

Sharon K. Williams, District 1
Junior Watkins, District 2
Barry Robinson, 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
Kathrin Pastucha, District 9



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

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

**PEORIA COUNTY BOARD
MEETING MINUTES
Thursday, August 10, 2017
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: Adamson, Baietto, Elsasser, Fennell, Harding, Mayer, Morris, O'Neill, Parker, Pastucha, Rand, Rieker, Robinson, Rosenbohm, Salzer, and Williams, with Dillon and Watkins absent.

I. APPROVAL OF MINUTES

- Approval of Amended June 27, 2017 Special County Board Executive Session Minutes
- Approval of July 13, 2017 County Board Meeting Minutes

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

II. PROCLAMATIONS AND PRESENTATIONS

- A proclamation congratulating the Princeville High School Girls' Softball Team for winning 3rd place in the 2017 IHSA Class "1A" Softball Tournament

The proclamation was not given.

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 June 2017 and Revenue & Expenditure Reports for the month of May 2017.

C2. The Auditor's report of expenditures from Accounts Payable system is



accessible at www.peoriacounty.org/auditor/transparency.

- C3.** A resolution (items 1-2 surrenders; items 3-13 conveyances) from the Ways and Means Chairman and County Administrator 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 August 10, 2017 and any transaction between the parties involved not occurring within this period shall be null and void. *(Poll Vote per Rules of Order, Article V, Section 18C)*
- C4.** A resolution from your Executive Committee recommending approval of a 3% performance based increase to the County Administrator's base wage retroactive to January 1, 2017.
- C5.** A resolution from your Public Safety and Justice Committee recommending approval of a one year extension of the Agreement for Professional Services with Foth Infrastructure and Environment for the Peoria City/County Landfill, in the amount of \$282,275.00 for the time period July 1, 2017 through June 30, 2018.
- C6.** A resolution from your Public Safety and Justice Committee recommending approval of the SFY 2018 Juvenile Redeploy Grant Agreement with the Department of Human Services in the amount of \$255,330.00.
- C7.** A resolution from your Public Safety and Justice Committee recommending approval of the SFY 2018 Adult Redeploy Grant Agreement with the Illinois Criminal Justice Information Authority in the amount of \$\$225,275.00.
- C8.** A resolution from your Public Safety and Justice Committee recommending approval of a transfer of funds within the FY 2017 Public Defender's expenditure budget in the amount of \$130,850.00 to fund the Peoria County Office of the Public Defender.
- C9.** A resolution from your County Operations Committee recommending approval to authorize Peoria County GIS to create a GIS open data website for the community and perform revisions to the current pricing guide, request form, no fee and fee license agreements.
- C10.** A resolution from your Infrastructure Committee recommending approval of the FY 2018 Peoria-Pekin Urbanized Area Transportation Study (PPUATS) Annual Agreement and Motor Fuel Tax Appropriation.
- C11.** A resolution from your Infrastructure Committee recommending approval of the appropriation of County Motor Fuel Tax Funds in the amount of \$645.43 for FY 2017 PPUATS Joint Funding Agreement.
- C12.** Chairman Appointments.



Mayer moved to approve the Consent Agenda and O'Neill seconded. Morris asked to pull Item C12; Harding asked to pull Item C4. The Consent Agenda, except for Items C4 and C12, was approved by a unanimous roll call vote of 16 ayes.

C4. A resolution recommending approval of a 3% increase to the County Administrator's base wage.

Harding moved to approve Item C4 and Fennell seconded. The motion was approved by a roll call vote of 15 ayes and 1 nay, with Harding voting nay.

C12. Chairman Appointments.

Morris moved to approve Item C12 and Fennell seconded.

Morris detailed that the appointment of Sheriff was made through the process that has been previously used where letters of interest and resumes were gathered and interviews were held. He commented that there were some good candidates and good interviews; there was a clear choice in Brian Asbell and he whole-heartedly supports the Chairman's appointment.

Fennell noted that he was on the committee and Mr. Asbell was very direct on his responses, and that is the way he will be as Sheriff.

