

Bonnie J. Hester, District 1
Junior Watkins, District 2
Lynn Scott Pearson, District 3
Andrew Rand, District 4
Bud Sous, District 5
G. Allen Mayer, District 6
James C. Dillon, District 7
Phillip Salzer, District 8
Michael Phelan, District 9



Thomas H. O'Neill, Chairperson
R. Steve Sonnemaker, County Clerk

Stephen M. Morris, District 10
Merle Widmer, District 11
Robert Baietto, District 12
Vice Chairperson William R. Prather, District 13
Brian Elsasser, District 14
Carol Trumpe, District 15
Brad Harding, District 16
Chairperson Thomas O'Neill, District 17
Patricia Hidden, District 18

**PEORIA COUNTY BOARD
REGULAR MEETING
Thursday, December 10, 2009
6:00 PM**

County Courthouse • 324 Main Street • County Board Room 403 • Peoria, Illinois 61602
Voice: (309) 672-6056 • Fax: (309) 672-6054 • TDD: (309) 672-6073
www.peoriacounty.org/countyboard

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL BY THE COUNTY CLERK

Attendance was taken with the Roll Call-Pro voting system, and the following members of the Board were present: Baietto, Dillon, Elsasser, Harding, Hester, Hidden, Mayer, Morris, O'Neill, Pearson, Phelan, Prather, Rand, Salzer, Sous, Trumpe, Watkins and Widmer.

I. APPROVAL OF MINUTES

Approval of November 19, 2009 County Board Budget Meeting Minutes
Approval of November 12, 2009 County Board Minutes
Approval of November 12, 2009 County Board Executive Session Minutes

Baietto moved for approval of the minutes and Watkins seconded. The minutes were approved by a unanimous roll call vote of 18 ayes.

II. PROCLAMATIONS & PRESENTATIONS

- Presentation of service pins by the County Board Chairman to County Board members Lynn Scott Pearson (25 years), Carol Trumpe (20 years), Junior Watkins (15 years) and Allen Mayer (5 years).



- A recognition of SPIRIT "Employees of the Month".
- A proclamation recognizing the 2009 Fall Civic Leadership graduates.
- A presentation of an award from the Illinois Chapter of the American Planning Association to the County of Peoria for the Regional Stormwater Plan.

III. CONSENT AGENDA

C1. Approval of revised bond for Terry Deppert, Commissioner, Pekin & LaMarsh Drainage and Levee District.

C2. Approval of bond for Mary A. Bontz, Commissioner, Pekin & LaMarsh Drainage and Levee District.

C3. The Treasurer report consisting of the Bank and CD's Portfolio for the month of October 2009 and Revenue & Expenditure Reports for the month of September 2009.

C4. Appointments

Baietto moved to approve the Consent Agenda and Elsasser seconded. The Consent Agenda was approved by a unanimous roll call vote of 18 ayes.

IV. CITIZENS' REMARKS

Tom Edwards, 902 W. Moss, addressed the Board with regard to the new landfill agreement. He believes that a term of 25 years is too long, and urged the Board to take the document as a recommendation rather than a final document.

Rick Fox, 15215 N. Ivy Lane Road, addressed the Board on behalf of Peoria Families Against Toxic Waste with regard to delisted hazardous waste. He said the resolution before the Board is an easy decision; no constituent will be against it. The risks that are posed by putting this waste in the landfill could be costly; there is no reason to delay this decision.

Tracy Fox, 15215 N. Ivy Lane Road, addressed the Board in support of the delisted waste resolution. This type of waste is special waste. When she reviewed the Landfill Committee's records, she found 80 approvals in the last two years for special waste, some of which were administrative approvals by Dave Barber. A lot of the information on the special waste was not provided until the day of the meeting.

Cara Rosson, 901 E. Mossville Road, filed a request to speak but passed.



Joyce Harant, 3914 N. Donna Lane, addressed the Board with regard to the new landfill agreement. She said she is not opposed to the contract being awarded to PDC. She asked the Board for a public comment process and question and answer process for future decisions which impact the public to this degree. She feels that Section 21 of the contract should involve the City and County and asked that this section be amended. With regard to the perpetual care fund, she believes that there are expenses in Section 10.2 which can come out of this fund which will affect the balance.

