

**PROCEEDINGS OF THE COUNTY BOARD
KNOX COUNTY, ILLINOIS**

November 23, 2009

STATE OF ILLINOIS)
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COUNTY OF KNOX)

Proceedings of the regular meeting of the Knox County Board held at the Knox County Courthouse, Galesburg, Illinois on November 23, 2009 at 6:34 p.m.

The meeting was called to order by Chairman Greg Bacon and upon roll call the following members reported present:

District 1	Allen Pickrel
District 2	Greg "Chops" Bacon
District 3	Barbara Foster
District 4	Lowell Mannhardt
District 5	Jeff Jefferson
District 1	Cheryl Nache
District 2	Paul Stewart
District 3	Tim Hasten
District 4	George Knapp
District 5	Ricardo "Rick" Sandoval
District 1	Lyle Johnson
District 2	William Abel
District 3	Jan Occhi
District 5	David Serven

And those absent: District 4 Wayne Saline

Also present were Sheriff Dave Clague, Treasurer Robin Davis, State's Attorney John Pepmeyer, and County Clerk Scott Erickson.

Sheriff Dave Clague delivered the proclamation. Chairman Bacon led the Members in the pledge to the flag. Captain Rick Ray of the Galesburg Salvation Army delivered the invocation.

Chairman Bacon asked for additions to the agenda. Member Saline asked that the Building Inspector item be removed from the agenda. Chairman Bacon asked which item number he was referring to. Member Abel said that in the budget there is salary and office expenses that add up to about \$47,700 that he would like pulled out of the budget. Member Pickrel said that this item has not been discussed and that he would have to vote no on the budget. Member Occhi said that the Finance Committee has reviewed all sections of the budget and that it was discussed. Chairman Bacon said we will deal with

this when it comes to the budget action item. Chairman Bacon also moved Item #9 to the front of the agenda so that the presenters could head back home sooner. This will now be Item 4A.

Chairman Bacon asked for public comments. There were no public comments.

Motion by Member Hasten, second by Member Occhi, to approve the consent agenda items 1 through 3. Member Stewart asked that the minutes be modified to show that the Landmark Commission had requested the Orpheum Theater apply for landmark status and that the Orpheum rejected the idea. Motion was modified for the corrections to be included. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Mr. Kevin McCanna from Speer Financial, Inc gave the Board an update on the sale of the general obligation refunding Bonds. These Bonds were sold today and need to be approved by the County Board. Since this item was not included on the agenda for action tonight, a Special Meeting will be held to approve the sale of the Bonds. There were 3 bidders on the 5 year Bonds. We received a 1.96% rate which is very good and our Bond Rating of 2 was confirmed. We were able to save some money from what was originally expected. He would encourage the Board to vote to approve this sale. Treasurer Davis said that with the sale today, she was not aware that any further Board action would be required. She said that a Special meeting could be called for Wednesday night to approve and lock in this rate. If we wait any longer, the Bidder has the right to change the rates on us. The date and time of the meeting will be announced at the end of the meeting.

Motion by Member Occhi, second by Member Pickrel, to approve the Union contract with the PB&PA. Member Occhi said that negotiations with this group went great and were very productive. The raises will be 3-1/2%, 4%, 2-1/2%, and 2-1/2% for the next 4 years. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Motion by Member Occhi, second by Member Pickrel, to approve the random drug testing policy for the Knox County Personnel Policy. Chairman Bacon said that during the last handbook revision that the drug testing policy was left out. This new policy will put back the random drug testing. Member Foster asked if Department Heads would be required to take part in the random testing. Chairman Bacon responded yes. Member Foster then asked if the discipline for the Department Head would be the same as that for an employee who violated the policy. Chairman Bacon said that we are the boss for the Department Heads. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Motion by Member Occhi, second by Member Sandoval, to approve the start date for the random drug testing policy as January 1, 2010. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

The Finance, Insurance, Treasurer, Judicial, and Clerk Committee report was presented by Member Occhi. The monthly report and committee minutes are in the packet. Member Stewart wanted to bring to the attention of the Board his concerns at the last meeting about the solicitation of bids not being done for the Insurance. He is troubled by the fact that this was not bid out. He has contacted the Attorney General's office and did get some information back. They said that we should be soliciting bids for insurance. He also asked that State's Attorney Pepmeyer ask for a formal opinion from Springfield. State's Attorney Pepmeyer that he would forward a request for an opinion, but that these do have a very long turnaround time for a response. Member Stewart said that it is important to share information and to get a clarification so that we can properly follow State Statutes.

