

**Montgomery County Board  
Minutes**

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**For Tuesday, October 12th, 2021 – 5:30 PM**

The following are minutes of a regular meeting of the Montgomery County Board held at 5:30 PM on Tuesday, October 12, 2021.

The meeting was called to order by County Board Chairman Evan Young at 5:30 PM.

**Roll call was taken** - 20 members present, 1 member absent.

**Members Present:** Russell Beason, Connie Beck, Megan Beeler, Bill Bergen, Ronald Deabenderfer, Doug Donaldson, Tim Fogle, Jim Havera, Mark Hughes, Sandra Johnson, David Loucks, Bev McCoy, Gene Miles, Andy Ritchie, Earlene Robinson, Bob Sneed, Richard Wendel, Patty Whitworth, Donna Yeske and Evan Young

**Member Absent:** Jeremy Jones

**Pledge of Allegiance to the flag** was led by EMA Director Kevin Schott.

**Mileage and Per Diem Approval:** Motion by Miles and second by Beason to approve the Mileage and Per Diem. **ROLL CALL VOTE:** Beason, Beck, Beeler, Bergen, Deabenderfer, Donaldson, Fogle, Havera, Hughes, Johnson, Loucks, McCoy, Miles, Ritchie, Robinson, Sneed, Wendel, Whitworth, Yeske and Young. All in favor, motion carried.

**Approval of Minutes of Previous County Board Meeting:** Motion by Deabenderfer and second by Hughes to approve the Minutes of the Previous County Board Meeting held on Tuesday, September 14th, 2021. All in favor, motion carried.

**CONSENT AGENDA:**

1. **Ambulance Billing Report** -- Sherry Greenwood – report was not submitted
2. **Animal Control Report** — Amanda Daniels report was submitted.
3. **Circuit Clerk's Report** ---- Holly Lemons was present for questions.
4. **Coroner's Report** --- Randy Leetham – Report was not submitted.
5. **County Clerk and Recorder's Report** ---Sandy Leitheiser was present for questions. She provided members an overview of an updated website section on the County Clerk/Recorder's portion of the county website providing more in-depth information pertaining to mining permits and mine subsidence.
6. **Health & TB Department Report** ---Hugh Satterlee – report was submitted.
7. **Highway Department Report** ---Cody Greenwood was present for questions.
8. **Probation Office Report** ---Banee Ulrici – report was submitted.
9. **Public Defender's Report** ---Erin Mattson— Report not submitted.
10. **ROE – Monthly, Quarterly & Annual Reports** —Julie Wollerman – report was submitted.
11. **Sheriff's Report** ---Rick Robbins – Report was not submitted.
12. **SOA Report** ---Ray Durston – report was submitted.
13. **State's Attorney Report** —Andrew Affrunti was present for questions.
14. **Treasurer's Report** ---Nikki Lohman was present for questions.
15. **V.A.C. Report** ---Dave Strowmatt was present for questions.

**APPROVAL OF 11 ITEMS ON THE CONSENT AGENDA:** Motion by Fogle and second by Johnson to approve the 11 reports given on the Consent Agenda. All in favor, motion carried.