Chairman Rand explained that when there is a vacancy, he, along with two members of the Board from the party affiliation of the vacant position, joins in an interview process. He said he joined in the unanimous consensus in naming Mr. Asbell as Sheriff. He noted that the institutional knowledge that Mr. Asbell has is imperative to the continued success of the organization and he looks forward to voting aye.

Elsasser asserted that Mr. Asbell is very well prepared because he works hard and his predecessor helped him; he will make a great sheriff.

Rieker acknowledged and commended the Board for following its previous procedure to make the appointment. He stated that he had the opportunity to meet with Mr. Asbell, he had a great dialogue with him, and learned about the team's development. He congratulated Mr. Asbell and said he is very confident in the job he will do.

Biaetto discussed the importance of the position because he is responsible for the safety of Peoria County and there is no better person to take over the position. He highlighted that Mr. Asbell has learned a lot from the previous Sheriff.

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

Sheriff Asbell thanked the Board and explained that he started at the Sheriff's Office in 1995 at 22 as a correctional officer, and he never believed that he would be standing in front of the Board as the Sheriff. He said he is grateful and honored to be representing the men and women of the Sheriff's Office because they are the true heroes and he thanked them. He emphasized that he wants to be part of the team with the County Board, County Administration, Elected Officials, and Judges because everyone wants the same thing. He conveyed that he wants to be part of the solution and never part of the problem. He explained that he is overwhelmed with those that showed up in support of him,



especially his family. He described that he believes the Sheriff's star is a symbol of public trust, and it is an honor and privilege to serve the Board and to work towards shared goals for the County.

V. ZONING ORDINANCE AND RESOLUTIONS

- 1.** Case W03-17, Petition of Jodi Terry. A resolution from your Land Use Committee recommending approval of a waiver of compliance from Section 20-8.3.4.1.b.2.a of the Unified Development Ordinance. This section requires a new minor subdivision to have a public water supply. The waiver request is made in order to divide 2.00 acres from an existing 47.54 acre parcel. The petitioner proposes to divide the property in order to split off an existing house and several accessory structures from the agricultural and timber ground. The property is located in Hallock Township. *(Pending Committee Approval)*

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

- 2.** A recommendation from your County Operations Committee to approve an IMRF resolution requiring the certification of elected officials who meet the 1,000 hour minimum threshold for participation in the Illinois Municipal Retirement Fund.

O'Neill moved to approve the resolution and Rosenbohm seconded.

Chairman Rand requested that Mr. Evans explain the need to adopt the resolution.

Mr. Evans explained that the resolution is a new requirement by the IMRF Board. He noted that the original resolution was prepared without the Auditor's position, and subsequently there was a question about the dates the positions would become qualified and the titles that should be certified. He reported that the Auditor himself does not work the 1,000 hours, but that it is the number of hours the position itself anticipates to work. He highlighted that the date each position became eligible is not based on when the particular person was elected, but when the Board adopted the 1,000 hour threshold for the position, which was April 9, 1985.

Mayer moved to amend the resolution by replacement and Salzer seconded.

Rieker asked for clarification as to why the resolution is being brought to the Board at this particular time and why the dates for each position are used.

Mr. Evans described that the IMRF Board approved the form for the first time earlier this year and all counties have been requested to make a resolution indicating that the positions have met the 1,000 hour threshold. He identified that the dates used for the positions are when the County went to the 1,000 hour threshold.

Rieker remarked that there is no change in practice, but asked what has changed behind the scenes. Mr. Evans stated that nothing has changed, but the IMRF Board has created the form now and asked the counties to complete it.

Mr. Sorrel mentioned that the deadline for the Board to adopt the resolution is September 1st and the exercise will have to be done every two years. He noted that all counties with elected officials must follow the same process.



Morris inquired if the Board decides that the positions are not IMRF eligible and the form would not be turned in, would the positions that have been in be no longer eligible.

