Board of Appeals and Agriculture & Zoning Committee. Blackard noted that there was an amendment to be made on the resolution, indicating it should state private use airport special use instead of solar farm special use. *Motion by Ritter, second by Fannin to approve the Resolution for Zoning Case SU-3-24 & V-2-24 as amended. MOTION CARRIED ON ROLL CALL VOTE. Ayes:* John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

Resolution (#2024-05-34) Requesting Text Amendment – Tourist home: Earing reported this is a proposed amendment to the zoning ordinance to update the standards of tourist homes in all zoning districts of the county. *Motion by Barickman, second by Lovell to approve the resolution requesting the text amendment of a tourist home.*

Fehr requested to amend the resolutions for the text amendments of tourist home, kennel and Regional Planning Commission, removing Emergency Services so it will only state Agriculture & Zoning Committee.

Motion by Ritter, second by Barickman to approve the resolution requesting the text amendment of a tourist home as amended. MOTION CARRIED ON ROLL CALL VOTE. Ayes: John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

Resolution (#2024-05-35) Requesting Text Amendment – Kennel: Earing reported this is a proposed amendment to the zoning ordinance to update the definition of a kennel. *Motion by Blackard, second by Fehr to approve the resolution requesting the text amendment of a kennel as amended.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

Resolution (#2024-05-36) Requesting Text Amendment – Regional Planning Commission: Earing reported this is a proposed amendment to the zoning ordinance to update the definition of the Regional Planning Commission. *Motion by Ritter, second by Haag to approve the resolution requesting the text amendment of the Regional Planning Commission as amended.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Gina Manker, Joel Barickman, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** Rebekah Fehr and Linda Ambrose

Resolution (#2024-05-37) Requesting Text Amendment – Airport: Earing reported this is a proposed amendment to the zoning ordinance to update the standards of airports. *Motion by Haag, second by Weller to approve the resolution requesting the text amendment of an airport.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

Ordinance (#2024-05-38) Regional Planning Commission: Hartley reported this ordinance outlines the duties of the RPC. Hartley noted there were some inconsistencies with prior resolutions dated back to 1972-1973 thinking they were adopted due to grants available at that time, whereas this ordinance puts into place their current practice. *Motion by Barickman, second by Ritter to approve the ordinance of the Regional Planning Commission.* **MOTION CARRIED ON ROLL CALL VOTE.** **Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

Committee Chair Gerald Earing reported that he was very appreciate for the student volunteers who helped out at the E-Recycling Event.

Miller reported that Heritage Prairie Wind Farm has submitted their special use and the Regional Planning Commission will meet on May 29, 2024 at 7:00p.m. at the Historic Courthouse and the Zoning Board of Appeals will meet on June 17-18, 2024 at 6:00p.m. at the Historic Courthouse.

HIGHWAY

- a. **Letting Results:** March 28, 2024 & May 2, 2024 Lettings
- b. **Local Agency Agreement for Federal Participation:** Federal-Aid Agreement for replacement of Structure No. 053-3096 in Nebraska Road District located at 1585N, 400E. Includes Resolution appropriating County Aid to Bridge Funds for Local Agency cost share. **(Resolution #2024-05-39)**
- c. **Joint Agreement:** State of Illinois and County Agreement for rehabilitating the approaches to the Odell, I-55 overpass along CH 1 (2600N). Includes Resolution appropriating Matching Tax Funds for Local Agency share of cost. **(Resolution #2024-05-40)**
- d. **Quarterly Report:** 1st Quarter, FY24

Motion by Blackard, second by Ambrose for approval of the highway action items a.-d. with one roll call vote.

MOTION CARRIED ON ROLL CALL VOTE. Ayes: John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

SHERIFF, JAIL & LICENSE

Approval of Liquor License Application – Lucky Strike Gaming Outpost: Weller reported this is a Class B Liquor License application submitted by Lucky Strike Gaming Outpost in Streator, IL. *Motion by Ritter, second by Blackard to approve the liquor license as submitted.* **MOTION CARRIED ON VOICE VOTE.**

Resolution (#2024-05-41) Approving Special Use Permit Applications for 2024 Wildflower: Weller reported that the Sheriff, Jail & License Committee recommended the Illinois Liquor Control Commissioner approve the issuance of any Special Use Permits to Wildflower Road, LLC on behalf of the County for the year 2024. *Motion by Ritter, second by Barickman to approve Wildflower Road, LLC's special use permit applications for 2024.* **MOTION CARRIED ON VOICE VOTE WITH ALL AYES.**

Committee Chair Robert Weller reported that Jail Superintendent, Lisa Draper, recognized Federal Liaison/Nurse James Pulliam for his 12 years of service with the County and expressed how much of an asset he has been to the Jail.