### **LIAISON REPORTS:**

- **708 Board** – Robinson reported that the following organizations received funding at their 708 Board meeting last month. She said Fayco Enterprises requested and was awarded \$182,000 in 708 funds; MCHDC requested \$178,210 and was awarded \$160,389; SAAD requested \$20,000 and was awarded \$8,000; Hillsboro Community Unit School District requested \$60,000 and was awarded \$54,000; Panhandle Community Unit School District requested \$46,303 and was awarded \$41,673; Nokomis Community Unit School District requested \$50,000 and was awarded \$45,000; Litchfield Community Unit School District requested \$63,000 and was awarded \$56,700; and Litchfield Family Practice Center requested \$64,800 and was awarded \$51,840. Robinson said walk in requests were also submitted and awarded to TASC for \$6,500 and UCAN for \$7,800, plus the Montgomery County Sheriff's Office was also awarded \$10,000, bringing the total amount rewarded to \$623,902. Deabenderfer asked if an intergovernmental agreement is needed with the School Districts since they are separate taxing bodies, and Chairman Young pledged to have State's Attorney Affrunti research this matter.
- **CEFS Board** — Fogle stated they are looking for volunteers for Meals on Wheels. He also said they still need to hire a Client Coordinator in Montgomery County.
- **911 Board** – Bergen said the microwave link has been repaired.
- **Health Department** — Sandra Johnson said there was nothing new to report.
- **IL Association of County Officials** — Bergen, Beeler – both said there is nothing new to report.
- **MCEDC** — Yeske said she will give her report as part of the Development Committee report.
- **Planning Commission** --Deabenderfer, Ritchie – Deabenderfer said the next meeting will be held December 8<sup>th</sup> at 5:30 p.m. in the meeting room of the Historic Courthouse. He said the Planning Commission will review the comprehensive plan, which is supposed to be reviewed every 5 years, but it has been almost 10 years.
- **Senior Citizens Board** — Deabenderfer said they did not meet.
- **UCCI** – Miles stated they had a meeting but he couldn't attend.
- **U of I** – Beck reported they will meet on Oct. 21<sup>st</sup>, 2021. She also said the U of I Extension awarded this year's Montgomery County Community Partner award to the Montgomery County Farm Bureau.
- **WCDC** –Wendel reported they accepted the resignation of WCDC's fiscal officer Kristy Swearingen and hired Gina Wright on a one-year contract. He said Chris Casey was also hired to assist at the management level. He said the next WCDC meeting will be held on October 21, 2021.

### **COMMITTEE REPORTS:**

**COORDINATING COMMITTEE:** Given by Chairman Evan Young:

1. **Information Systems Report Update:** Young reported the IT Department has been working on a few projects.
2. **EMA Report Update:** Young deferred to EMA Director Kevin Schott and Treasurer Nikki Lohman, who reported several items will not be awarded for COVID grant expenses by FEMA, with \$90,000 worth of COVID expenses sent in and only

approximately \$19,000 approved. Schott said FEMA said there is no deadline to the grant; FEMA said if they show activity toward providing the required documentation, the county should still receive it. He also stated a search and rescue training with dog teams and a helicopter will be conducted at Long Bridge Trail by Walshville this Saturday.

3. **Committee Structure Update:** Young stated he is still working on the committee structure and needs to meet with Vice Chairwoman Patty Whitworth regarding his ideas. He stated there will be a meeting of the Rules of Order Committee this Friday at 8:00 AM at the Historic Courthouse.

**BUILDING & GROUNDS COMMITTEE REPORT:** Given by Committee Chairman Bob Sneed:

1. **Maintenance and Cleaning Issues and Report Update:** Sneed reported new Maintenance Technician Phil Ernst started today.
2. **Historic Courthouse Basement Door Issue for after hour meetings Update:** Sneed reported he was called about the need to have the basement door available for night meetings so people who can't use stairs have access to enter the building. Sneed said the committee decided to put a sign up with the County Board room phone number so the person needing access can call that designated phone and have someone go down and unlock the door.
3. **Sidewalk Replacement at the Historic Courthouse and Jail Update:** Sneed reported he is still waiting for someone to get back to him to give a proposal to replace the sidewalks around the Historic Courthouse. Deabenderfer stated the city of Hillsboro has a program for concrete sidewalks and Sneed said they tried this approach and it did not work out well.

**DEVELOPMENT COMMITTEE REPORT:** Given by Committee Chairwoman Donna Yeske:

1. **MCEDC Update:** Yeske said Valerie Belusko updated the committee on the Center on Rural Innovation project.
2. **Revolving Loan Fund Update:** Yeske reported all outstanding loans are being paid.
3. **Tourism Update:** Yeske stated a letter will be sent to the two tourism grant recipients to remind them to complete and send in their final reports.
4. **Planning Commission Update:** Yeske said Deabenderfer already reported on this subject and had nothing further to report.
5. **Mid IL Regional Planning Council, Inc.:** Yeske reported they are waiting to get the WCDC operating again before any more discussion takes place on a new organization.
6. **CEDS Document Update:** Yeske stated all the counties in our region can now use the CEDS document to apply for any EDA loans.
7. **West Central Development Update:** Yeske said Wendel gave an update on this subject and had nothing further to report.