Widmer and Salzer left the meeting.

Lisa Offutt, 10629 W. Moss St., addressed the Board with regard to the delisted waste resolution. She asked what the downside is to passing this resolution and how anyone would be harmed by making this policy statement. There will be no loss of revenue, and it will not reduce the life of the site. Finally, PDC is not opposed to this resolution. Delisted hazardous waste may be more stable than untreated waste, but we have no idea how long the stabilization will last. Keystone accounts for 18% of this waste; the rest comes from outside Peoria County and the majority comes from outside Illinois.

Widmer and Salzer returned to the meeting.

David Pittman, 2422 W. Moss, addressed the Board with regard to the landfill contract on behalf of the Global Warming Solutions Group. Capturing 100% of the methane gas created by the decomposing waste is a local solution to global warming that the Board should pursue. Net zero greenhouse emissions should be a commitment. Also, one hundred percent of household hazardous waste should be collected. He also encouraged increased efforts to recycle.

Brian Meginnis, attorney for Peoria Disposal Company, said it is great to be back before the Board. He noted that the process of getting to the contract has taken 18 months. If the Board awards the contract, there must be a site investigation, a siting hearing with the County, permitting and construction; hopefully in seven to eight years they will open the gates to the new landfill. Peoria City/County Landfill, Inc. submitted a very competitive proposal; the specifications were accepted in full. They proposed as an alternative a perpetual care fund, which was not part of the specifications. Not a penny can be spent from that fund unless the Landfill Committee approves it. The transfer station was proposed only as a back-up, if the siting is not approved. He asked the Board to approve the contract, and reminded the Board that Peoria Disposal Company has been doing business in Peoria for 82 years.

Mayer asked whether PDC is opposed to the delisted waste resolution. Mr. Meginnis said no; they did not plan on using the new landfill for this waste. If this is proposed as a condition to siting, PDC will not oppose it or appeal it.



V. ZONING ORDINANCE AND RESOLUTIONS

1. Case 056-09-U, Yue Zhao. A Special Use request as required in Section 24-6-7.C.4.f. of the Zoning Ordinance, to *allow for a place of worship in the "R-2" Medium Density Residential District*. The parcel is located in Medina Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurred.

Trumpe moved to approve the ordinance and Elsasser seconded. Trumpe stated that this is on a site used by a church; there is plenty of space for parking. The Medina Township Planning Commission approved this request. The ordinance passed by a unanimous roll call vote of 18 ayes.

2. Case 057-09-Z, Rollen Wright. A Rezoning request from "C-2" General Commercial to "A-1" Agricultural Preservation for the purpose of *reversing a previously granted rezoning request*, as he did not proceed with prior intentions to convert the property to a commercial use. The parcel is located in Trivoli Township. The Zoning Board of Appeals recommends approval. The Land Use Committee concurred.

Trumpe moved to approve the ordinance and Harding seconded. Trumpe noted that this site was previously rezoned for a daycare center which was never developed. The Petitioner has decided it is to his advantage to rezone back to "A-1". The ordinance passed by a unanimous roll call vote of 18 ayes.

3. A *Minority Report* from County Board Member *Patricia Hidden* requesting an *Asphalt Paving Material Ordinance* requiring Contractor projects to use only asphalt produced at a plant certified by the Illinois Department of Transportation.

Hidden moved to approve the ordinance and Mayer seconded. Mr. Atkins explained that the State's Attorney's Office made amendments to the ordinance after it went through Committee to make sure it was properly enforceable. The amendments are technical and involve what work has to have a permit and the type of construction that is regulated. He asked that a motion be made to approve the amendments that he handed out. Hidden moved to amend the ordinance to incorporate said changes and Mayer seconded. The amendment passed by a unanimous voice vote of 18 ayes. Harding asked if the Planning and Zoning Department has sufficient personnel to enforce this ordinance. Mr. Wahl said that permitting is down; inspectors are doing 16-20 inspections per day. These types of inspections will be infrequent, but it will be an additional burden on the inspectors. Harding asked about the cost. Mr. Wahl said it will be somewhere between \$150 and \$250. Hidden noted that this ordinance will protect consumers and eliminate substandard mixes. In her area, some older people have been scammed by this same sort of thing.

