

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

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, May 14, 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, O'Neill, Pearson, Phelan, Rand, Salzer, Sous, Trumpe, Watkins and Widmer, with Prather absent. (Harding was present but did not check in with the Roll Call-Pro system).

I. APPROVAL OF MINUTES

Approval of April 9, 2009 County Board Meeting Minutes

Baietto moved for approval of the minutes and Watkins seconded. The minutes were approved by a unanimous roll call vote of 16 ayes.

Baietto moved to allow Citizens' Remarks before the Consent Agenda and Hidden seconded. The motion was approved by a unanimous voice vote.

II. PROCLAMATIONS & PRESENTATIONS

- A proclamation recognizing May 2009 as "Asthma Awareness Month".
- A proclamation recognizing Richwoods High School Girl's Basketball Team for winning first place in the 2009 Illinois High School Association Class 3A Girl's Basketball Tournament.
- A presentation of Illinois Sheriffs' Association Scholarship Award.



- A presentation of the Annual "Deputy of the Year" Award.
- A presentation of the Annual "Correctional Officer of the Year" Award.
- A presentation of the 13th Annual Recycling Recognition Awards.

Sous left and returned to the meeting.

III. CITIZENS' REMARKS

David Etnier, 1107 Cedar Hills, addressed the Board with regard to the Board of Review. He said that the Board of Review is consistently inconsistent because they do not keep track of property market value.

Roy Endres, 5624 Grande Circle, also addressed the Board with regard to the Board of Review. He protested his taxes and his assessment was increased. Either the system is broken or there are incompetent people on the Board of Review.

Sous left the meeting.

Angela Errion, 429 W. Timber Ridge Drive, told the Board that she is tired of seeing her property taxes increase at the rate they are increasing. Her taxes have nearly doubled in seven years; it is not a new home. She does not believe she could sell her house for the amount of the assessment.

Bob Scott, 25 Holborn, addressed the Board with regard to the Business Incubator. This institution should be financially self-supporting in a few years. On average, only three out of ten new businesses survive. But when businesses go through an incubation process, the rate increases to almost nine out of ten which survive. Eighty-four percent of businesses that go through this process stay in the community.

Baietto left and returned to the meeting.

Marty Clinch, 400 N.E. Jefferson, IBEW Local #34, stated that he wished to speak during Item No. 17 on the Agenda.

Sous returned to the meeting.

Jim Richerson, 6831 N. Fox Point, Museum Collaboration Group, thanked the Board and Staff for the public meetings and airing the issues about the museum referendum. A memo of understanding has been signed to use local labor and contractors to build the museum.

Elsasser asked for the project's timeframe. Mr. Richerson replied that they hope to break ground for the parking garage at the end of this year or the beginning of next year. The Museum will probably follow in the second quarter of 2010, and they hope to open in the second quarter or beginning of the third quarter of 2012. Widmer asked whether it is true that Caterpillar will not begin construction this year. Mr. Richerson replied that Caterpillar cannot break ground until the parking garage is well under way. Widmer also



asked whether Caterpillar has stopped all cash donations to the Museum and is only matching donations from employees and retirees. He also asked whether there are plans to downsize the Visitor's Center. Mr. Richerson replied that he cannot speak for Caterpillar, but could say that the Museum has received a foundation gift from Caterpillar.

Widmer noted that the County Board cannot influence the Board of Review's decisions but can say it wants citizens to receive a fair assessment on their properties.

Dillon left and returned to the meeting.

IV. CONSENT AGENDA

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

C2. Approval of bond for Christopher S. McCall, Greater Peoria Sanitary and Sewage Disposal District Trustee.

C3. Appointments

Mayer moved to approve the Consent Agenda and Salzer seconded. Harding asked that the Timber-Hollis Fire Protection District appointment be pulled from the Consent Agenda. The Chairman explained that he and Harding are going to meet with the District Trustees. Baietto asked that the Board of Review appointments be pulled from the Consent Agenda. The Clerk clarified that the vote will be to approve the Consent Agenda without the Timber-Hollis Fire Protection District appointment and without the Board of Review appointments. The Consent Agenda without the noted appointments was approved by a roll call vote of 15 ayes and 1 nay, with Sous voting nay.

Mr. Atkins noted that because the Chairman will be bringing something back on the Timber-Hollis Fire Protection District appointment, there will be no vote on that appointment at this meeting. As the Chairman, he presents appointments for the Board's approval, and he can withdraw the appointments.