Mr. Sorrel stated that under the resolution in the packet, it was the understanding that the Board could remove the requirement from participation. He said that in further discussion with IMRF counsel, that is not the case, which results in the amendment.

Morris detailed that he asked because he is trying to decide if this is just checking a box or if the Board has some substantive say in the positions having IMRF eligibility.

Mayer emphasized that IMRF eligibility is statutorily determined and the Board cannot just decide that a position is not eligible. He believed that the purpose behind the form is that IMRF has been concerned with the 1,000 hour minimums being met, and it is a public way to show that they must work that many hours.

Adamson said that it is not clear as to what is required because the form states 600 or 1,000 hours a year and asked which is it. He inquired why the Auditor is relevant to the conversation at the moment.

Mr. Evans explained that a County may have either a 600 or 1,000 hour threshold and Peoria County requires a 1,000 hour threshold for participation. He reported that the Auditor's position was not included in the original resolution because the interpretation was that the person occupying the position would not meet the threshold, but in conversation with counsel from IMRF it is the position of Auditor, not the person, that requires the 1,000 hours.

Adamson inquired if there is some decision being made about the 1,000 hours worked for the Auditor. He stated that the previous Auditor worked well beyond 1,000 hours a year and there is now a change.

Mr. Evans informed that the form indicates that the position requires 1,000 hours, not the person currently holding the position, which is the reason for the inclusion on the form.

Chairman Rand conveyed that the present Auditor has declined participation in IMRF.

Mr. Sorrel detailed that at the time of first election or appointment, the elected official has the opportunity to enroll by his or her choice and the window closes at that point in time. He stated that the current Auditor has decided to not enroll in IMRF and he is reimbursing the County for a portion of the hours that he is not working.

Chairman Rand confirmed that the Auditor is rebating the County all dollars in excess of \$24,000 net of the taxes.

Harding asked if the ROE is eligible for IMRF. Mr. Sorrel summarized that the position is not subject to the system because the individual is employed by the State.

Elsasser asked for information on whether IMRF makes sure that any of the positions meets the requirement.

Mr. Sorrel described that IMRF performs an audit every so many years, and that the County went through the audit 2 or 3 years ago. He said that under the audit process IMRF would



explore the question.

Elsasser inquired on how they get assurance of compliance. Mr. Sorrel stated that he does not know what investigative practices they use. Elsasser asked for a report on how it is done.

Rieker asserted that because there have been several changes to the resolution and a lack of clarity, it should be moved back to committee for answers and to gain clarity. Rieker moved to refer the resolution back to committee.

Mr. Evans stated that the form must be returned by September 1st.

Chairman Rand identified that it is possible to have a special meeting if the details can be fleshed out in committee, but it may not be worth-while because the motion may fail.

Mayer asserted that it would be absurd to hold a special Board meeting to pass something that the State's Attorney has gone over with IMRF counsel and that all that is certified is that whether or not these are supposed to be full-time positions and therefore eligible under the statute. He contended that the resolution should really be on a Consent Agenda.

O'Neill believed that counsel explained the need very well and it is what the Board needs to do.

The motion to amend passed by a roll call vote of 15 ayes and 1 nay, with Harding voting nay.

Adamson discussed that the resolution has shown up in the twelfth hour and there is a lack of clarity. He said it sounds like this is the way it will be and inquired if that is correct.

Mr. Evans confirmed that it is the format that IMRF has asked the Board to vote.

Morris inquired if the Board votes no, are the officials then kicked out of IMRF, or would the officials still stay in IMRF.

Mayer declared that he does not know the legal affect, but the requirement for participation still stands.

Robinson asked if the form is standard throughout all of the counties and if counsel has reviewed it. Chairman Rand informed that it is a recently adopted standard form and it has been commented on by counsel.

Baietto asked for the question to be called.

The resolution, as amended, passed by a roll call vote of 14 ayes and 2 nays, with Harding and Rieker voting nay.

Chairman Rand said it would be helpful for members to have more information.

