

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

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**PEORIA COUNTY BOARD  
MEETING MINUTES  
Thursday, July 14, 2016  
6:00 PM**

County Courthouse • 324 Main Street • County Board Room 403 • Peoria, Illinois 61602  
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[www.peoriacounty.org/countyboard](http://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, Morris, Phelan, Rand, Rosenbohm, Salzer, Watkins and Williams, with Ardapple, O'Neill, Parker, Pearson, and Trumpe absent.

**I. APPROVAL OF MINUTES**

- Approval of June 9, 2016 County Board Minutes

Watkins moved for approval of the minutes, Baietto seconded. The minutes were approved by a unanimous roll call vote of 13 ayes.

**II. PROCLAMATIONS & PRESENTATIONS**

Chairman Rand announced that the proclamation would be deferred due to the team still playing.

- A proclamation congratulating the Princeville High School Girls' Softball Team for winning 2nd place in the 2016 IHSA Class "1A" Softball Tournament.

**III. CITIZENS' REMARKS**

There were no citizens' remarks.

**IV. CONSENT AGENDA**

- C1.** The Treasurer report consisting of the Bank and CD's Portfolio for the month of May 2016 and Revenue & Expenditures for the month of



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

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April 2016.

- C2.** The Auditor's report of expenditures from Accounts Payable system is accessible at [www.peoriacounty.org](http://www.peoriacounty.org). The Transparency Portal tab is alphabetical on the left-hand side of the page.
- C3.** A resolution (item 2 conveyance and item 3 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 July 14, 2016 and any transaction between the parties involved not occurring within this period shall be null and void.
- C4.** A resolution from your Budget Subcommittee recommending approval of a forgivable loan from the General Fund to the Risk Management Fund in the amount of \$500,000.00 due to unanticipated expenses in the Risk Management Fund.
- C5.** A resolution from your Health, Public Safety and Justice Committee recommending to approve the relocation of upgrades to technology and furnishings from Courtroom 214 to Courtroom 210 and to allow any remaining funds to be utilized for additional courtroom improvements.
- C6.** A resolution from your Health, Public Safety and Justice Committee recommending approval of an extension to the Agreement with Roger Herman as a Third-Party Independent Contractor for Licensed Nursing Home Administrator Services for a term not to extend past December 31, 2016 at an amount not to exceed \$56,000.00 plus mileage.
- C7.** A resolution from your Land Use and Infrastructure Committee recommending approval of the low bids of R.A. Cullinan, Tremont, IL and Pavement Maintenance Services, Henry, IL, for the provision of seal coat and road tilling services for various township roads in the amount of \$451,320.77, to be paid from the Township Motor Fuel Tax Fund.
- C8.** A resolution from your Land Use and Infrastructure Committee recommending approval of the lowest responsible bid of R.A. Cullinan, Tremont, IL, in the amount of \$763,065.57, for pavement resurfacing of Willow Knolls Road between U.S. Route 150 and Allen Road.
- C9.** A resolution from your Land Use and Infrastructure Committee recommending approval of a Preliminary Engineering Services Agreement with Midwest Engineering Associates, Inc. for Phase 1 and Phase II engineering of safety improvements at the intersection of Lancaster Road and Pfeiffer Road at a cost not to exceed \$26,900.00.
- C10.** A resolution from your Land Use and Infrastructure Committee



recommending approval of the lowest responsible bid of Peoria Title, LLC, Peoria, IL, to provide escrow services for the acquisition of 21 flood prone properties in the Unincorporated areas of Peoria County.

**C11.** A resolution from your Land Use and Infrastructure Committee recommending approval of the lowest responsible bid of Peoria Title, LLC, Peoria, IL to provide escrow services for the acquisition of 20 flood prone properties in the Town of Edwards.

**C12.** A resolution from your County Operations Committee recommending approval to renew hosting, maintenance and support services agreement with Custom Data Processing, Inc., La Grange, IL in the amount of \$32,880.00 a year for the next three and a half years, for a total of \$115,080.00, on behalf of the Peoria City/County Health Department.