Board of Review Appointments

Baietto moved to defer the appointments because more information is needed and Widmer seconded. Mr. Atkins advised the Board that if the appointments are deferred, the Chairman does not have to bring the same appointments or any appointments back to the Board. The Board's vote is to either appoint or not appoint tonight, and a deferral is a vote not to appoint. Phelan asked if the Board of Review members would then continue to serve until replaced. Mr. Atkins replied that pursuant to statute they continue to serve until a qualified person is appointed to replace them. Phelan noted that it is not up to the Board to place names in nomination. The Board either needs to approve or disapprove the appointments.

Widmer stated that with so many things being presented that this matter should be deferred in fairness to all concerned. Baietto noted that he has been contacted by a lot of



people. No matter what the vote is tonight this will not be over; there is going to be a tax revolution. Someone is going to have to step up to the plate and start giving the constituents of this county answers. Hidden also noted that she has received a lot of letters. She asked if the Board does not go to bat for them who will. They came to the Board for help, and the Board should help them. Mayer asked for a clarification on the vote. Mr. Atkins replied that if a member wishes to approve the appointments, they should vote no on the deferral. Trumpe stated that there is a personality issue and a simple fact that the Board is unable to understand why the costs have gone up so much. She asked what control the Board has over the numbers being used. Mr. Atkins replied nothing except to vote down these particular appointees and ask the Chairman to nominate other appointees.

Mayer noted that it is improper for the County Board to get involved in a Board of Review decision. He further noted that the County does not come up with property assessments, and the Board of Review does not come up with the initial assessment. The Supervisor of Assessments does not either. The elected Township Assessor sets those values, and the property owner has the burden of proof to prove them wrong before the Board of Review. It is important to get this information out to the public and make it crystal clear. He also stated that the Tax Committee is not going to let this issue drop and has asked for input on how to increase the transparency of the process. Widmer noted that he followed procedure on his case and was told that it would do no good to talk to his Township Assessor. When he went to the Board of Review, he understood that his case would be sent to the State, and it was not. He had to hire someone to get his deposition and evidence from the Board of Review and send the case to the State. There is such a backlog at the State that he still has not heard anything. He asked whether complaints to the State are up or down. Phelan raised a point or order and asked if the discussion was on the deferral. The Chairman replied yes, and then said that he agreed with Mayer's statements. A deferral does not mean that he will bring forth new names.

Harding stated that he attended Board of Review hearings last week, and all three members showed professionalism, integrity and that they had spent two years understanding what they are doing. The two appointees need to be approved tonight. Phelan noted that this is an emotionally charged issue because people pay a lot of money in taxes. However, the only issue is whether the two nominees are qualified. He agrees there are questions as to why things happen in a certain way. He hates to see the comments that have been made about Mr. Shadid and Ms. Horton because they are good people and are qualified. Even as the members of the Board of Review change, the complaints are the same. He urged the Board to vote tonight to approve the candidates.

Mayer clarified that a no vote on the deferral will result in a second vote on the nominations when the Board can vote yes or no on the appointments. The motion to defer failed by a roll call vote of 2 ayes and 14 nays, with Baietto and Hidden voting aye.

Widmer left the meeting.

Harding moved to approve the appointments and Mayer seconded. The appointments were approved by a roll call vote of 13 ayes and 2 nays, with Baietto and Hidden voting nay.



Harding left the meeting.

V. ZONING ORDINANCE AND RESOLUTIONS

1. Case 013-09-U, James and Carla Woodward. A Special Use request as required in Section 24-6-5.C.1.a, Section 24-7-2.B.7, 24-7-2.E.8, and Section 24-7-2.E.9 of the Zoning Ordinance to allow for a major home occupation in the "R-R" Rural Residential District. The petitioner proposes to operate a Roofing and Air Infiltration Contracting business from this location with operating hours beginning at 7:00 a.m., utilization of a 15,000 pound dump truck, and 2 trucks. The Zoning Board of Appeals recommends approval with restrictions and the Land Use Committee concurs.

Trumpe moved to approve the ordinance and Elsasser seconded. Trumpe noted that no materials will be stored at the home; they will be delivered to the jobsite. There will be a landscaping restriction to screen off-street parking and loading zones.

Harding and Widmer returned to the meeting.