Trumpe noted that this ordinance will not apply to roads, only to driveways. The Committee was concerned about Planning and Zoning's reduced staff and increased fees for the public. They could see the technical need for the ordinance, but were concerned about the impacts. Phelan urged the Board to support the minority report. Citizens are complaining about not getting what they paid for; this will ensure they do. Prather asked if seal coating is covered; Mr. Wahl said no. Elsasser said he is sorry for the people who have been scammed, but government cannot protect people from everything. He does



not think it is worth the additional expense. Hidden said in the long run people will save money because the work will not have to be re-done. Pearson asked how many plants there are; she was concerned about the price. Mr. Wahl said there are a number of plants; Mr. McFarland said that two plants are in the immediate area.

Harding asked if Planning and Zoning could partner with the Highway Department. Mr. Wahl said his department is not expert in the area of blacktop and that Mr. McFarland is. Trumpe said she thinks it would be good idea and asked if it was possible. Mr. Urich said that he would sit down with Mr. Wahl and Mr. McFarland to see how they could make it work. Trumpe said if that is the case, she can support the ordinance. Widmer asked if this is a widespread practice and noted that nothing prevents someone from coming outside the county and applying the asphalt without a permit. Mr. Wahl said that Mr. Atkins could correct him if he was wrong (and he knows Mr. Atkins will do so), but they will issue the permit and advise the permittee that the asphalt must come from an IDOT approved plant. However, he knows that asphalt will get applied without a permit. Elsasser asked if neighboring counties have this type of ordinance. Mr. Wahl said he is not aware that either Woodford or Tazewell Counties have this ordinance. Mayer noted that the fines are up to \$1,000.00; the amount is not automatic. The Chairman noted that a yes vote is in favor of the ordinance as amended. The ordinance as amended passed by a roll call vote of 15 ayes and 3 nays, with Elsasser, Morris and Prather voting nay.

4. A resolution from your Judicial Committee recommending approval of the 2010 *Annual Probation Plan*.

Baietto moved to approve the resolution and Sous seconded. The resolution passed by a unanimous roll call vote of 18 ayes.

5. A resolution from your Facilities Committee recommending approval of bid awards in the order listed for *Electrical Preventative Maintenance* and On-Call Services as described per the attached resolution.

Salzer moved to approve and Harding seconded. The resolution passed by a unanimous roll call of 18 ayes.

6. A resolution from your Facilities Committee recommending approval of bid awards in the order listed for *HVAC Preventative Maintenance* and On-Call Services as described per the attached resolution.

Salzer moved to approve the resolution and Widmer seconded. The resolution passed by a unanimous roll call of 18 ayes.



7. A resolution from your Facilities Committee recommending approval of bid awards in the order listed for *Plumbing Preventative Maintenance* and *On-Call Services* as described per the attached resolution.

Salzer moved to approve the resolution and Elsasser seconded. Pearson noted that the bidder's EEOC number had expired and asked how that would be addressed. Mr. Urich explained that once the bid is out, Administration cannot contact the bidder. After an award is made, the bidder will be contacted, and there if they do not receive EEOC certification they will not get the work. Pearson asked what happens if they do not receive certification. Mr. Urich said that they would go to the next bidder on the list. Mr. Dillon stated that he would be abstaining because one of the bidders is his employer. The resolution passed by a roll call vote of 17 ayes and 1 abstention, with Dillon abstaining.

Prather left the meeting.

8. A resolution from your Facilities Committee recommending approval of change order #5 for an additional \$97,292.80 needed for the *Guaranteed Energy Savings Performance Contract Project* pertaining to unexpected items that pre-engineering could not have anticipated in Phase I project. (*Revised contract amount after change order #5 is \$6,091,976.60*)

Salzer moved to approve the resolution and Baietto seconded. Salzer said it looks like this change order will tie up all the loose ends on this project; it will be an increase of about four percent. Widmer said that in order to go through with this project, the County had to borrow general obligation bonds for \$4,000,000.00 and then later on \$2,000,000.00. He said that the County has to make the costs back to prove this was an effective move. Mr. Urich said the original intent was to roll up about 10 years' worth of capital improvements into this, and there would be a certain amount of the energy savings that would be guaranteed by the contractor. This change order will close out the first phase of the project; the second phase will measure the amount of energy savings received. It is a ten year repayment period. Widmer said that in his last year on the Board, he hoped to see less change orders, especially close to a hundred thousand dollars.

