

Sharon K. Williams, District 1
Junior Watkins, District 2
Lynn Scott Pearson, District 3
Chairperson-Andrew A. Rand, District 4
Rachael Parker District 5
G. Allen Mayer, District 6
James C. Dillon, District 7
Phillip Salzer, District 8
Michael Phelan, District 9



Andrew A. Rand - Chairperson
R. Steve Sonnemaker, County Clerk

Vice-Chairperson -Stephen M. Morris, District 10
Mary Ardapple, District 11
Robert Baietto, District 12
James T. Fennell, District 13
Brian Elsasser, District 14
Carol Trumpe, District 15
Brad Harding, District 16
Thomas H. O'Neill, III, District 17
Paul Rosenbohm, District 18

**PEORIA COUNTY BOARD
MEETING MINUTES
Thursday, January 14, 2016
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, Fennell, Harding, Mayer, O'Neill, Parker, Pearson, Phelan, Rand, Rosenbohm, Salzer, Trumpe, Watkins and Williams, with Ardapple and Morris absent.

State's Attorney Jerry Brady announced Larry Evans as the head of the Civil Division in the State's Attorney's Office. He detailed his career as an attorney in Cook County, the head of the Criminal Division of the Peoria and Tazewell County State's Attorney's Offices, and now has been brought back to the Peoria County State's Attorney's Office. He also expressed Mr. Evan's commitment to the country through his time on active and reserve military duty.

I. APPROVAL OF MINUTES

- Approval of December 10, 2015 County Board Minutes.

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

II. PRESENTATIONS AND PROCLAMATIONS

- A proclamation recognizing January 24 - 30, 2016, as "*School Choice Week*."

III. CITIZENS' REMARKS

There were no citizens' remarks

IV. CONSENT AGENDA



**Peoria County Board
Minutes, Thursday, January 14, 2016**

- C1.** The Treasurer report consisting of the Bank and CD's Portfolio for the month of November 2015 and Revenue & Expenditures for the month of October 2015.
- C2.** A resolution (items 1-6, 8 conveyances; item 7 reconveyance; item 9 - defaulted reconveyance)) from the Ways and Means Committee recommending that the County Board Chairman be authorized and directed to execute deed of said property to the highest bidder, and be authorized to cancel the appropriate Certificates of Purchase. This resolution shall be effective ninety days from January 14, 2016 and any transaction between the parties involved not occurring within this period shall be null and void.
- C3.** A resolution from your Executive Committee recommending approval to accept the most responsive and responsible bid of Classy Grass, Inc., Peoria, IL, in the amount of \$280,100.00, for the purchase of property located at 6105 W. Plank Road, Peoria, Illinois.
- C4.** A resolution from your Budget Subcommittee recommending approval of an additional appropriation in the amount of \$150,000.00 to the FY2015 budget into the Peoria Riverfront Museum Fund for expenditures associated with ongoing testing of remaining systems.
- C5.** A resolution from your Health, Public Safety and Justice Committee recommending approval of the FY2016 Annual Probation Plan.
- C6.** A resolution from your Health, Public Safety and Justice Committee recommending approval of an extension to the Agreement with Roger Herman for Third-Party Nursing Home Administrator Services at Hedington Oaks in an amount of \$2,200.00 per week plus mileage for a six-month period through July 15, 2016.
- C7.** A resolution from your Land Use and Infrastructure Committee recommending adoption of Illinois Department of Transportation (IDOT) Cost Allocation Methodology for Rural Transportation Services in Collaboration with Greater Peoria Mass Transit District.
- C8.** A resolution from your County Operations Committee recommending approval of Deductive Change Order #001 in the amount of \$23,665.92 for unspent project allowances related to the restoration and remodeling of three Courtrooms in the Peoria County Courthouse.
- C9.** A resolution from your County Operations Committee recommending approval of an Agreement with Good Energy to secure Aggregated Natural Gas Pricing for County-owned Facilities.
- C10.** A resolution from the Chairman of the County Board and Elected Officials Collaborative Committee and County Administrator



recommending approval of Peoria County's 2016 Legislative Program.
(Poll Vote per Rules of Order, Article V, Section 18C)

C11. Chairman Appointments.