- 3.** A resolution from your Infrastructure Committee recommending approval of an Independent Contractor Agreement for Rural Transit Administrative Services in an amount not to exceed \$15,000.00 for the provision of administrative services for Peoria County's rural transit program, CountyLink, from July 1, 2017 through July 31, 2018.



Salzer moved to approve the resolution and Baietto seconded.

Fennell asked if the agreement would be covered under the grant.

Mr. Sorrel reported that the agreement is covered under the public transportation fund, which is a special revenue fund and the expenses will be covered by two grants. He detailed that they are the Downstate Operating Assistance Grant and Section 5311 funding.

Fennell inquired if it is a new type of agreement compared to last year. Mr. Sorrel confirmed that it is due to a reduction in the Administrator's Office where there is no one with the expertise to provide the grant reporting, and by suggestion of IDOT and with help from Greater Peoria Mass Transit District, a plan has been worked out to transition service to the transit district on July 1, 2018. He noted that the next recommended budget will only have funding for 6 months because the County will not be reapplying for the grants and the Mass Transit District will apply for the grants. He expressed that the agreement would include the grant reporting services and everything that would be necessary to execute the transition plan. He brought up that the first stage of the transition plan was implemented when the Board approved the dispatching software program that is already used by the Mass Transit District.

Salzer discussed that the Transportation Committee had the agreement come before the committee twice, the first it was deferred back to Mr. Sorrel, and the second time he mentioned that he is short of help and he does not have expertise. He explained that Mark Rothert was discussed because he is the best to perform the job and he will be paid for through the grants, which will not impact the general budget. He reported that Mr. Rothert would be making about \$85 an hour or up to \$15,000. He highlighted that the amount of time for the program Mr. Rothert performed in his previous job would equate to between \$13,000 and \$18,000. He predicted that Mr. Sorrel is in need of this expertise and it will not affect the general budget.

Baietto asserted that transportation has been a conversation for many years because the people that cannot afford transportation in rural parts of the County still have the need to get to and from. He said that it is a service that the Board can be proud of.

Chairman Rand explained that the work performed by Mr. Rothert is for administrative details, but not for specific service.

Baietto perceived that Mr. Rothert would be setting up the whole process.

Harding asked if the money is not coming from the General Fund, would it be coming out of the money for ridership.

Mr. Sorrel explained that one of the grants has an automatic increase in funding that has raised the fund balance markedly over the past few years. He stated that the expense would be covered under the increase in funds. He noted that the contract with MV Transportation would be made whole and it would not be affected as a result of the agreement.

Rosenbohm remarked that the agreement is an independent contractor agreement and asked for clarification that there is no way the County would be responsible for IMRF payments. Mr. Sorrel stated that the State's Attorney's office wrote into the agreement language that would not allow for the need for payments into IMRF. Rosenbohm asked if IMRF signed off on the arrangement, and Sorrel said that it had not. Rosenbohm suggested that it be run by IMRF. Mr.



Sorrel detailed that under IMRF rules, the employee must meet the 1,000 threshold to be included, and the dollar values under the agreement would not meet the threshold.

Chairman Rand asked if Mr. Rothert is already in IMRF, and Mr. Sorrel confirmed that he is under his current employer.

Mayer summarized that for Mr. Rothert there is no way mathematically for him to reach the 1,000 threshold due to the provision in the agreement limiting the work hours.

Williams inquired if there has been a discussion with Greater Peoria Mass Transit District or Citylink to provide the services rather than using an independent contractor.

Mr. Sorrel reported that there was a discussion and it is part of the transition, but they were not comfortable with taking on those roles until they are able to take over the grants. He explained that there is a gap to fill for administering the grants until they take control.

Rieker specified that the previous Board set a budget that had reductions and now the agreement is a shift of dollars no matter if it is covered under a grant. He emphasized that the philosophy bothers him because the Board is not sticking to the budget and it allows the first domino to fall.

Elsasser said that he does support the funding the rural transportation, but he does not support the funding for the economic development portion and he will not be supporting the resolution. He stated that the briefing explains he will be providing basic economic development services. Mr. Sorrel assured that not a single penny would be going to economic development services and the inclusion in the briefing was a copy and paste from a different briefing.

