

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

**May 27, 2009**

STATE OF ILLINOIS     )  
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COUNTY OF KNOX     )     SS

Proceedings of the regular meeting of the Knox County Board held at the Knox County Courthouse, Galesburg, Illinois on May 27, 2009 at 6:00 p.m.

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

|            |                         |
|------------|-------------------------|
| District 2 | Greg “Chops” Bacon      |
| District 3 | Barbara Foster          |
| District 4 | Lowell Mannhardt        |
| District 5 | Jeff Jefferson          |
| District 1 | C. B. “Bernie” Damm     |
| District 2 | Paul Stewart            |
| District 4 | George Knapp            |
| District 5 | Ricardo “Rick” Sandoval |
| District 1 | Lyle Johnson            |
| District 2 | William Abel            |
| District 3 | Janet Occhi             |
| District 4 | Wayne Saline            |
| District 5 | David Serven            |

And those absent:           District 1     Allen Pickrel  
                                  District 3     Dale Parsons

Also present were Sheriff Dave Clague, Treasurer Robin Davis, and County Clerk Scott Erickson.

Sheriff Dave Clague delivered the proclamation. Chairman Bacon led the Members in the pledge to the flag. Rev. Leigh Nygard of Galesburg delivered the invocation.

Chairman Bacon asked for additions to the agenda. He asked that agenda item 4, proclamation honoring Kenneth Johnson be removed from this agenda.

Chairman Bacon asked for public comment. Steve Davis, Superintendent of the Galesburg Sanitary District, addressed the Board asking for the Board’s cooperation and assistance regarding the application for a grant for the Galesburg Sanitary District. CDAP (Community Development Assistance Program) funds will be available through

economic stimulus funds. The Sanitary District is seeking to rehab an interceptor in the area of Academy and Seminary streets. This application must be received by June 5. They need the County Board's cooperation with this application. The County needs to approve this application process and be willing to administrate the grant. This will involve an intergovernmental agreement between the City of Galesburg's Sanitary District and Knox County. There would be no financial obligation to the County. The maximum amount of funds available through this grant is \$350,000. The estimated total cost of this project is \$531,800, which would leave a balance of \$181,000. The County would not be paying this balance; the Sanitary District would be paying this amount. They are asking the Board to act promptly on this request.

Chairman Bacon commented that he had only found out about this application the day before. To accept this intergovernmental agreement it must be presented to the full Board. It was too late to include this request on this agenda. A special Board Meeting will be held June 3 at 6:00 p.m. to adopt this agreement. It should be a quick Meeting and only last 10-15 minutes. He reiterated that this agreement will not cost the County any money.

Member Stewart questioned the location of this project.

Mr. Davis responded that the area is between Academy and Seminary Streets. This interceptor actually is located beneath Cedar Creek. This project should reduce the amount of storm water that flows into the sanitary sewers.

Motion was made by Member Mannhardt and seconded by Member Occhi to approve the following items of the consent agenda: 1) minutes of the Regular and Closed Board Meeting on April 29, 2009, 2) claims by Members for per diem and mileage for the Meeting of May 27, 2009 and other claims for per diem from meetings, and 3) sales tax and various taxes for the month of February 2009 in the amounts of \$79,838.88 and \$15,346.04 and public safety tax in the amount of \$67,733.23. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

Motion was made by Member Sandoval and seconded by Member Jefferson to approve the reappointments of W. Scott Smith and Daniel J. Genty to the Williamsfield Fire Protection District. These terms will expire in May 2012. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

Motion was made by Member Occhi and seconded by Member Stewart to approve the appointment of Vinton Pease to the Spoon Valley Lake Sanitary District. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

Committee Chairman Wayne Saline stated that he did not attend the Finance, Insurance, Treasurer, Judicial, and Clerk Committee meeting. He asked that Member Occhi present the Committee report. She stated that the reports are included in the packets.

Motion was made by Member Occhi and seconded by Member Sandoval to approve renewal in Prairie Hills Resource Conservation Development. Annual dues are in the amount of \$150.00. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

6:15 p.m. State's Attorney John Pepmeyer entered the room.

Motion was made by Member Occhi and seconded by Member Saline to approve the phone system maintenance agreement.