Baietto moved to approve the Consent Agenda and O'Neill seconded. The Consent Agenda was approved by a roll call vote of 15 ayes and 1 nay, with Harding voting nay.

V. ZONING ORDINANCE AND RESOLUTIONS

- 1.** Case 043-15-U, Gary Schaefer. A Special Use request as required in Section 20-5.2.2.1.b of the Unified Development Ordinance. This section allows for a special use for a Major Home Occupation in the "A-2" Agriculture Zoning District, when the lot is less than 5 acres in size and/or is located within a platted subdivision. The parcel is located in Hallock Township. The Zoning Board of Appeals recommends approval unanimously with restrictions. The Land Use Committee concurred by unanimous vote.

Dillon moved to approve the ordinance and Elsasser seconded. Dillon explained that the special use permits the business to be run out of the house, but restricts the time they can operate and requires landscaping. The ordinance passed by a unanimous roll call vote of 16 ayes.

- 2.** A resolution from your Ways and Means Committee recommending approval of the purchase of ePollbooks and related software from Hart InterCivic, Inc., in the amount of \$308,307.00, for use by the Peoria County Election Commission.

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

- 3.** A resolution from your Ways and Means Committee recommending approval of an Intergovernmental Agreement with the City of Peoria authorizing the Peoria County Treasurer to include the City's Refuse and Garbage Collection Fees on the annual Real Estate Tax Bills.

Mayer moved to approve the resolution and Rosenbohm seconded.

Mayer expressed that this is a good thing because it will be providing savings to taxpayers in the City of Peoria by cutting the administrative cost for collection of the fee in half. He said that it is a small but important intergovernmental cooperation agreement. He commended Treasurer Edward O'Connor for negotiating on behalf of the County. He stated that the committee wanted to put the item on the agenda because it is a momentous event, and urged a yes vote.

Treasurer Edward O'Connor stated that municipal liens were put on the bills a couple years ago and this is a win-win saving the City \$150,000 a year.

Elsasser clarified that the agreement would not affect those outside the addresses of the City of Peoria nor those in the city who do not already use the garbage system.



The resolution passed by a unanimous roll call vote of 16 ayes.

4. A resolution from your County Operations Committee recommending approval to enter into an Agreement with Wildlife Prairie Park for the loan and/or donation of a statue of a Vietnam Soldier for the Peoria County Veteran's Memorial Project.

Fennel moved to approve the resolution and Salzer seconded. Phelan thanked County Clerk Steve Sonnemaker for securing the statue and Wildlife Prairie Park for the donation. The resolution passed by a unanimous roll call vote of 16 ayes.

5. A resolution from your County Operations Committee recommending approval and execution of a Service Agreement with the lowest responsible bidder for the supply of electricity for residential and small commercial retail customers who do not opt out of the program.

Phelan moved to approve the resolution and Salzer seconded.

Mayer discussed the possibility of amending the resolution to strike the amendments made by the committee. He noted that the committee's amendments are underlined in the resolution in blue. He expressed that there could be a separate amendment for an upper limit on the difference in price between traditional and 100% green energy. He said that it would give direction to the administrator on which to sign.

Fennel explained that two years ago there was language for a cap pertaining to the extra cost put on citizens. He noted that he asked for an investigation of the cost for 100% green energy versus traditional and a cap could be set at his suggestion of \$.002. He said that the preference would be set to go with green energy as long as it would be under that cap. He suggested that it may be possible to go with a percentage of traditional to bring it in line with his arbitrarily set \$.002.

Mayer requested that the Board come to a consensus on voting on the concepts together or separately. He said he would be willing to set the cap at \$.003, but maybe there could be some debate as to how the amendment will proceed.

Phelan asked for a point of order regarding a motion on the floor, but if Mayer would like to make an amendment, let him and get a second rather than float a balloon in the air.

Baietto stated that the Board is now looking to take \$100,000 from the general fund and giving it back to those that opted out of the program. He noted that it would be about \$.50 a month and \$6 a year. He contended that the committees could use the \$100,000 and it would be foolish to not take advantage of the program. He said the second time around the Board approved both agreements and all the information is known.