Rand asked how the overrun is funded. Mr. Urich replied that it comes out of the capital budget in the general county budget. Elsasser said he voted against this in Committee because we are in tight times, and he does not agree that the County always has to eat everything when something comes up. On a large project like this, he thinks contractors can stand to give a little bit as well. The resolution passed by a roll call vote of 13 ayes and 4 nays, with Elsasser, Hidden, Phelan and Trumpe voting nay.

Prather returned to the meeting.

9. A resolution from your Facilities Committee authorizing the County Administrator to execute and file on behalf of the County of Peoria an engineering agreement with *Hanson Professional Services, Inc., Peoria, IL*, with charges based on actual hours worked at a maximum amount not to exceed \$40,000.00, for *an environmental assessment* of the *Peoria Riverfront Museum* property as described per the attached resolution.



Salzer moved to approve the resolution and Harding seconded. Harding said that as we draw closer to the day when we start to collect the public facilities tax on January 1, 2010, he is growing more and more concerned that the private funding side of this formula has not been met; it is increasingly doubtful that it will be met. Senator Koehler will hopefully secure more funds, but those are not private funds. He asked why we are doing this with the concern that we may not proceed with the museum. Mr. Urich replied in order to sequence the construction of the parking deck, which has to come first, we must have a clear environmental analysis of the property. This is the way to ensure that the property is free and clear of any contaminants that would be problematic and require remediation, because we are working toward the County taking title to the property as part of the development agreement. The County will be reimbursed from the tax proceeds for this work. Harding asked whether things are moving forward to the point where we will see some good news by January. Mr. Urich said he feels things are progressing.

Widmer asked whether the private dollars are progressing, because 66 2/3% was supposed to be private funding. Mr. Urich said that raising private funds is an ongoing responsibility of the Museum Collaboration Group. The property is currently owned by the City of Peoria, but it is envisioned in the development agreement that the County will own it. Should this not go through, the property will revert to the City of Peoria. Baietto asked where the money comes from if the County rescinds the tax. Mr. Atkins advised that the Board has the ability to end the tax, but it will be collected beginning January 1, 2010. It can be stopped at some point thereafter. Phelan said he continues to be a proponent of this project, but when promises are made to the public and they are slow in being fulfilled, it casts doubt on the project. The Board deserves some answers from the Lakeview people and the CEO Roundtable as to why they are short in their fundraising. Harding said it was his impression that the County would not invest funds until the private funds were in place. He encouraged Rand and Morris to continue their negotiations, but he does not support this resolution and questioned how the Board can tell their constituents the County is collecting a tax when no dirt is being moved. Widmer said that there should be a financial statement available by now. Rand called the question and said he thinks the matters being discussed would best be handled in a Committee of the Whole Meeting where the Board could be given a comprehensive update. Elsasser asked if there was going to be a Committee of the Whole meeting in January. Mr. Urich replied that he was not sure it would be in January, but there will be one as soon as possible. The resolution passed by a roll call vote of 13 ayes and 5 nays, with Baietto, Harding, Hidden, Trumpe and Widmer voting nay.

10. A resolution from your Facilities Committee authorizing the County Administrator to execute and file on behalf of the County of Peoria an engineering agreement for a peer review with *Hanson Professional Services, Inc.*, Peoria, IL, of the parking deck for the *Riverfront Museum Block* project, at a cost not to exceed \$100,000.00 as described per the attached resolution.

Salzer moved to approve the resolution and Harding seconded. Salzer stated that this would be paid for from the museum tax. Mayer said that since Hanson will be reviewing PSA Dewberry's work and his spouse works for PSA Dewberry, he will be abstaining from this vote. Harding said that his opposition to this resolution is the same as for the last one. The resolution passed by a roll call vote of 12 ayes, 5 nays and 1 abstention, with Baietto, Harding, Hidden, Trumpe and Widmer voting nay and Mayer abstaining.