**C13.** Chairman Appointments

Fennell moved to approve the Consent Agenda and Mayer seconded. Morris asked to pull Items C6 and C9. The Consent Agenda, except for Items C6 and C9, was approved by a roll call vote of 12 ayes and 1 nay, with Harding voting nay.

Parker entered the meeting.

**C6. A resolution recommending approval of an extension to the Agreement with Roger Herman as a Third-Party Independent Contractor for Licensed Nursing Home Administrator Services.**

Salzer moved to approve Item C6 and Mayer seconded. Item C6 was approved by a roll call vote of 12 ayes and 2 nays, with Harding and Morris voting nay.

**C9. A resolution recommending approval of a Preliminary Engineering Services Agreement with Midwest Engineering Associates, Inc. for improvements at the intersection of Lancaster Road and Pfeiffer Road.**

Fennell moved to approve Item C9 and Williams seconded.

Morris stated that he will be abstaining due to a professional conflict.

Item C9 was approved by a roll call vote 13 ayes and 1 abstention, with Morris abstaining.

## **V. ZONING ORDINANCE AND RESOLUTIONS**

- 1.** Case 034-16-U, Petition of Rod & Kathy Stahl. Three Special Use requests to vary from requirements of a Major Home Occupation. 1) A Special Use as required in Section 20-7.3.2.3 of the Unified Development Ordinance. This section requires that a major home occupation may employ no more than one person who is not a resident of the dwelling unit. The petitioners propose that their two non-resident children be employed. 2) A Special Use as required in Section



20-7.3.5.1 of the Unified Development Ordinance. This section requires that no more than 1,000 square feet of an accessory structure may be used for storage purposes only. The petitioners propose to use 1,000 square feet of an accessory structure as a gift shop accessory to their Christmas Tree Farm business. 3) A Special use as required in Section 20-7.3.5.5 of the Unified Development Ordinance. This section requires that a major home occupation provide landscaping to screen off-street parking areas from the view of adjacent landowners, according to the provisions set forth in Section 7.6 (Landscaping and Bufferyards). The petitioner does not propose to add any landscaping to the southern property line. The parcel is located in Jubilee Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use and Infrastructure Committee concurs.

Dillon moved to approve the ordinance and Elsasser seconded. The ordinance passed by a unanimous roll call vote of 14 ayes.

2. Case 039-16-U, Petition of Joseph Sieg (Tabatha Sieg, owner). A Special Use as required in Section 20-9.1.5.1 of the Unified Development Ordinance. This section allows for a special use in order to deem a non-conforming use or structure to be in conformity and to be allowed to continue and expand as a lawfully existing structure. The parcel is located in Logan Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use and Infrastructure Committee concurs.

Dillon moved to approve the ordinance and Williams seconded. The ordinance passed by a unanimous roll call vote of 14 ayes.

3. Case W03-16, Petition of Michael Cochran (Carla Bazhenow & Carlton Varnes Family Trust, owners). A resolution from your Land Use and Infrastructure Committee recommending approval of a waiver of compliance from Section 20-3.16.3.2.b.1 of the Unified Development Ordinance. This section requires a minimum of 30 feet of contiguous road frontage for parcels created via subdivision plat which are less than 10 acres. The petitioner is proposing to divide an existing 2 acre parcel into two tracts of 1 acre each, whereas both 1 acre parcels will have 0 feet of road frontage. The parcel is located in Hollis Township.

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

4. A resolution from your Executive Committee recommending approval of a Settlement Agreement and Mutual Release between the County of Peoria, Peoria Riverfront Museum and Dewberry Architects, Inc.

Baietto moved to approve the resolution and Fennell seconded.

Mayer said that he would be abstaining to avoid the appearance of a conflict because it involves his wife's employer.

Elsasser asked if there is a figure of how much this has cost the County.

