

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

***REVISED**

Peoria County Board REGULAR MEETING Thursday, July 09, 2009 6:00 PM

County Courthouse • 324 Main Street • County Board Room 403 • Peoria, Illinois 61602
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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, Hester, Morris, O'Neill, Pearson, Phelan, Prather, Rand, Salzer, Sous, Trumpe, Watkins and Widmer, with Harding, Hidden and Mayer absent.

I. APPROVAL OF MINUTES

Approval of June 11, 2009 County Board Minutes
Approval of June 11, 2009 County Board Executive Session Minutes

Widmer moved to approve the minutes and Baietto seconded. The minutes were approved by a unanimous roll call vote of 15 ayes. (Phelan's remote was not working; he noted for the record that he voted aye).

II. PROCLAMATIONS & PRESENTATIONS

- A proclamation from Representative David Leitch to Board Member William R. Prather for his years of public service.
- A proclamation from your Chairman supporting the success of the Decennial Census and the formation of a "Complete Count Committee".

Harding entered the meeting.

- A proclamation recognizing the 2009 summer Civic Leadership graduates.

Pearson left the meeting.

- A presentation by FEMA of the Class V Community Rating System Award to the County of Peoria.

Phelan and Elsasser left the meeting; Pearson, Elsasser and Phelan returned to the meeting.

III. CONSENT AGENDA

C1. The Treasurer report consisting of the Bank and CD's Portfolio for the month of May 2009. Revenue & Expenditure Reports for the month of April 2009.

C2. A resolution (item 1-2) from your Tax/EDC Committee recommending that the Chairman of the Peoria County Board be authorized and directed to execute deeds of conveyance of the County's interest to the highest bidder, and be authorized to cancel the appropriate Certificates of Purchase. This resolution shall be effective ninety days from July 9, 2009 and any transaction between the parties involved not occurring within this period shall be null and void.

C3. Approval of Trustee's Bond for Kenneth R. Challacombe, Brimfield Sanitary District.

C4. Approval of the Peoria City/County Health Department 2008 Annual Report.

C5. Appointments

Salzer moved to approve the Consent Agenda and Harding seconded. The Consent Agenda was approved by a unanimous roll call vote of 16 ayes.

IV. CITIZENS' REMARKS

Joyce Blumenshine, 2419 E. Reservoir, addressed the Board with regard to the Peoria City/County Landfill expansion. As the bid process moves along, she asked the Board to remember that this is a municipal waste landfill. The life of the landfill could be extended with more recycling. Also, she asked that treated hazardous waste which has been de-listed not be put in the landfill. In particular, she referenced the recent de-listing received by Peoria Disposal Company for electric arc furnace dust. Because it is now de-listed, this waste can be disposed of in municipal landfills.

Widmer asked that it be put on record that statements were made which are not correct.

Lisa Offutt, 10629 N. Moss Street, Peoria Families Against Toxic Waste, also addressed the Board with regard to the City/County Landfill. She is also concerned about the disposal of arc furnace waste, the bulk of which comes from outside Peoria County and the State of Illinois. She feels that the landfill, which is supported by tax dollars, should be reserved for county taxpayers' waste. PDC and Waste Management have both stated that they have no intentions of disposing this waste in the landfill, so there should not be a problem including this restriction in the contract when it is awarded. She is also puzzled and disturbed by PDC's proposal to give the City and County a payment of \$1,800,000.00 for land acquisition reimbursement. The payment also appears to be tied to what PDC is calling a non-appealable siting approval. She believes it would be foolhardy to waive any right of appeal.

Tracy Fox, 15215 N. Ivy Lane Road, Peoria Families Against Toxic Waste, addressed the Board with regard to the City/County Landfill. She shares Ms. Blumenshine's and Ms. Offutt's concerns. PDC is not counting on the arc waste and Waste Management said they have no intention of accepting it. She asked the Board to take the step now to include language to ban it. The real toxic problem is household hazardous waste; she asked the Board to set the bar very high in this area. She also asked the Board to address electronic waste and to include language to keep it out of the landfill.

Joyce Harant, 3914 North Donna Lane, Families Against Toxic Waste, agreed with the previous comments. She also noted that the landfill expansion should not be located over former mining sites or the aquifer. There should be a perpetual care fund, and the ultimate authority as to how that money is spent should be with the Landfill Committee or some independent group, not the operator. She also asked the Board to look at how recycling can be improved.

Tom Edwards, 902 W. Moss, asked the Board to look at the landfill expansion carefully. The landfill is only 50 feet from the aquifer.

Pearson and Widmer left the meeting.

V. ZONING ORDINANCE AND RESOLUTIONS

- 1.** Case 026-09-U, Heidi & Robert Thurman. A Special Use request to allow for a major home occupation in the "R-2" Medium Density Residential District. The parcel is located in Chillicothe Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.

Trumpe moved to approve the ordinance and Elsasser seconded.

Pearson and Widmer returned to the meeting.