11. A resolution from your Health & Environmental Issues Committee recommending an appropriation from the Federal Government providing funds to the *Peoria City/County Health Department* for planning and response activities related to *H1N1* and that additional monies be appropriated to the associated revenue and expense line items of the FY2009 budget as per the attached resolution.

Pearson moved to approve the resolution and Hester seconded. Pearson said that this money will be used to operate the H1N1 shot clinics and hire the people and also for a massive public information and education campaign. Hidden asked if the money had already been received, and if so, had it been put in a separate fund. Mr. Chance said that the money is in two separate grants and is all federal dollars. He said that the Board of Health will receive 60 days worth of funding and then the rest will be on a reimbursement basis. The resolution passed by a roll call vote of 17 ayes and 1 nay, with Hidden voting nay. (Baietto noted for the record that he meant to vote aye).

12. A resolution from your Health & Environmental Issues Committee recommending authorization to direct the County Administrator to transfer \$500,000 from the General Fund to the Peoria City/County Health Department Fund (030-2-030-6-608-42001), and this money be appropriated to line item (030-2-030-6-608-54424) to continue the *Lead-Safe Peoria Project* for 2010 as described per the attached resolution.

Pearson moved to approve the resolution and Salzer seconded. Mr. Chance stated he was advised by HUD that the Health Department's grant application was not deficient, and funding was in fact authorized. However, funding ran out before dollars could be distributed to the Health Department because they were down the list. Hidden asked if there wasn't a problem because they were spending so much on administration as opposed to doing the houses. Mr. Chance said there was no mention of a problem with their proposed budget. Hidden asked if they finished the 15 houses in the Glen Oak area; Mr. Chance replied that was a County project, not a Board of Health project. Mr. Urich confirmed those houses were part a county pilot project; the houses were not completed because there was a problem with the contractor. Mr. Chance said that under the HUD grant, the Board of Health's goal was to complete 240 houses. By tomorrow, 240 houses will have been completed, and they will complete 242 with that funding. Hidden asked how many of those houses were in the county. Mr. Chance replied 12; Hidden noted that is not a very good number. She said it seems like the County has to foot the bill for everything; she is opposed to giving this money to the Health Department. Harding asked if there was a way to allocate approximately 1/3 of this money for the County and 2/3 for the City. Mr. Chance said this is the County's money, and they will follow the County's guidelines. Mayer said he hoped that the money will be spent according to need and not by district. He said let the health professionals score the property and get the maximum use out of these funds. He intends to fully support this resolution. Even if the federal government couldn't give us the money, the County needs to step up to the plate and protect our citizens.

Phelan moved to amend as follows: "That contractors be required to use at least 25% of their workforce from the pool of employees who have been trained by Peoria County and that the remaining \$117,780.00 be set aside for County projects with the use and advice of the Minority Business Committee"; Salzer seconded. Phelan noted that the County made promises to the community that this project would be done and said that lead abatement was serious to the Board. He is glad that the project is back on track, but this amendment will reaffirm the Board's commitment to the people who took the time to be trained. The minority business community



has had its ups and downs, but it's on the right track once again. This remaining money could help minority business contractors. Hidden said that there are a lot of houses in her area that need lead abatement, but no one has talked to the people in her area. Pearson said that she supports the amendment. Rand asked Mr. Urich about the accounting process. Mr. Urich said that this money has been carried over for a number of years. There will be a reduction in the General Fund balance and an increase to the Board of Health's fund. Baietto said that the Board had a dream, but it's been a nightmare. However, we need to move forward, and he supports the amendment. He said we need to start doing houses and stop talking about it. The amendment passed by a roll call vote of 17 ayes and 1 nay, with Hidden voting nay. (Hidden noted for the record that she meant to vote nay). The resolution as amended passed by a roll call vote of 17 ayes and 1 nay, with Hidden voting nay.

13. A resolution from your Health & Environmental Issues Committee recommending approval of a policy statement regarding the County Boards' position "not" to allow delisted waste in any County owned Landfill.