**FINANCE COMMITTEE REPORT:** Given by Committee Chairwoman Megan Beeler:

1. **SOA Report Update:** Beeler stated Supervisor of Assessments Durston gave his report to the committee.
2. **Capital Improvement Fund Reports Update:** Beeler reported Treasurer Lohman stated some CDs were re-invested for 12 months at .3%.

3. **FY 2022 Budget Approval:** Beeler referred members to the revenue and expenses reports for the FY 2022 budget. She said these budget reports include conservative estimates for 2022 because with state criminal justice reform potentially affecting revenues, she doesn't know what will happen. Beeler said the county is facing a \$600,000 deficit in the budget and the committee decided to transfer this amount from Coal Royalties Office 375 revenues to balance the budget. She said the Finance Committee held a lengthy discussion on how to balance the budget and they agreed it won't be balanced by cutting paper clips and copy paper. Beeler stated labor and health insurance costs are the only categories to cut or eliminate to make the budget balanced. She said the county either needs a reduction in employees or a reduction in health insurance expenses, such as only offering only employee health insurance instead of insurance for families/spouses. Beeler said the committee is recommending using coal funds to fund the deficit because there is a current balance of \$4,600,000 in coal funds, and the county is on track to receive an additional \$1,900,000 coal funds in FY21. She said the employee health insurance open enrollment period begins next week so we'll have a better idea of those costs prior to next month. She asked members to look at the total budget and also at the cash fund report Treasurer Lohman supplies the board each month. She stated there will be a 30-day review of this budget, and informed members there will be a few last minutes changes to clean up prior to the final budget being passed next month, with a change sheet provided. Fogle encouraged all members to come to the Finance Committee meetings to see the financial challenges and share their ideas. **Motion by Beeler and second by Beason to recommend a 30 day review of the FY 2022 budget as presented pending health insurance updates. All in favor, motion carried.**
4. **Adopt Estimated FY 2022 Aggregate Levy Approval:** Beeler presented the estimated FY 2022 Aggregate Levy in the amount of \$4,203,740 for a 4.999% increase. **Motion by Beeler and second by Ritchie to approve the estimated FY 2022 Aggregate Levy in the amount of \$ 4,203,740 for a 4.999% increase. All in favor, motion carried.**
5. **Adopt the Estimated FY 2022 Special Levies as presented Approval:** **Motion by Beeler and second by Donaldson to adopt the Estimated FY 2022 Special Levies as presented. All in favor, motion carried.**
6. **Litchfield Ambulance Levy Request/Resolution/Public Hearing Update:** Beeler reported two Ambulance Special Services Areas will be over the 5% Truth in Taxation limit (Litchfield Ambulance Special Service Area and Nokomis Ambulance Special Service Area). She said she will send a memo to them, as well as to all Special Levy representatives explaining why the county decided to withdraw Special Levies from the county's overall aggregate levy totals. She said the Litchfield Ambulance Special Service Area has requested to raise their levy above the 5% Truth in Taxation limit and they will hold a Truth in Taxation hearing. State's Attorney Andrew Affrunti was in attendance, and he said the County Board only controls the taxes in the corporate general levy and doesn't control the Special Levies, so the County Board doesn't have to have a Truth in Taxation Hearing. Affrunti stated he confirmed with other counties and this is the procedure they are using. Beeler said she anticipates the Litchfield ambulance levy to be .45% next month. Deabenderfer asked who sets this higher maximum tax rate, and Affrunti responded the Litchfield Area Ambulance Special Service Area Commission does. Deabenderfer asked if there is a conflict of interest for Litchfield City Council