The ordinance was approved by a unanimous roll call vote of 16 ayes.

The Clerk noted that Item 17 was going to be taken next because there were so many people in the audience for this item.

17. A resolution from your Management Services Committee recommending adoption of the *Peoria County Minority Business Program*.

Phelan moved to approve the resolution and Mayer seconded. Marty Clinch addressed the Board, and said that this committee has been a labor of love. It has become a one stop shop for the business community and the minority community to work with the County and become a success. Phelan noted that this is a result of many years of hard work. He stated that this came about because of past Chairman David Williams. The Committee is made up of all walks of life. The Board talks about economic development, which is important, but that should not be the sole focus. This plan also fits in with the Strategic Plan and its goals for neighborhoods. He thanked everyone on the Committee who have worked so hard, and stated that this is one of the most important things he's worked on since being on the Board. Hester also thanked the Committee for their hard work and thanked Administration for their support. Widmer asked that the Board also get behind vocational training, because small businesses do not have the resources to provide such training. Baietto thanked the Committee for a great program. The Chairman stated that the Committee is very professional in what they do, and he sees only good things coming out of this program. The resolution passed by a unanimous roll call vote of 16 ayes.

2. A resolution from your Judicial Committee recommending acceptance of the *(JAIBG) Juvenile Accountability Incentive Block Grant* funding through the *Illinois Criminal Justice Information Authority*, in the amount of \$11,874.00 for juvenile probationers *Anger Management Services*.

Baietto moved to approve the resolution and Rand seconded. The resolution passed by



a unanimous roll call vote of 16 ayes.

- 3.** A resolution from your Judicial Committee recommending approval of the bid of *Ragan Communications, Inc., Washington, IL*, in the amount of \$125,000.00 from the *Public Safety Sales Tax* fund for the procurement of *Outdoor Warning Systems*.

Baietto moved to approve the resolution and Rand seconded. Sous noted that there have been prevailing wage problems with this company in the past. He also noted that he did not see a B.A.T. certificate in their proposal and moved to amend the resolution to award the bid to Ragan Communications so long as it receives its B.A.T. certification; Mayer seconded. Phelan asked how this slipped through, since the certification is part of being a responsible bidder. Mr. Urich said that in the file there is a certification that Ragan Communications will pay prevailing wages. Hidden asked what the certification is; Mayer responded it means the vendor is participating in a real and qualified apprenticeship program. Mr. Atkins noted that the Board cannot add conditions after a bid, but this certification was part of the bid, so the amendment is proper.

The amendment passed by a unanimous roll call vote of 16 ayes. The resolution as amended passed by a unanimous roll call vote of 16 ayes. (Sous noted for the record that he meant to vote aye.)

- 4.** A resolution from your Judicial Committee recommending approval of the lowest responsible bid of *Pasco, Plano, TX*, in the amount of \$29,700.00 to purchase three *Ambient Food Carts* for the *Peoria County Jail*.

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

- 5.** A resolution from your Facilities Committee recommending approval of the bid of *Otto Baum, Morton, IL*, in the amount of \$56,378.00 for sidewalk removal and replacement work located at the *Peoria County Coroner's Office*.

Salzer moved to approve the resolution and Baietto seconded. Salzer stated that this work is badly needed. The resolution passed by a unanimous roll call vote of 16 ayes.

- 6.** A resolution from your Facilities Committee recommending approval of the lowest responsible base bid of *M&O Environmental Company, Peoria, IL*, in the amount of \$45,600.00 for remediation of non-hazardous mold found in one (1) pod at the *Juvenile Detention Center*.

Salzer moved to approve the resolution and Baietto seconded. Salzer noted that M&O was recommended by staff because they can get the work done in three days. The other bidders did not indicate how soon the project would be completed or how long it would take. They will only get the job if they receive their EEO certification. The resolution passed by a unanimous roll call vote of 16 ayes.

Elsasser asked what will happen if M&O does not finish the work in three days. Mr. Atkins replied it would be a technical violation of the contract, and the County might



be justified in withholding part of the payment. It would not mean they would not get paid at all.

7. A resolution from your Facilities Committee authorizing the County Administrator to execute an agreement with *Tri-County Regional Planning Commission* to lease 5,178 square feet of County owned space located at *One Technology Plaza* as described in the attached resolution.