Mr. Sorrel detailed that in the summer of 2013 an incident occurred where a chiller was taken offline by museum personnel, losing control of the temperature and humidity in the building, and



causing an exhibit to be damaged. He said that the incident set into motion many things, including a report done by the County's request identifying \$1.5 million worth of improvement to be done to the HVAC system. He explained that the architect, Dewberry, conducted their own analysis and came to a different conclusion, which was leading the parties toward a costly path of litigation that would have not allowed for a quick resolution. He described that Chairman Rand established a group in 2014 including museum staff, Dewberry, attorneys, the County Administrator, and various vendors used to discuss solutions and options; pivoting away from litigation. He stated that after that meeting, a workgroup was created in 2015 and has continued to meet weekly. He noted that an engineering team found that the system was designed appropriately, but the functionality and usage was the issue. He said the group worked at each system, improvements were made, and approximately \$200,000 was spent. He reported that the building is now functioning as it was intended, and the temperature and humidity has been kept within range perfectly over several months. He believed that the action is appropriate because the problem has been resolved.

Elsasser requested if the full cost of \$200,000 was covered by the County, and Mr. Sorrel confirmed. He asked if the group had a discussion about equal cost sharing instead of just the County taking the whole bill.

Mr. Sorrel discussed that until the meeting in late 2014, only blame was placed on each other; but after that meeting, they only focused on solutions. He stated that as the building owner, it was the County's responsibility to make right. He explained that Dewberry has spent an inordinate amount of time on the project over the last 18 months and he has not seen billing for that time, which would be a five figure number. He noted that the HVAC vendor's CEO has been engaged in every meeting, coordinated engineering discussions, and the County has not been billed for that work that could also be a high five figure number.

Morris asked if this agreement included a waiver of overages by Dewberry. Mr. Sorrel stated that it does include any claim of an outstanding balance and absolves Dewberry of any claims about design flaws. Morris claimed that the amount was about \$94,000 that Dewberry believed it was still owed, and that the Museum Committee at the time would not pay the amount until it was resolved. He inquired on the amount of money that was spent by Dewberry on experts to analyze the system. Mr. Sorrel explained that he did not know the exact amount, but the report was exhaustive and probably cost a six figure amount. Morris asked if the County relied on their report for the fix. Mr. Sorrel identified that both of the studies commissioned by Dewberry and the County, along with other local engineering experts, were used to identify solutions and design fixes. Morris requested information on how happy the Peoria Riverfront Museum is with the agreement. Mr. Sorrel reported that the Museum is a party to the agreement, they are satisfied with the outcome, and they intend to sign.

Baietto mentioned that Mr. Sorrel identified that some of the equipment was not turned on and some was not being used properly, which would make winning a suit very difficult. He congratulated Mr. Sorrel on the agreement and urged all to support it.

Rosenbohm asked for confirmation that the County had paid for the damage done to the exhibit which was due to a museum employee. Mr. Sorrel explained that the County paid approximately \$15,000. Rosenbohm said that he supports the agreement because he doesn't believe the County could win in court. He proposed that the County be reimbursed for the money it paid to fix the



exhibit.

Mr. Sorrel stated that the County has not sought reimbursement, but he would be willing to have the conversation with the Museum and report back.

Elsasser noted that Mr. Sorrel and the administrative staff, just as the other parties, spent a great deal of time and money on this project.

Chairman Rand thanked Mr. Sorrel for his work on the project.

The resolution passed by a roll call vote of 9 ayes, 4 nays and 1 abstention, with Elsasser, Harding, Phelan, and Rosenbohm voting nay, and Mayer abstaining.

5. A resolution from your Ways and Means Committee recommending approval to establish a pool of contractual Internal Auditors in lieu of an Internal Auditor employee.

Mayer moved to approve the resolution and Rosenbohm seconded.

Mayer stated that under the approved budget the headcount in the Auditor's office was reduced and replaced by contractual services.

The resolution passed by a unanimous roll call vote of 14 ayes.

## **VI. MISCELLANEOUS AND ANNOUNCEMENTS**

Chairman Rand recognized Chris Kaergard from The Peoria Journal Star, congratulated him on his improved hygiene, and noted it is a symbol of some small accomplishment in state government of late. He thanked him for being a local barometer on the progress of a deal being made.

Harding announced that Trumpe is home after a successful surgery and is spending time with her husband. He said that her husband is not being a good patient, but is also progressing in a walking boot.

## **VII. ADJOURNMENT**

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