Trumpe stated that Mr. Thurman has a mobile tool business; he sells his tools from his truck. He has been doing this for four years, and there have not been any complaints. He lives on a corner, so the one restriction is that he park his

truck in his driveway next to the house so that people coming down the street have a good line of sight. The ordinance passed by a unanimous roll call vote of 16 ayes.

- 2.** A resolution from your Tax/EDC Committee recommending approval of a Grant Agreement with the Illinois State Board of Elections for Voter Registration Software reimbursement in the amount of \$22,081.60 and that the funds be appropriated to the appropriate line item in the IT Services budget.

Dillon moved to approve the resolution and Widmer seconded. The resolution passed by a unanimous roll call vote of 16 ayes.

- 3.** An Ordinance from your Transportation Committee establishing the prevailing rate of wages for public construction work in Peoria County as determined by the Illinois Department of Labor.

Salzer moved to approve the ordinance and Harding seconded. The ordinance passed by a unanimous roll call vote of 16 ayes.

- 4.** A resolution from your Transportation Committee recommending approval of an Agreement with Illinois Department of Transportation for road improvements at the intersection of Cedar Hills Drive and Illinois Route 40 designated as Section 09-00018-01-TL, and that \$20,000.00 be appropriated from the County Motor Fuel Tax Fund for construction and engineering costs.

Salzer moved to approve the resolution and Rand seconded. The resolution passed by a unanimous roll call vote of 16 ayes.

- 5.** A resolution from your Transportation Committee recommending approval of the bid of Stark Excavating, Inc., Bloomington, IL, in the amount of \$3,744,784.92 for the reconstruction of Wilhelm Road (at Allen Road) designated as Section 06-00174-00-PV.

Salzer moved to approve the resolution and Harding seconded. The resolution passed by a unanimous roll call vote of 16 ayes.

- 6.** An Ordinance from your Transportation Committee establishing a speed zone of 45 mph on Tiber Creek Road (TR 127) in Elmwood Township.

Harding moved to approve the ordinance and Salzer seconded. The ordinance passed by a unanimous roll call vote of 16 ayes.

- 7.** An Ordinance from your Transportation Committee establishing a new speed zone from 40 mph to 35 mph on Smith Road (TR 74) in Kickapoo Township.

Salzer moved to approve the ordinance and Watkins seconded. The ordinance passed by a unanimous roll call vote of 16 ayes.

- 8.** An Ordinance from your Transportation Committee establishing a new speed zone from 55 mph to 40 mph on East Main Street (TR 301) in Timber Township.

Harding moved to approve the ordinance and Salzer seconded. The ordinance passed by a unanimous roll call vote of 16 ayes.

- 9.** A resolution from your Finance/Legislative Study Committee recommending approval of an Agreement for the retention of Mark Johnson as Owner's Representative for Peoria Riverfront Museum Project.

Dillon moved to approve the resolution and Rand seconded. Dillon stated that Mr. Johnson worked on this project for Caterpillar until his recent retirement, so the County is lucky to have someone who is so familiar with the project. It will also allow County staff to concentrate on County business. Baietto asked what will happen if the funding needed for the project doesn't meet its goal. Where are we with Mr. Johnson? Mr. Urich replied that currently the commitment for private funding is \$8,000,000.00. If the funding is not there on the private side, the project will not go forward. The County is currently committed through the referendum for \$34,700,000.00, with the caveat that that commitment could go up to \$40,000,000.00. However, in recent meetings, County staff has made it very clear that the current commitment is only \$34,700,000.00.

Pearson left and returned to the meeting.

Widmer noted that since he was opposed to the county being involved in the museum business, it's nothing personal against Mr. Johnson, but he will be voting no. Elsasser asked if the project is put on hold whether the County will still collect the taxes beginning January 1, 2010. Mr. Urich replied that the tax was passed for a period of 20 years; regardless of whether the project goes forward, the tax will be collected. Prather noted that he worked with Mr. Johnson, and he is a class act. Elsasser asked about the timeframe for the parking garage and visitor's center. Mr. Urich replied that staff is working on a modified redevelopment agreement; the second step is to have a management agreement in place. There will also be a construction management agreement. The parking deck is a separate project. Plans are being drawn for that, and IDOT has agreed that the bid can be done locally which should speed up the process. However, Mr. Urich has made it clear that ground will not be broken, even for the parking deck, until there is \$8,000,000.00 in private funds to cover the gap.

The resolution passed by a roll call vote of 15 ayes and one nay, with Widmer voting nay.

- 10.** A resolution from your Finance/Legislative Study Committee recommending approval of the appropriation of \$13,994.00 of 2008 funds to the Regional Superintendent of Schools 2009 budget for establishing a Truancy Review Board.

Dillon moved to approve the resolution and Harding seconded. Widmer asked how this money will be used and whether it will take a burden off the schools. Baietto replied that the programs established by the truant officer approved by the Board are some of the best he's seen. This is money well spent. Mr. Urich clarified that this resolution is to re-appropriate grant funds that weren't used last year. The resolution passed by a unanimous roll call vote of 16 ayes.