Salzer moved to approve the resolution and Widmer seconded. Phelan noted that since he, Pearson and Elsasser are on Tri-County, they will be abstaining on Item No. 7 because they would be put in the position of being both landlord and tenant. Mr. Atkins stated abstention is appropriate. Pearson and Phelan left the meeting.

Salzer stated that Caterpillar is moving out, and he believes this is a good move for Tri-County and for the County. Mr. Atkins noted that it was appropriate for O'Neill to vote on this item because he is not in a position where he would be on both sides of the contract. The resolution passed by a roll call vote of 13 ayes, with Elsasser abstaining.

8. A resolution from your Transportation Committee recommending approval of the lowest responsible bid of *Martin Equipment, Goodfield, IL*, in the amount of \$100,440.00 for replacement of one (1) wheel loader with trade-in.

Pearson returned to the meeting; Trumpe left the meeting.

Hidden moved to approve the resolution and Rand seconded. The resolution passed by a unanimous roll call vote of 14 ayes.

9. A resolution from your Transportation Committee authorizing the County Administrator to execute a local agency agreement for Federal participation to replace the superstructure on structure (#072-3101) located on the Spoon River Road (R15) just east of Elmore, with receipt of \$379,741.00 of *ARRA, American Recovery and Reinvestment Act* funds and an additional \$88,259.00 County Bridge Funds.

Hidden moved to approve the resolution and Salzer seconded. The resolution passed by a unanimous roll call vote of 14 ayes.

10. A resolution from your Transportation Committee recommending approval of the lowest responsible bid of *Forrest Davis Construction, Inc., Manito, IL*, in the amount of \$36,401.20 for culvert replacement on *Glasford Road (R33)*.

Hidden moved to approve the resolution and Harding seconded. The resolution passed by a unanimous roll call vote of 14 ayes.

11. A resolution from your Transportation Committee recommending approval of the lowest responsible bid of *Illinois Civil Contractors, Inc., East Peoria, IL*, in the amount of \$33,870.60 for culvert replacement on *Smithville Road (D52)*.



Phelan and Trumpe returned to the meeting.

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

- 12.**A resolution from your Transportation Committee recommending approval of the County Administrator to execute a contract with *Hanson Engineering Services, Inc., Peoria, IL*, in the amount of \$76,201.00, to design the *Krause Road (TR 316)* bridge structure (#072-4107) in *Hallock Township*.

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

- 13.**A resolution from your Health and Environmental Issues Committee recommending approval of amendments to *Chapter 10 Sections 10-1, 2, 23, 36-39 and, 72* of the *Peoria County Food Code Ordinance*.

Pearson moved to approve the ordinance and Hester seconded. The amendments are being made because of state food code amendments for farmer's markets. Rand asked how these regulations are enforced. Mr. Cavi said that the Health Department makes sure that the meat and egg vendors have a U.S. Department of Agriculture or Illinois Department of Agriculture license to sell the food. The ordinance was approved by a unanimous roll call vote of 16 ayes.

- 14.**A resolution from your Health and Environmental Issues Committee recommending approval of the *Space Program for Bel-Wood Nursing Home* as described in the attached documents.

Pearson moved to approve the resolution and Salzer seconded. The resolution passed by a roll call vote of 15 ayes and one nay, with Widmer voting nay.

- 15.**A resolution from your Tax/EDC Committee recommending approval of a GAP loan to *OIC Group, Inc., Peoria, IL*, in the amount of \$25,000.00 for 1.66 years at an interest rate of 3% below prime contingent on the conditions set forth in the resolution.

Mayer moved to approve the resolution and Dillon seconded. Mayer noted that a personal guarantee is being obtained. Widmer asked how many employees the company has. Sally Hanley, EDC for Central Illinois, replied they have 11 employees; some are part-time. They are looking to hire several programmers. The business is located on State Street up from the Post Office. Widmer stated that this is a venture capital-type loan and presents a greater risk to the County than if the company had tangible assets. Ms. Hanley noted that the bank is requiring the company to obtain key man insurance, and the City and County will take a position on that as well. Baietto noted that GAP loans are about risk, but it is a great program. Mayer noted that this is a high tech business which is the type of business the County has said it wants to attract. Rand thinks that "venture capital" is a



misnomer. This is merely a small business loan to a local business. He asked for an explanation of "3% below prime" in today's context. Ms. Hanley replied that 3% is a floor set by the Council several years ago. The resolution passed by a unanimous roll call vote of 16 ayes.