Motion by Member Occhi, second by Member Sandoval, to approve the Resolutions on Deeds of Conveyance from the County Trustee. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Motion by Member Occhi, second by Member Hasten, to approve the employment contract with Karl Johnson as Alternate Public Defender. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0).

Motion by Member Occhi second by Member Jefferson, to approve the employment contract with Dan O'Brien as Alternate Public Defender. Roll call vote as follows: Ayes – Pickrel, Bacon, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (13). Noes – (0). Abstain – Foster (1). Motion carried.

Motion made by Member Occhi, seconded by Member Johnson, to renew the employment contracts for Indigent representation by Thomas Pepmeyer, Bill Butts, and Dana Kelly. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Motion made by Member Occhi, seconded by Member Sandoval, to approve the renewal of the employment contracts for Defense Counsel Coverage for Thomas Pepmeyer and Bill Butts. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Motion made by Member Occhi, seconded by Member Johnson, to approve the employment contract for Gary Tomlin. Member Stewart expressed his concerns about the method that this employee was hired originally. There were no publications or notices of the opening. He continues to feel that the County would be better served with a County Administrator with the proper education and training. The Administrator could do all the things Mr. Tomlin does and more. Member Nache stated that the County had an Administrator before and everybody him being overpaid and under worked. The situation is much better now. It is silly to overpay for an Administrator when the same work is being done now for less money. Member Stewart expresses his contention that an Administrator with proper training would save the County money and gives us a better skill set to use. Member Occhi said she was part of the Board that did not renew the previous Administrators contract. In order for an Administrator to work, the elected officials and Board Members will have to give up some of their power granted to them by State Statutes. If this does not happen, there will not be enough for the Administrator to do, but they would have 15 bosses to try and please. Roll call vote as follows: Ayes – Pickrel, Bacon, Mannhardt, Jefferson, Nache, Hasten, Johnson, Abel, Occhi, and Serven (10). Noes – Foster, Stewart, Knapp, and Sandoval (4). Motion carried.

Motion made by Member Occhi, seconded by Member Nache, to approve the salary for the Knox County Information Technology Coordinator Andy Rowe. His salary is to be reviewed every year and for FY2009-2010 will be set at \$30,000. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Motion made by Member Occhi, seconded by Member Hasten, to approve the changes to the FY2009-2010 budget. Member Abel asked to have the Building Inspector and supporting line items pulled from the budget. There has been no Board discussion on this item. He has looked back in the minutes and could not find any reference to it. There has been no Board approval for the salary or even the position. Member Pickrel agreed that he has never heard of this position or voted to approve it. Member Occhi said that this was discussed at the Finance Committee. It is in the budget to allow the position to be created and used if all of the building codes get approved. Member Abel asked where the figures came from. Treasurer Davis said they came from the Assessor's Office. Member Abel asked Member Knapp if he was aware of this. Member Knapp responded that he did not know about this. Member Pickrel asked if this had bypassed the Committee and Member Knapp said it must have. Chris Gray, Knox County Assessor, said that this was her fault. Her Committee got a copy of the budget and it was discussed at the Department Head meeting in August. The Committee did see the budget and these numbers were included. She was told to create a budget for this office for next year. Member Pickrel asked if this new person would be working under her. Chris Gray responded that they would. Chairman Bacon said that this has been discussed at the Committee level for about 2 years. Member Stewart agreed that if this is a position that will be filled in the future, we will need to have it in the budget. The full Board will have final approval of the hiring. This is not like some other positions that are created without a revenue source, as it will be funded through the building permit fees. The projected income will be about \$50,000 with expenses at around \$47,000. Member Serven said