County Clerk Scott Erickson explained that as they were going through the process to clean up the phone billing system, they learned that the maintenance agreement has not been in place. It had been assumed to be in place and was not. The County has not been paying for this maintenance agreement and the phone company has not been happy. There is a copy of the proposed maintenance agreement in the packet. This involves the Nortel phone switch system which is in the Courthouse. This 5 year agreement will be in the amount of \$1,275.00 per month or \$15,300.00 per year.

Originally when this phone system was set up, it was agreed that the maintenance agreement would be negotiated after all the bugs were worked out of the system. Since this matter was not brought up, we assumed that everything was taken care of. The phone company wants us to approve this maintenance agreement. He has some concerns regarding the way that this agreement is written. This is a 5 year contract and he does not see an out clause for the County, only the phone company. However, if we choose not to go with a maintenance agreement, and there is a problem with the phone system that is something that Mr. Rowe cannot handle then we are looking at equipment problems and a large sum of money to replace parts and remedy the situation. We have received some preliminary training and are able to handle some basic work. This maintenance agreement would handle more complicated or extensive problems and would cover the higher ticket repairs. The phone system has been working OK; they are still working on some billing issues. In the next month or so they will be working on installing a battery backup system on the phone switch.

State's Attorney John Pepmeyer stated that this agreement does include an out clause for the County.

Member Stewart asked for a recommendation.

Mr. Erickson responded that it is a catch 22 situation.

Treasurer Robin Davis stated that it is better to be safe than sorry.

Member Mannhardt questioned what type of things would be covered.

Mr. Erickson responded that the maintenance agreement would cover such things as material or manufacturer's defect. It would not cover abuse or misuse of the phone system.

Member Stewart inquired if there are funds in the budget to cover this expenditure.

Chairman Bacon asked if we are getting any closer to getting the billing issues straightened out.

Mrs. Davis responded they are still working on the billing and there is a significant amount of savings each month. This amount would be budgeted for the maintenance agreement.

Member Mannhardt questioned how long it takes them to respond to service calls. How many hours would they be spending on repairs?

Mr. Erickson responded that when they receive the request for service they are really good in their response time. They consider us to be a major commercial account. We have one of the bigger phone systems in the area. They take real good care of us.

Member Foster inquired if we could find another vendor.

Mr. Erickson stated that is not possible as CenturyTel has a proprietary agreement with Nortel.

Chairman Bacon reminded Members that this phone service was bid out three years ago.

Roll call vote to approve the phone system maintenance agreement is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

Treasurer Robin Davis presented the preliminary county annual audit. This year it will be handled a little differently. This was discussed during the committee meeting. She asked all of the Board Members to review this information. There will be a formal presentation next month and Members will be allowed to ask their questions at that time. Financially it has been a little tougher this year but things are still solid.

The Building Committee report was presented by Committee Co-Chairman George Knapp. The report is in the packet. The committee discussed the alarm system at the annex and the downspouts at the courthouse. The committee decided to solicit bids for the installation of eave troughs on the courthouse. He is pleased to report that even though there have been recent heavy rains, there were no complaints of water in any of the courthouse offices.

The Sheriff, Jail, Courthouse, Animal Control, Mary Davis Home, and Annex Committee report was presented by Committee Chairman Rick Sandoval. The monthly reports and committee minutes are included in the packets.

Motion was made by Member Sandoval and seconded by Member Damm to approve the Mary Davis Home funding option to create a capital fund, funded by ten percent of the landfill's monthly gross receipts, to begin on July 1, 2009. This fund will be used for capital projects and budget shortfalls.

Member Saline presented options similarly as he presented them at the committee meeting. They have been working on alternative funding options for the Mary Davis Home since last December. The funding problem is in large part due to the State not providing timely or adequate reimbursement.

Rod Clair stated that currently the State owes the Mary Davis Home over \$300,000.

Member Saline reported that recently he has spoken about this funding problem with State Representative Don Moffitt who informed us that the County will not be

receiving that back pay from the State. Therefore, we must come up with an alternative funding option. If the Mary Davis home were to close, it would cost Knox County approximately \$1,000,000 per year to house our juveniles in other facilities. During the committee meeting three options were presented and the committee approved option 1. Information about each of these options is included in the packets.

Option 3 would involve forgiving the current debt to the landfill and using public safety funds to cover the cash flow shortage. Additionally there would be a resolution stating that the Mary Davis Home will abide by Finance committee personnel increases. This option includes the possibility that the State would increase funding but that is not going to happen.