members to sit on the ambulance commission. Affrunti stated the only restriction he located in the Special Service Area commission statutes is that members can't be affiliated to a business associated with ambulances, which doesn't apply in this case. Litchfield City Administrator Tonya Flannery was in attendance and asked who will hold the Truth in Taxation hearing. Affrunti said the Litchfield Area Special Services Area Ambulance Commission will need to hold the Truth in Taxation hearing, and it should be held prior to the Friday, Nov. 5<sup>th</sup>, 2021 Finance Committee meeting. Affrunti stated he will provide the statutory references to Flannery. Beeler stated Nokomis-Witt Ambulance Service will also be notified of their obligation to conduct a Truth in Taxation hearing. Affrunti said the County Board needs to inform the Special Levy representatives about the new procedure to request their annual levies so they can be better prepared next year.

7. **Bellwether & America Recovery Plan Act (ARPA funding) Update:** Beeler said the portal to report ARPA activity had technical issues and wasn't working in August, plus the deadline for reporting has been pushed back.
8. **ARPA Rubric Approval:** Beeler stated she didn't receive any feedback on the draft of the ARPA Rubric from members and she also didn't get any response from Bellwether. Beason provided proofing assistance. **Motion by Beeler and second by Whitworth to approve the ARPA Rubric as presented. All in favor, motion carried. (For copy, see Resolution Book 18, pages 302-303).**
9. **ARPA Lost Revenue Ordinance #2021-09 to Transfer ARPA Money in a Separate Account to be utilized for County Government Services Approval:** Beeler said there is ARPA lost revenue of \$1,096,777 which can be used for general government services. Loucks stated he believes the county should retain coal funds for other long-term needs and use the ARPA money instead for county general government services. **Motion by Loucks and second by Hughes to approve Lost Revenue Ordinance #2021-09 to allow the transfer of the ARPA Lost Revenue in the amount of \$1,096,777 into a separate fund to be utilized for County Government Services according to the ARPA guidelines.** Beeler said she disagrees, stating she wants this money to stay in the ARPA funds. She said other counties don't have coal funds sitting there, and we don't have a framework in place to share coal revenues from office 375 with municipalities, businesses, townships, etc. She said the ARPA funding provides such a framework to share it with others and she wants to see this \$1.1 million from the ARPA money to stay in the ARPA money fund. She said squad cars, election equipment, and coroner vehicles can all be budgeted from coal funds. McCoy said the coordinating committee discussed taking care of the county first and she feels this portion should stay in county funds. Deabenderfer asked which way would be more simple for bookkeeping purposes, and Beeler replied it doesn't matter since the same process has to be done no matter how the money is spent. Loucks said the reason he brought this up is because of losing the power plant and county funds could use the money. He said the mine may dry up tomorrow, so we will have a little bit saved for later for county needs, such as a new boiler for county buildings, etc. Whitworth said she agrees with Loucks and she supports his motion. Beeler said the county projects to bring in over \$1.9 million in coal revenue next year, and more of these funds need to be spent on county needs. Hughes said he prefers using this portion of the ARPA funds on county business such as election equipment, squad cars, etc. Ritchie said the \$4.6 million in the bank is all coal money and we are holding it

to spend when we need it. He said auditors told us we need to keep six months of operating funds in reserves. Ritchie stated Beeler's approach has merit because it is not taking ARPA funding away from the rest of the county since cities and the townships are not getting millions of dollars. Ritchie said he thinks it would be proper to spend our own coal funds on county projects before using ARPA funds. Deabenderfer said the coal reserve fund is divided into three categories, with each representing board recommended uses. Young says he has been getting calls recently from mayors needing funding and buying squad cars isn't getting help to the communities when the county is already sitting on \$4.6 million in coal funds. He said if this motion passes, the Finance committee will have to have a special meeting to revise the budget. Donaldson said he supports Loucks' motion but doesn't want it to be used as a "slush" fund. Bergen stated he also supports Loucks' motion. **Roll Call Vote:** 14 members voted yes, 6 voted no, with 1 member absent. Voting yes were Bergen, Deabenderfer, Donaldson, Fogle, Havera, Hughes, Johnson, Loucks, McCoy, Robinson, Sneed, Wendel, Whitworth and Yeske. Voting no were Beason, Beck, Beeler, Miles, Ritchie and Young. Jones was absent. **Motion carried. (For copy, see Resolution Book 18, pages 304-307).**