FINANCE

Resolution (#2024-05-42) Salary Schedule Amendment: Fannin reported the HR Director, Ginger Harris, evaluated the salary schedule and used comparables with like positions in the county based on job descriptions and skill sets, not by exact jobs. *Motion by Manker, second by Earing to approve the amendment to the salary schedule in response to minimum wage.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

Resolution (2024-05-43): Approving ARPA Purchase of Public Safety Training Props – Livingston County Mutual Aid: Fannin reported the Livingston County Mutual Aid Association has requested financial assistance through the ARPA funds for the purchase of public safety training props. Fannin stated the equipment will be utilized in a new training complex by Livingston County Fire, EMS, Law Enforcement and LACC students. *Motion by Earing, second by Ritter to for approval of the mutual aid request for funding.* **MOTION CARRIED ON ROLL CALL VOTE. Ayes:** John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None **Present:** William Mays

PUBLIC PROPERTY

Resolution (#2024-05-44) Accepting Bid of 4D Construction & Approval of Project Budget: Vitzthum reported the allocated budget for the H&E Drive-Thru Facility was \$500,000 and 4D Construction submitted an amended proposal for \$483,700 after making engineering changes. Vitzthum stated the Finance Committee recommended the overall project budget be approved for \$552,000 to be funded from the American Rescue Plan Grant Funds. Board members took the time to express their views and opinions on the H&E Drive-Thru Facility.

Erin Fogarty was present to answer questions and discuss the uses of the H&E Drive-Thru Facility. Fogarty reported that the facility would be used for vaccinations, any sort of mass distribution or mass critical treatment,

and will be shared with partnering agencies as well. Sheriff Bohm indicated it would also be a great facility to store the P2D2 truck and trailer and use the site to search vehicles in inclement weather.

Mays raised questions pertaining to the grant funding and what uses for the facility were allowable. Hartley reported that the final rule issued through the Treasury indicated that anything under \$10 million could be considered loss of revenue. Hartley indicated the County only received \$6.9 million, they were able to claim 100% as lost revenue and such lost revenue can be used for any governmental purpose. Hartley stated in addition, it states that expenditures under \$1 million do not require preauthorization even when they take the more stringent rules that were outlined by the Federal Government.

Motion by Vitzthum, second by Earing to accept the bid from 4D Construction and approval of project budget.

MOTION CARRIED ON ROLL CALL VOTE. Ayes: John L. Vietti, Michael Haag, Joel Barickman, Marty Fannin, Craig Monson, Robert F. Weller, John J. Vitzthum, Gerald L. Earing, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** Rebekah Fehr, Gina Manker, Linda Ambrose, Dan Myers, William Mays, Jim Blackard and Seth L. Welch

RULES, LEGISLATION, VETERANS, AND COMMUNITY SERVICES

Intergovernmental Agreement – Veteran’s Treatment Court: Vietti reported this is an inter-governmental agreement between the 11th Judicial Circuit Counties of Ford, McLean, Livingston, Logan and Woodford. *Motion by Vietti, second by Blackard to approve the intergovernmental agreement for the Veteran’s Treatment Court.*

MOTION CARRIED ON ROLL CALL VOTE. Ayes: John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

Ritter thanked the Veteran’s Assistance Commission for their services and for helping a deceased veteran’s family with the burial process and obtaining a headstone.

INFORMATION and TECHNOLOGY

Committee Chair Gina Manker reported that the Committee will be meeting in June.

ADMINISTRATIVE

Chair James A. Carley reported that the Connect Illinois Broadband Grant was approved.

PUBLIC COMMENTS

The floor was open for public comment.

EXECUTIVE SESSION

Motion by Fannin, second by Mays to go into Executive Session pursuant to 5ILCS 120/2(c)(11) – Pending Litigation. MOTION CARRIED ON ROLL CALL VOTE. Ayes: John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter **Nays:** None

The board took a brief break prior to Executive Session from 7:26p.m. – 7:30p.m.

Executive Session began at 7:30 p.m.

Regular Session resumed at 7:47 p.m.

ACTION RESULTING FROM EXECUTIVE SESSION

Motion by Fannin, second by Haag to authorize the attorney to proceed with hiring an expert witness. MOTION CARRIED ON ROLL CALL VOTE. Ayes: John L. Vietti, Michael Haag, Rebekah Fehr, Gina Manker, Joel Barickman, Linda Ambrose, Marty Fannin, Dan Myers, Craig Monson, William Mays, Robert F. Weller, John J. Vitzthum, Jim Blackard, Gerald L. Earing, Seth L. Welch, James A. Carley, Steven J. Lovell and Paul A. Ritter
Nays: None

ANNOUNCEMENTS

N/A

ADJOURNMENT

The meeting adjourned at 7:49 p.m. on motion by Ritter, second by Mays. MOTION CARRIED ON VOICE VOTE.

James A. Carley, Chair

Attest:

Jordan E. Uselding

Executive Assistant

On behalf of County Clerk, Kristy Masching