Chairman Rand noted that there is an amended resolution on the floor that in effect deletes the rebate to Peoria County as a portion of the funds paid by households using the energy aggregator's supplier. He said that there is an amendment also to set a cap, and he would like to have that brought to the floor.



**Peoria County Board
Minutes, Thursday, January 14, 2016**

Mayer moved to amend the resolution to strike the amendments made by the committee and Dillon seconded. He clarified that the amendment would allow for the County to receive roughly \$100,000 a year as a finder's fee.

Fennel moved to amend the resolution to add language for a \$.002 cap per kilowatt hour of electricity consumed on bids for green energy and Dillon seconded.

Harding moved to divide the question.

Mayer contended that Fennel's amendment would be taken first allowing a vote on Fennel's amendment, as it either will pass or won't, then the question could be divided again only if it passed.

Harding maintained that he intended to divide the amendments. Mr. Giebelhausen explained that there is nothing to divide because it is one question with two amendments. Harding said he would withdraw the request.

Trumpe questioned the definition and components of the 100% green energy. She explained that two years ago it turned out that it was not 100% green energy, and why pay a premium for 100% green energy if that is not the case.

Mr. Sorrel explained that the provision for 100% green energy is either actually 100% green generated energy or is traditional power generated by coal or natural gas in which the generator has purchased credits on a commodity market basis to offset the carbon emissions generated by that power plant. He stated that through that process, the power is then identified as green energy.

Trumpe called the practice hocus pocus.

Fennel believed that the request of \$.002 for 100% green energy would be reasonable.

Phelan stressed that if the committee had not thought of it as hocus pocus, then the resolution would not have come to the Board in its current form. He stated that the committee discovered there is a hidden fee collected by the County. He maintained that it was not the fee itself that the committee did not like, but that it was a hidden fee. He believed that it is important for transparency to take out the fee even with it being an insignificant amount to the citizens that are part of the program. He asserted that the committee was not notified of the fee in the agenda briefing and had to dig for information. He contended that information should instead be disclosed up front. He said that the \$64,000 question is why is this so important to administration and some board members that they suddenly make a big deal about the issue that seemed routine. He requested that the amendment be voted down, and voted in the form it came to the Board.

Baietto explained that the fee was not hidden because it was voted on before in committee and by the Board. He suggested that the \$.001 fee be included this year because it has already been budgeted and revisit it next year.

Harding stated that he supports the cap because it says that the Board likes green energy, but it wants to know the cost. He reported that he has been unable to find any energy coming to the homes in Peoria County as green energy. He said that allowing for the purchase of credits serves to keep coal fired plants running. He stressed that the green energy portion is a farce, but that he



supports Fennel's amendment.

Chairman Rand requested Fennel to clarify the net cost to consumers from the aggregated buyer under his amendment.

Fennel said that if the green energy cost stays within the \$.002 range, it would be \$200,000.

Jared McMorris, employee of Good Energy, addressed the Board regarding the cost of renewable energy. He reported that four years ago the cost of 100% renewable was approximately \$.0008 and the cost 2 years ago was \$.00166. He noted that the cost is anticipated to go up, but it will not be known until the day of the bid.

Harding asked for the net cost per kilowatt factoring in the cost of the energy, the County's cost, and the green energy usage as compared to a customer that does not participate in the aggregation with a price adjustment.

Mr. McMorris said that he could not identify the cost, but only the tracking information of the rate received and the default rate provided by Ameren. He mentioned that the price adjustment was a significant number and has been changed to be a charge.

Harding expressed that he doesn't believe the Board is seeing the net-effect to customers. He requested the total amount saved in the aggregation. Mr. McMorris stated that the amount was \$4.1 million for approximately 12,000 households, a number that fluctuates depending on bill cycle regulations.

Harding asked if any county or municipality had decided not to aggregate with the company at this time. Mr. McMorris reported that only the Town of Normal decided not to participate. Harding summarized that decisions like this should be made over time and not quickly, and that Sangamon and Logan Counties have dropped out of aggregation because they found out that the cost to those in the aggregate is costing them an extra \$1.5 to \$2 million. He predicted that the City of Peoria residents are overcharged by \$4-5 million in the program compared to the default rate. He stated that the Illinois Attorney General reported that Dynegy and aggregation has overcharged some \$40 to \$50 million. He said the aggregation has not delivered what was promised over the life of the issue, over the state of Illinois.