- 16.**A resolution from your Finance/Legislative Study Committee recommending approval of *Encumbrance Rollover Appropriation #1* at a total expense of \$8,941,202.00.

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

(Item No. 17 was taken after Item No. 1)

- 18.**A resolution from your Management Services Committee recommending approval of the lowest bid of *M&B Supplies, Monroe, NY*, for toner and inkjet cartridges, on an "as needed" basis in accordance with the bid award and budgeted funding.

Phelan moved to approve the resolution and Pearson seconded. The resolution was passed by a unanimous roll call vote of 16 ayes.

- 19.**A resolution from your Management Services Committee recommending approval of the proposed changes to the *Peoria County Employee Health Plan* per the attached document.

Phelan moved to approve the resolution and Sous seconded. The changes being made are federally mandated. Mr. Urich stated that eligibility for unmarried adults is extended to age 26, 30 for military personnel, regardless of student status. Diagnosis and treatment of autism must be covered. Also, loss of Medicaid or CHIP coverage for children will be a qualifying event outside of open enrollment. The fourth mandate involves mental health parity, which is not effective until 2010. Rand asked whether he needed to abstain because of his employer, and Mr. Atkins replied no. The resolution passed by a unanimous roll call vote of 16 ayes.

EXECUTIVE SESSION

- *Labor Relations and Purchase of Real Property*

Pearson moved to go into executive session to discuss labor relations and the purchase of real property and Mayer seconded. The Board went into executive session by unanimous consent.

- 20.**A resolution from your Management Services Committee recommending approval of the proposed *FOP (Corrections) Unit Labor Agreement*.

Phelan moved to approve the resolution and asked Mr. Atkins whether an amendment was required to make the wages effective on the date of the tentative agreement. Mr. Atkins replied that the resolution had been modified to reflect that intent. Pearson seconded. The resolution passed by a unanimous roll call



vote of 15 ayes. O'Neill thanked staff for all their hard work on this agreement.

VI. UNFINISHED BUSINESS

There was no unfinished business.

VII. MISCELLANEOUS

Mr. Urich presented a service pin to Vicky Turner for ten years, and a service pin to Virginia Pearl for 25 years.

Widmer stated that according to Department of Labor statistics, state and local government pay and benefits rose by 3.1% in the last year, whereas pay and benefits in the private sector rose only 1.9%. The unemployment rate in the private sector is above 9%, but is only 2.8% in the public sector. He wants people to make good money, but people in the private sector are not getting paid what the County is paying.

VIII. ANNOUNCEMENTS

Pearson noted that if anyone would like more information on the lead program, there will be a meeting on May 19th at 9:30 in the Board of Health's Boardroom, and from there they will go to some completed projects. Pearson then stated that she is upset with what happened at Heartland. She asked when the County's contract expires and whether there is an out clause. O'Neill replied that the contract was just signed for another year, and that there is an out clause.

Hidden stated that on May 19th at 6:30 at Limestone Township Hall, there will be a lead free class.

Rand asked that the Tax/EDC Committee Chairman review EDC's services against the cost so the Board has an understanding of the true value of the agreement. He would like to have a thorough understanding of all the corporations and related structures of the Heartland Partnership. He would also like a disclosure of who all those board members are and what specific policies these entities have. Finally, he asked whether the Committee would be willing to evaluate the advantages and disadvantages of a county managed department of economic development. Mayer replied that a list of the organizations can be obtained fairly quickly. He also noted that he sent a letter as Tax/EDC Chairman to Mr. McConoughey voicing how disappointed he was with recent events, but has not received a response. Everyone should have received a copy of his letter, and he will share whatever response he receives.

Phelan asked Mayer to look into how they can continue to have their PAC and target certain Board members for defeat, while at the same time asking the County for money. He believes that is a conflict of interest. Baietto said that when there's a problem you try to resolve it, but when you start with a threat you start off on the wrong plateau. You bring the parties together and listen to everything. Then if you can't bring resolution say what you are going to do. He believes that EDC should not be judged on one comment. O'Neill said that he has voiced concerns to McConoughey that EDC should not be involved in



County Board races. Watkins agreed with Baietto, and thinks that the issues should be discussed.

IX. ADJOURNMENT

The meeting was adjourned by unanimous consensus.