- 11.** A resolution from your Judicial Committee recommending approval of a Grant Agreement with the Illinois Department of Human Services for the continuation of the Juvenile Detention Transportation grant and the Truancy Program grant. *(Pending Committee Approval on 7-7-09)*

Baietto moved to approve the resolution and Rand seconded. The resolution passed by a unanimous roll call vote of 16 ayes.

- 12.** A resolution from your Judicial Committee recommending approval of a contract with Health Professionals, Ltd., Peoria, IL, for the provision of on-site Inmate Healthcare Services and to assist the county in achieving NCCHC accreditation (National Commission on Correctional Health Care) *(Pending Committee approval on 7/7/09)*

Baietto moved to approve the resolution and Watkins seconded. Baietto thanked Rand for his expertise and guidance on this item. Elsasser asked for an explanation of the bids. Mr. Urich replied that this contract includes 80 hours/week more than the contract presented in February. This bid also asked for a plan to help the Sheriff achieve compliance with National Commission on Correctional Health Care standards at the jail.

Elsasser asked if the lower bidders did not meet these standards. Mr. Urich replied that the bid from Advanced Correctional Healthcare was non-responsive with regard to staffing. Dillon asked about the mark-up on medications. Mr. Urich replied that the County purchases medications directly; this agreement is only for services.

Pearson left the meeting.

Rand stated that the contract requires the successful vendor to help the Sheriff achieve accreditation in 12 months. If accreditation is not achieved, the vendor forfeits its right to continue providing services. This particular vendor has many sites that are already accredited.

Pearson returned to the meeting.

Phelan also thanked Rand for helping the Committee look at these services in a whole new light. We need to realize that everyone incarcerated at the jail is in the County's care; there should be a minimum standard of care that is expected. The resolution passed by a unanimous roll call vote of 16 ayes.

- 13.** A resolution from your Facilities Committee recommending acceptance of the real estate transfer of the Hanna City Work Camp from the State of Illinois per Exhibit A of the attached Quit Claim Deed.

Salzer moved to approve the resolution and Widmer seconded. Salzer noted that there is no cost to the County to acquire this land and thanked the County's state legislators for their efforts to make this happen. The resolution was approved by a unanimous roll call vote of 16 ayes.

- 14.** A resolution from your Facilities Committee recommending approval of the bid of Complete Cleaning Services, Peoria, IL, in the amount of \$348,000.00 for the custodial services for the Peoria County Courthouse and the Gift Avenue Complex.

Salzer moved to approve the resolution and Rand seconded. Widmer stated he thought there was a general agreement that bidders must submit a business address so that the County knows where the business is located. He has not received this information, so he will be voting no. The resolution passed by a roll call vote of 13 ayes and 3 nays, with Harding, Phelan and Widmer voting nay.

- 15.** Executive Session - Pending Litigation / Personnel Matters/Real Estate Acquisition

Widmer moved to go into executive session to discuss pending litigation, personnel matters and real estate acquisition and Pearson seconded. Widmer left the meeting. The motion passed by a unanimous roll call vote of 15 ayes.

- 16.** A resolution from your Executive Committee recommending approval of the settlement of the Snyder v. Hall case (#06-1038) for a lump sum payment of \$25,000.00 and the delegating authority to the County Administrator for the execution of the final settlement agreement.

Prather moved to approve the resolution and Pearson seconded. Phelan stated it is only because he has a lot of respect for the State's Attorney's Office that he will be voting yes on this item, and that is the only reason. The resolution passed by a unanimous roll call vote of 16 ayes.

VI. UNFINISHED BUSINESS

Widmer asked if the County received earmarked money for Bel-Wood in the amount of \$237,000.00, and if so, in what fund is the money sitting? Mr. Urich replied that there are two earmarks. One is reimbursable; the money is still with the federal government. The other earmark was received. Mr. Sorrel explained that one earmark was for capital improvements and was used to improve water pressure. The reimbursable earmark is still open and is being used to defray architectural costs. Widmer asked whether \$237,000.00 was spent on a water main. Mr. Sorrel said the earmark that is open is being used for architectural services. The grant agreement was originally for construction. The County later notified the federal government that construction would not begin until 2010, and because the money could not be held that long, the federal government approved used of the funds for architectural services. Widmer asked to see written approval.

VII. MISCELLANEOUS

Trumpe noted that every Board member has been given a copy of the proposed, revised Comprehensive Plan which will come to the Board for approval next month. This has been a two year process and has involved the work of a lot of people. Staff has worked very hard to coordinate this process. Elsasser noted that Hallock Township is much discussed in the plan, and invited Board members to call him for a tour of the township.

Phelan noted that Management Services will meet on July 14th at 4:00 p.m. He cautioned Committee members that if it is necessary for the Committee to meet weekly it will do so and invited all Board members to attend. He will be asking the Committee to endorse a hiring freeze.

VIII. ANNOUNCEMENTS

Dillon noted that he will be out of town on the St. Jude during the next Finance Committee meeting; Rand will chair the meeting.

IX. ADJOURNMENT

Widmer moved to adjourn and Trumpe seconded. The meeting was adjourned by unanimous consensus.