10. **Resolution to Convey Deed for Parcels 17-06-376-014 and 015 in East Fork Township to Allied Tire Recycling LLC Approval:** Motion by Beeler and second by Beason to approve the Resolution to Convey Deed for Parcel 17-06-376-014 and 015 in East Fork Township to Allied Tire Recycling LLC. All in favor, motion carried. (For copy, see Resolution Book 18, pages 308-309).
11. **Cyber Liability Coverage with ICRMT Update:** Beeler said we received our estimates on Property Casualty and Liability from our insurance company and changes will be reflected as members see the budget next month.

**PERSONNEL COMMITTEE REPORT:** Given by Committee Chairman Bill Bergen.

1. **Employee Health Insurance and Monthly HRA report Update:** Bergen stated employee health insurance open enrollment will be held the week of October 18<sup>th</sup>, 2021 on three days at different locations. He said there will be a \$20,000 premium credit after the third month and there is currently 11.1% usage on the HRA. Lohman stated she didn't make any changes in the FY 2022 budget for the HRA and Bergen stated it should stay the same.
2. **2022 Holiday Schedule Approval:** Bergen stated the Personnel Committee reviewed and is recommending the 2022 Holiday Schedule to include the new state approved Juneteenth holiday. **Motion by Bergen and second by Donaldson to approve the 2022 Holiday Schedule as presented with the Juneteenth Holiday. Roll Call Vote:** 15 members voted yes, 4 members voted no, and 2 members were absent. Voting yes were Beck, Beeler, Bergen, Donaldson, Fogle, Havera, Johnson, Loucks, McCoy, Miles, Ritchie, Robinson, Wendel, Yeske and Young. Voting no were Beason, Hughes, Sneed, and Whitworth. Absent were Deabenderfer and Jones. **Motion carried. (For copy, see Resolution Book 18, page 310).**
3. **FOP Union Collective Bargaining Agreement Approval:** Bergen said he talked to the labor attorney and she recommends waiting to vote on the contract until next month.

**ROAD & BRIDGE COMMITTEE REPORT:** Given by Committee Chairman Gene Miles:

1. **New Highway Department Update:** Miles reported the fuel pumps have been moved to the new highway department and are now operational.
2. **New Equipment Purchase for FY 2022 Approval:** Miles reported the Committee approved the purchase of a new backhoe from Erb Equipment in an amount not to exceed \$120,000. **Motion by Miles and second by Beeler to purchase a John Deere backhoe from Erb Equipment for an amount not to exceed \$120,000 and to put it in the FY 2022 budget. All in favor, motion carried.**
3. **FY22 Coal Royalty Fund Project Update:** Miles reported Greenwood presented a project to the Finance Committee last Friday which proposes to use coal funds for materials to repair the 12.5 mile section of the Nokomis Road from Fillmore Trail to Oconee Avenue. He said material prices have increased from \$30,000 per mile to \$44,000 per mile, so the estimated cost would be \$551,558.33 in material with funding from the Office 375 Coal Royalty fund. Miles said this was discussed several years ago but there was no money. **(For Estimate of Cost, see Resolution Book 18, page 311).**
4. **Other Business Update:** Miles said he has been informed an overgrown tree is outside of the city of Nokomis's Right of Way legal requirements and the Montgomery County Trustee now has a tax deed to the property since taxes weren't paid. He stated the county was recently notified by a neighbor to the property about this tree because they are concerned it will fall on the house, and he is considering paying to cut the tree's limbs himself. Treasurer Lohman said the Montgomery County Trustee representative informed her if the tree falls on the house, the property owner's insurance company will sue the Montgomery County Trustee, not the county, and the most they could receive would be the property with the tree. Greenwood and Affrunti both said they don't want to set a precedent by cutting down the tree.