that as a businessman he deals with budgets every day. He is not saying that he is for or against the position, but we should budget for it. Chairman Bacon said that if we do not do this budget, we will have to go into our contingency funds to pay for this position. He would rather have it and not need it than need it and not have it available. Member Abel expressed his concerns about why the Board was not informed of this. Member Occhi said that it was in the Board packet. Member Stewart said that he has gone through every line in the budget and it was in there. Treasurer Davis said that there were some other changes to the budget and they have been included in the packet and were handed out at the meeting. Chairman Bacon said one of the changes was an additional counselor for the Mary Davis Home. Roll call vote as follows: Ayes – Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Johnson, Occhi, and Serven (11). Noes – Pickrel, Sandoval, and Abel (3). Motion carried.

Motion by Member Occhi, second by Member Johnson, to approve the proposed County budget for FY2009-2010 with the previously approved additions. Member Jefferson stated that he agrees with Member Serven in that we do need line items for this position in the budget.

Member Abel made the motion, seconded by Member Pickrel, to amend the previous motion and exclude the line items for the Building Inspector position. Motion to amend roll call vote as follows: Ayes – Pickrel, Foster, Mannhardt, Knapp, and Abel (5). Noes – Bacon, Jefferson, Nache, Stewart, Hasten, Sandoval, Johnson, Occhi, and Serven (9). Motion to amend fails.

Member Stewart said that he would continue to vote no on the budget since there was no County Administrator position in there. Member Mannhardt asked when the Board would receive a hard copy of the budget. Treasurer Davis said it would be some time in January before the bound copies are available. If Members wanted a regular copy, they could get that after November 30th. Roll call vote as follows: Ayes – Bacon, Mannhardt, Jefferson, Nache, Hasten, Johnson, Occhi, and Serven (8). Noes – Pickrel, Foster, Stewart, Knapp, Sandoval, and Abel (6). Motion carried.

The Building Committee report was presented by Member Knapp. There was no meeting this month. Chairman Bacon said that they would be meeting in December.

The Sheriff, Jail, Courthouse, Mary Davis Home, and Animal Control Committee report was presented by Member Sandoval. The monthly report and committee minutes are in the packet.

Motion made by Member Sandoval, seconded by Member Pickrel, to approve the bid and bring back for a storage facility at the Mary Davis Home. Member Abel said he was in favor of this item. He does have some concern about the approval of any cost over-runs. He would like the \$100,000 for the project to be totally inclusive. Chairman Bacon said that these bids come back under the original estimate all the time. This is just an estimate of what the costs would be. They want this building big enough to allow the Sheriff to store some expensive equipment. Member Stewart asked what was to be stored in the building. Chairman Bacon said that vehicles would be in the fenced in area. The boat and rescue equipment for the Sheriff's Department would be inside. We will then

pull some of the storage from the 4th floor of the Courthouse and each Department will be given secure space. Member Foster asked if public safety funds could be used to pay any overages. Voice vote as follows: Ayes – (14). Noes – (0). Motion carried.

Motion by Member Sandoval, second by Member Hasten, to approve the Resolution to transfer funds from the Landfill fund to the Mary Davis Home. Rod Clear stated that this is a safety net for the Home if the State fails to provide the promised funding. The State may pay monthly or in a lump sum, we just do not know for sure. Member Knapp asked if this was in addition to the money from the 10% gate fee reduction from the Landfill. Mr. Clear said that it was but that this money would have to be paid back when the gate receipt money would not. Chairman Bacon said that he would hope that they would not have to use it. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

The Highway, Assessor, Zoning, GIS, and Recorder Committee report was presented by Member Knapp. The monthly report and committee minutes are included in the packet. Chris Gray reported that she has been talking to the Department of Revenue about the publication of value changes. If farmland values do not change then some Counties are only sending out notices to the landowner and not publishing the list in the newspaper. This could save \$4,000 to \$5,000 alone. Department of Revenue attorneys have reviewed this policy and it is legal to do. If there is a change in a farm building, then they would be added to the published list. Most people cannot find their parcel when they are published in the paper anyway as it is such a long list.