Parker asked for information on what Plan B would be if it does not pass. Mr. Sorrel reported that he would need to learn how to do the reporting for two grants that he has never had exposure to. Parker observed that there will also be a need for an administrator on the enterprise zone. Mr. Sorrel stated that he has some thoughts that he will be bringing to committee soon.

Morris asked if the grants being used in the agreement are the same grants that had to be subsidized with General Fund dollars under the last contract with MV.

Mr. Sorrel said that since that time the funds have increased and have actually run a surplus. He informed that although the dollars were allocated, they were never used and the fund balance has continued to grow due the funding formula.

Morris questioned the County getting out of the business now that the grant is self-sufficient,. Mr. Sorrel stated that the service is being transferred to the Mass Transit District because it is the subject matter expert on providing transit services. Morris detailed that he has not supported the service in the past because it was not self-supporting, and he is disappointed that it was not brought back to the Board to celebrate that it is not being subsidized by General Fund dollars.

Baietto remarked that CityLink could not go into the incorporated small towns in the past.

Mr. Sorrel explained that CityLink can only operate within their taxing body's district, but the service area changed after the last census to include a larger area.



Chairman Rand asked for information on the County keeping funds without using them. He perceived that creating a positive fund balance would be offset by the next year's allocation from the grant. Mr. Sorrel asserted that the expense is based on ridership. Chairman Rand requested why any government would allow the County to keep money it wasn't using, which raises an audit question that is pretty important.

Morris asked if Mr. Rothert was in charge of handling the audits when he was a County employee. Mr. Sorrel stated that Mr. Rothert was not doing the auditing, but was in charge of the grants. Morris asked what Mr. Rothert would be doing for the County that wasn't being done previously. Mr. Sorrel asserted that he would continue doing the work he was doing when he was employed, and he has already done some grant reporting in the last week for State FY17 fourth quarter report.

Mayer summarized that Mr. Rothert is doing grant reporting and the auditing for the funds has been added to the scope of work for the external auditors.

Mr. Dubrowski stated that the County is two years behind on the audits and Sikich has been retained to perform the audits for 2015 and 2016.

Mayer explained that the external auditors would do what they do and eventually reconcile with the State or the Feds; returning funds that were not used.

Chairman Rand asked if the County is tardy on the audits, and Mr. Dubrowski said that it is. Chairman Rand conveyed that he would be voting against the resolution because he does not like the idea of former employees coming back unless there are extraordinary circumstances.

The resolution passed by a roll call vote of 10 ayes and 6 nays, with Harding, Morris, Rand, Rieker, Robinson, and Williams voting nay.

VI. 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 Robinson seconded. The motion passed by a unanimous roll call vote of 16 ayes.

VII. MISCELLANEOUS AND ANNOUNCEMENTS

Harding noted that he attended the open house at UIC School of Medicine. He detailed that the school is a jewel for Peoria County, and Dean Rusch has invited all Board Members to take a tour of the facility any time.

Salzer mentioned that work has begun on the Veteran's War Memorial, which will be a great memorial for those that have been overlooked, but they won't be any longer. He thanked County Clerk Sonnemaker as chairman on the committee and a driving force. He noted that the committee is still in need of donations and there are bricks for sale that can pay tribute to relatives.



Peoria County Board Minutes
Thursday, August 10, 2017

Baietto acknowledged Salzer for his commitment to the World War I and II and now for anyone who has lost their life for our freedoms for any conflict from World War II until the end of time.

Fennell recognized Chillicothe for raising \$400,000 in the last week for St. Jude.

Robinson invited all to Bethel Baptist for an installation ceremony for him on October 1st at 3:30pm.

Elsasser said that he is proud that his wife and he have bricks honoring their fathers at the World War I and II memorial.

Parker announced that the Black Business Alliance is having its annual fundraising gala at the Life Together Center at 6pm on Saturday August 12th and tickets are \$65.

VIII. ADJOURNMENT

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