Fennel asked Mr. McMorris if the amount of his amendment would cover the cost to use green energy. Mr. McMorris identified that the price is unknown until bid day, but the renewable price would probably go over the \$.002. He said that an accepted bid would have to be either traditional or 100% renewable.

Mayer asked Mr. McMorris if the rate of \$.003 would cover the cost for renewable energy. Mr. McMorris agreed that the amount would be the highest possible.

Chairman Rand suggested that if the Board is not comfortable with voting on anything in front of it, the resolution could be sent back to committee. He inquired on the possibility of putting the resolution on next month's meeting, and after discussion with Mr. McMorris, concluded that the timeframe works, if necessary.



**Peoria County Board
Minutes, Thursday, January 14, 2016**

Mayer noted that the regular February meeting may be late to pass the resolution because the auction would be in March.

Phelan said a special committee meeting could be called to handle the resolution, and called for all those with questions to attend.

Baietto believed that no matter how much time is taken, there would be no change. He declared he was ready to vote on the resolution and amendments now.

Dillon requested any special committee meeting to be held later in the day, if possible. He stated that he too was ready to vote on the resolution, while not blowing a \$100,000 hole in the budget.

Fennel requested to clarify the amount in the amendment to \$.003, Dillon concurred.

The motion to amend for a cap of \$.003 per kilowatt hour of electricity consumed for green energy passed by a roll call vote of 12 ayes and 4 nays, with Harding, O'Neill, Phelan, and Trumpe voting nay.

Mayer informed the Board about his motion to amend the resolution, removing the wording inserted by the committee.

Elsasser confirmed that Harding believes a customer in the aggregate is paying more than a customer paying the default rate. He said that there are two sides to every story, but where can the Board get the facts?

Chairman Rand responded that County staff would analyze the comments made, and study the math, which is what initially made him want to send the resolution back to committee.

Trumpe brought up that on her own bill, there is no comparison for her rate and the default rate. She stated that she would be willing to vote no on the next question to get questions answered.

Baietto said that the comments are confusing the issue. He believed that the rates of those participating in the program are lower than those who do not, and the question should be voted up or down.

Harding clarified that he has not accused anyone of wrongdoing, but that there has been a lack of transparency.

Mayer discussed how Illinois has deregulated power generation and the argument is now about market timing and locking in the rate. He reported that surrounding states are completely regulated, and all of the states pay significantly higher kilowatt hour rates than Illinois. He explained the result of the rising demand for green energy in the state. He said that the system is messy and scary, but it is the best system available and encouraged a yes vote.

O'Neill mentioned that he gets comparative cost information sent to his email, and believed that all could do the same.

Chairman Rand requested clarification on the term of the agreement.



Mr. Sorrel stated that it depends on the term with the best pricing. He explained that pricing is obtained for 12, 18, 24, and 36 month increments.

Baietto asserted that the question is about the \$100,000 collected by the County each year. He said that twice the Board has voted on the contract, and he urged a yes vote.

The motion as amended to strike the committee amendment passed by a roll call vote of 10 ayes and 6 nays, with Elsasser, Harding, O'Neill, Phelan, Rosenbohm, and Trumpe voting nay.

The resolution as amended passed by a roll call vote of 11 ayes and 5 nays, with Elsasser, Harding, Phelan, Rosenbohm, and Trumpe voting nay.

6. Executive Session - Pending litigation

Chairman Rand announced he would take Miscellaneous and Announcements before the Board went into Executive Session. For those items, see below.

Mayer moved to go into executive session to discuss pending litigation and Fennel seconded. The motion passed by a unanimous roll call vote of 16 ayes.

VI. MISCELLANEOUS AND ANNOUNCEMENTS

Elsasser recognized Fennel's retirement after 37 years as a volunteer firefighter, including serving as an Assistant Chief.

VII. ADJOURNMENT

There being no further business before the Board, the Chairman announced the meeting was adjourned.