Motion made by Member Knapp, seconded by Member Stewart, to approve the Resolution to set the Highway Engineers salary. Member Knapp said that the State sets the salary rates. The proposed rate is an increase of 3.6% and would put the salary at \$101,970. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Motion by Member Knapp, second by Member Hasten, to approve the engineering design agreement for the Persifer Township bridge project. Member Knapp said that this is a bridge and railroad structure with an estimated cost of \$25 million to complete. The study should cost around \$277,000 and is required before the project can start. Member Stewart asked how the firm was chosen to do the project. Duane Ratermann said that this firm had done some work for the County 5 years ago and they have done a lot of work with the railroad. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Motion by Member Knapp, second by Member Mannhardt, to approve a bid and bring back for purchase of a new oil distributor and truck for the Highway Department. Member Knapp said the current truck did not work at all last month and we had to borrow one from Warren County. The estimated cost is around \$150,000 with a possible

trade in credit of \$50,000 for our existing truck. Voice vote as follows: Ayes – (14). Noes – (0). Motion carried.

Motion by member Knapp, second by Member Occhi, to request a special audit for the County Recorder's office. Member Knapp said that this was the consensus of the Committee to request the special audit. Chairman Bacon said that this can be discussed at the Special Board meeting on Wednesday. At that time they can establish the parameters of the project. Member Pickrel asked about including the County Clerk's office in the audit as well. Chairman Bacon said that since there has already been an audit in the office since she has left, that there would be little chance of finding anything. Member Johnson made a motion to table this item. Member Occhi seconded the motion to table and discussion was ceased. Roll call vote on Motion to Table as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried and item tabled.

The Nursing Home and Landfill Committee report was presented by member Johnson. The monthly report and committee minutes are in the packet.

Motion made by Member Johnson, seconded by Member Mannhardt, to approve the bid and bring back for a trash compactor for the Landfill. Voice vote as follows: Ayes – (14). Noes – (0). Motion carried.

Motion by Member Johnson, second by Member Hasten, to approve the bid and bring back for materials and installation of a generator at the Nursing Home. Voice vote as follows: Ayes – (14). Noes – (0). Motion carried.

Motion made by Member Occhi, seconded by Member Nache, to open the budget for line item adjustments. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Motion by Member Occhi, second by Member Johnson, to approve the budget line item changes that have been presented. Roll call vote as follows: Ayes – Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Stewart, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven (14). Noes – (0). Motion carried.

Motion was made by Member Occhi and seconded by Member Johnson to approve the claims against Knox County, Illinois, for the period of October 29 through November 23, 2009 (ordering that invoices be accepted and approved and that the County Clerk and County Treasurer be authorized and directed to issue County Warrants in payment of the bills.) Roll call vote is recorded as follows: Ayes— Pickrel, Bacon, Foster, Mannhardt, Jefferson, Nache, Hasten, Knapp, Sandoval, Johnson, Abel, Occhi, and Serven—(13). Noes— Stewart (1). Motion carried.

STATEMENTS OF GENERAL CONCERN

Member Pickrel expressed his concern that items are bypassing their Committees and being discussed only in the Finance Committee and being put into the budget. These things should be discussed at the Committees themselves.

Chairman Bacon asked for volunteers to serve as the County representative to the UCCI board. We get \$300 for every meeting they attend. He also thanked member Occhi for her years of service. She has been a big help to me and has served the County well. A replacement will be recommended next month.

Members Foster, Mannhardt, and Jefferson had no comment.

Member Nache thanked Member Stewart for taking her to the last Committee meeting.

Members Stewart and Hasten had no comment.

Member Knapp said that he agrees with Member Pickrel in that there is too much back door politics going on. There are many things going on that the Committee does not know about.

Members Sandoval, Johnson, Abel, Occhi, and Serven all had no comment.

The next regular Meeting will be held on Wednesday, December 30, 2009, 6:00 p.m., at the Knox County Courthouse, Galesburg, Illinois.

Motion by Member Sandoval, seconded by member Hasten, to adjourn the meeting. Voice vote as follows: Ayes – (14). Noes – (0). Motion carried and meeting adjourned at 7:42PM.