**SAFETY & ELECTIONS:** Given by Committee Chairman Mark Hughes:

1. **Ambulance Billing Office Update:** Hughes said Sherry Greenwood will come to the monthly committee meeting each month to give her report.
2. **ETSB/911 Update:** Kevin Schott gave his report earlier.
3. **Elections Update:** Leitheiser stated there was nothing else to report other than the information listed in the committee report.
4. **EPA Report Update:** Coordinator Daniels reported she has been training with IL EPA Inspector at the Landfill and recently handled a few open dump complaints. Daniels said she has been working on the reports and documents and hopes to be IL EPA certified next month.
5. **Electronics Drive Update:** Daniels said the Electronics Recycling drive in Hillsboro went well and thanked Clerk Leitheiser for helping direct traffic. She said the next Drive will be held in Litchfield on Saturday, October 23<sup>rd</sup>, 2021 from 9 am to Noon at the former Recycling Center at the corner of Illinois and Ryder Streets.
6. **Animal Control Facility Program & Municipal Contracts Update:** Hughes said he wants to invite all county mayors to next month's committee meeting to discuss the animal control municipal contracts and share the statistics of county animal control facilities similar in size to Montgomery County with them. He said the animal control facility roof is not leaking anymore and they also currently have 14 dogs and 9 cats in house.

7. **Animal Control Ordinance Update:** Hughes said the final draft of the Animal Control Ordinance needs a 30-day review and Deabenderfer will assist with grammatical changes. Hughes stated Daniels got a trial subscription for an online web-based shelter computer software program costing \$360 a year which can accept online payments. Beeler said for online payments, you need a separate checking account, and asked if county IT has approved this software. Affrunti stated IT probably has approved it, but the committee should double check this. Lohman said online payments are made; they must meet required auditor procedures. Fogle said Daniels is just looking into online payments and nothing has been finalized yet.

**APPROVAL OF 7 COMMITTEE REPORTS & MINUTES:**

**Motion by Whitworth and second by Fogle to approve the seven committee reports and minutes. All in favor, motion carried.**

**ANNOUNCEMENTS:** Young stated there will be a Rules of Order committee meeting this Friday, October 15<sup>th</sup>, 2021 at 8:00 a.m. in the County Board Room of the Historic Courthouse in Hillsboro.

**SCHEDULE CHANGES:** none

**APPOINTMENTS:** none

**PUBLIC COMMENTS:** Citizen Bill Schroeder thanked County Board members Young and Whitworth for attending the recent IDNR Mine public hearing. He said it was the most frustrating hearing he's ever witnessed since no answers were given to those who attended. Young said he has heard the recent Deer Run mine permit was approved without concerns addressed. Schroeder also said this is only the beginning and the next approved permit will go to Donnellson. He said he would like for the board to understand the concerns of the people who are affected by this coal mine. He informed members a coal mine in another county had a fire in their mine and foam was used to extinguish it that has been banned because it causes cancer. Schroeder said IDNR didn't know this information until people brought them photos. Schroeder encouraged all board members to attend these IDNR mine public hearings in the future.

**PAY BILLS AND PAYROLL:**

**Approval to pay any invoices to JJ Outlet, LLC and Yeske Soaps:** Motion by Donaldson and second by Robinson to pay any invoices for JJ Outlet, LLC and Yeske Soaps. Voice Vote: In favor – 18, Against - 0, Absent – 2 (Deabenderfer and Jones), Abstain – 1 (Yeske). Motion carried.

**Motion by Yeske and second by Whitworth to pay all other approved bills and payroll. All in favor, motion carried.**

**RECESS:**

**The Next Regular full Board Meeting will be on Tuesday, November 9<sup>th</sup>, 2021 at 5:30 pm in the County Board Room, Hillsboro, Illinois.**

**Motion by Wendel and second by Johnson to adjourn the Full Board Meeting. All in favor, motion carried.**

Meeting Recessed at 7:28 pm. Minutes respectfully recorded and submitted by Montgomery County Clerk and Recorder Sandy Leitheiser.