Pearson moved to approve the resolution and Hidden seconded. Baietto asked how many Board members know what the delisted materials are. He hears Harding say that he wants more information, and he's on the Landfill Committee. He also asked how many Board members know what special waste is and how the IEPA regulates and determines what is a health hazard and why. He asked if the Board is going to be informed or whether they are going to make an uninformed decision. The urgency is to approve the contract, not this resolution. He would like to understand the whole process before he votes. Baietto moved to defer Item No. 13 and Prather seconded. A voice vote on the deferral was inconclusive. The motion to defer failed to pass by a roll call vote of 3 ayes and 15 nays, with Baietto, Harding and Prather voting aye.

Mayer said that PDC's answer earlier tonight proves the point that some people may want to argue about this, but there's no one to argue with. PDC did not plan on putting this waste in the County landfill, they have no problems with passage of this resolution and they will not object to putting on this condition. He said this doesn't have to be complicated; don't make it complicated. Elsasser said that the Board needs to put this issue to rest. Prather said that he will support this, but the people who came tonight need to trust PDC. Baietto asked if this will delay the process. Mr. Atkins said if the resolution is passed, further work will need to be done to make it binding; it is a statement of the Board's intent. It will neither speed nor impede the process. Trumpe said if it is voted down there will be continued stress and tension with the community over this issue. She recommended that the Board vote for it, settle it, let people stop worrying about it and move on. Phelan asked for everyone to support it; he said we're about to set the stage for a win-win situation for everyone involved. Hopefully the Board will award the contract to a reputable, local company [PDC], that is known for its good employer-employee relations. On the other hand, he admitted that he doesn't know everything about all the waste that goes into the landfill, but the people who spoke tonight know. He is proud that there is an informed group of citizens engaged in this process, working with PDC and their Board representatives. It's important to get off on the right foot he said; let's award the contract to PDC.

Sous said that he did his homework. In his research, he tried to find a fault in the operations of PDC, but they have set a standard. Once a material becomes classified as hazardous, it must be neutralized. Once it is chemically treated and neutralized, it is safer than paint off the shelf in the big box stores. The problem is that the federal government attaches a hazardous label to the



waste. He believes that PDC has a civic responsibility to our environment. They have been held to that standard, and they take pride in that. He supports this resolution. Harding said he does not know enough to make an intelligent decision on this resolution. With an affirmative vote on this, the Landfill Committee will be divided; the City Council turned this down. He believes an affirmative vote will cause a delay. He is not asking the Board to forget this idea. He thinks that by August or September, the Landfill Committee will have garnered enough information to bring to the Board. He asked if he will be bound to vote at the Landfill Committee the way the Board votes. Mr. Atkins replied legally no, but he might feel a moral obligation to vote with the Board that appointed him to the Committee. This decision is a statement of intent that as this goes forward, in every way the County can act to make this binding, it will. Harding stated it is also his understanding that he and Widmer can vote on this item and the next, but will not be able to vote on the siting. Mr. Atkins replied that is correct. Harding said that he will vote no tonight, because in all good conscience he cannot vote for it. He clarified that the contract does not go for 25 years; it goes for at least 55 years because of post-closure.

Mayer said that before Harding came onto the Board, the Board had much discussion about hazardous waste. Also, it is true that Harding is not legally bound by the Board's decision, but the Chairman has discretion as to who gets appointed next time if folks choose to ignore the will of the Board that appoints them to that Committee. Finally, siting is the sole decision of the County Board. The Landfill Committee and the City do not have jurisdiction, which is why he has advised everyone to signal their intent with this resolution. PDC has said twice they will not oppose it. Phelan said that when and if a citizen vacancy occurs on the Landfill Committee, he encourages the Chairman to appoint someone from the environmental community. Widmer said that we're leaving an impression that the Landfill Committee has been accepting everything; the Committee has professional advice, and it's degrading to the Committee. He will be voting no. The resolution passed by a roll call vote of 15 ayes and 3 nays, with Baietto, Harding and Widmer voting nay.

14. A resolution from your Health & Environmental Issues Committee authorizing the County Administrator to execute and file on behalf of the County of Peoria an *expansion agreement and escrow agreement* for the *Peoria City/County Landfill with Peoria Disposal Company* in conjunction with the *City of Peoria* as described per the attached resolution.

Pearson moved to approve the resolution and Hidden seconded. Elsasser said he has a positive feeling about this process, and commended the Coulter family, Mr. Meginnis and the citizens involved; he thinks it is going to be a smooth process. The resolution passed by a unanimous roll call vote of 18 ayes.

15. A resolution from your Management Services Committee recommending approval of vendors for the *purchase of office paper supplies* for use by *Peoria County Departments* as described per the attached report.

Phelan moved to approve the resolution and Pearson seconded. The resolution passed by a unanimous roll call vote of 18 ayes.

Elsasser and Prather left the meeting.



16. A resolution from your Management Services Committee recommending approval to purchase a *replacement vehicle* at a cost of \$19,743.00 for *Peoria County Sheriff's Office* and that the County of Peoria agrees to purchase the replacement vehicle using *Risk Management Funds*.

Phelan moved to approve the resolution and Sous seconded. Phelan noted that a Sheriff's deputy was involved in an accident which was not his fault, but the vehicle does need to be replaced. The resolution passed by a unanimous roll call vote of 16 ayes.

17. A resolution from your Management Services Committee authorizing the County Administrator to execute and file on behalf of the County of Peoria a contract with *RAS-Monumental, South Windsor, Connecticut*, for "*Stop Loss Excess Insurance*" coverage at an annual cost of \$303,241.00 for the period of January 1, 2010 through December 31, 2010.

Prather returned to the meeting.

Phelan moved to approve the resolution and Sous seconded. Phelan said he would like to acknowledge Ms. Musselman's hard work on this item and the next item. The resolution passed by a unanimous roll call vote of 17 ayes.

18. A resolution from your Management Services Committee authorizing the County Administrator to execute and file on behalf of the County of Peoria a contract renewal with *Arthur J. Gallagher for Risk Management Third Party Administration Services* and *Gallagher Bassett for Insurance Broker Services* for the period of January 1, 2010 to January 1, 2011.

Elsasser returned to the meeting.

Phelan moved to approve the resolution and Harding seconded. The resolution passed by a unanimous roll call of 18 ayes.

The Chairman noted that Item 19 would be taken after Executive Session and asked for Unfinished Business before Item 20.

Baietto, Elsasser, Hidden and Watkins left the meeting.

20. EXECUTIVE SESSION

a. Pending Litigation

Pearson moved to go into executive session to discuss pending litigation and Mayer seconded. The motion passed by a unanimous roll call vote of 14 ayes.

19. A resolution from your Management Services Committee authorizing the County Administrator to *withdraw the pending liability lien* in return for a payment not to exceed \$40,000.00 in an attempt to settle liability case designated as *010015-004364-AB-01*.

Widmer left the meeting.

Phelan moved to approve the resolution and Baietto seconded. The resolution passed by a unanimous roll call vote of 17 ayes.



VI. UNFINISHED BUSINESS

VII. MISCELLANEOUS

Phelan and Sous left the meeting.

Dillon said that \$500,000.00 has been included in the federal budget for the County's mental health court, along with \$500,000.00 for the bio diesel plant.

VIII. ANNOUNCEMENTS

Baietto wished everyone a politically incorrect Merry Christmas and prosperous New Year; the Chairman concurred.

Phelan and Sous returned to the meeting.

Rand noted that he, Phelan and Mr. Urich met with the PAWS CEO, PAWS employees and with the President and Vice-President of the Humane Society. He said that County staff is up to the challenge, and this process will go on just fine. Mayer complimented Phelan, Rand and Mr. Urich on their efforts in this regard.

Salzer said that it's been a tough year, and could possibly be as tough next year. He thanked the Chairman and Mr. Urich for their work and complimented Phelan for his leadership on the Management Services Committee. Phelan was the first one he heard say: "Let's not lay anyone off."

Trumpe thanked Hidden for the cookies.

Phelan thanked Salzer for his compliment; protecting people's jobs means so much to him. He promised that Management Services will make everyone proud with their work on the animal shelter.

Widmer wished everyone a Merry Christmas and Happy New Year.

IX. ADJOURNMENT

Prather moved to adjourn and Pearson seconded. The meeting was adjourned by unanimous voice vote.