Option 2 would involve borrowing \$2,500,000 in bond money but that option with the interest and fees would cost \$5,000,000 to repay. The courthouse will require more money. One way or another we are going to have to do something with the courthouse. We will have to borrow the money to do that, whether the decision is to remodel or rebuild.

Option 1 would be Member Saline's recommendation. It is also the recommendation from the committee. This option would create a separate capital fund. The plan would be to approve this tonight and then we would have a month to get the wording of this resolution exactly right. As this capital fund is established it would require a 2/3 majority vote to spend that money. These funds cannot be used for personnel. These funds can be used for certain operational needs or structural repairs.

Annually 10% of the gate receipts from the landfill would amount to approximately \$270,000. We would not be taking anything out of the cash reserves. This option would also involve repaying the previously borrowed amount from the landfill with funds from the public safety fund. This would be a one time thing. Additionally this option would include a resolution that personnel from the Mary Davis Home would abide by the Finance Committee's personnel increases. Judge Mathers has advised that we can "strongly suggest" that they abide by these recommendations. Other counties use landfill funds to help support themselves.

If the County averages just 10 juvenile clients each month that would need to be housed in another facility it would cost approximately \$1,000,000 annually. This option is the most palatable solution that they can come up with. When these options were presented to the Mary Davis Home committee, this is the option that the committee recommended.

Member Stewart asked how much money the County saves each month by having our own facility. He estimates that we would be spending at least \$25,000 each month if we did not have the Mary Davis Home.

Mr. Clear added that the Sheriff and the deputies transport our juveniles.

Member Saline commented that if we did not have the Mary Davis Home, funds would have to be spent to renovate the jail as there must be separate quarters to house the juveniles. There would be ungodly costs involved if we did not have the Mary Davis Home. Some of these costs are not seen on the surface.

Member Stewart inquired if there is any way that we can get the money that the State owes for the Mary Davis Home.

Chairman Bacon reported that in the last four or five years that State has been short four or five months each of those years. They have not lived up to their obligations. We have to figure out other funding options.

Member Stewart commented about the possibility as the State works on the new budget that funds might be reinstated for the Mary Davis Home.

Member Saline stated that if that happens then we can suspend the collection from the landfill.

Member Stewart expressed his concerns that this was not discussed in the landfill committee meeting.

Member Saline stated that we have been using landfill money for months. He made this presentation at the Mary Davis Home committee meeting. They have been talking about alternative funding sources since December. This matter has been discussed in the finance committee as well.

Member Stewart inquired about using referendum funds.

Mr. Clear stated that these funds can only be used for improvement projects.

Member Saline stated that we can borrow funds on a short term basis but they must be repaid.

Member Stewart asked about using public safety funds. He is not opposed to the recommended option but asking about alternatives.

Member Saline responded that if this is approved then next month they would be approving the actual resolution to collect revenue to take care of the financial obligation.

Member Stewart inquired about repaying the previous amount of \$450,000 borrowed from the landfill.

Chairman Bacon responded that we cannot forgive that loan. We borrowed that money in good faith and it must be paid back.

Member Saline stated that this option needs to be approved and then the actual resolution can be approved next month.

Roll call vote to approve the Mary Davis Home funding option to create a capital fund, funded by ten percent of the landfill's monthly gross receipts, to begin on July 1, 2009 is recorded as follows: Ayes—Bacon, Foster, Jefferson, Damm, Stewart, Sandoval, Abel, Occhi, Saline, and Serven—(10). Noes—Mannhardt, Knapp, and Johnson—(3). Motion carried.

Motion was made by Member Sandoval and seconded by Member Serven to approve the rate increase from \$110 to \$115 for per diem fees at the Mary Davis Home effective December 1, 2009. Member Sandoval explained that Mr. Clear had discussed this matter with the committee. The following year the rate would increase from \$115 to \$120. This rate would still be comparable to similar area facilities. It is expected that this increase will generate \$35,000 - \$40,000 in revenue the first year and double that amount the following year. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

Motion was made by Member Sandoval and seconded by Member Jefferson to approve an increase from a 32 hour work week to a 40 hour work week for the animal control officer beginning in December 2009. This increase in work hours would be

included in the 2010 budget. Roll call vote to approve an increase from a 32 hour work week to a 40 hour work week for the animal control officer is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

The Highway, Assessor, Zoning, GIS, and Recorder Committee report was presented by Committee Chairman George Knapp. Reports are included in the packets.

Motion was made by Member Knapp and seconded by Member Sandoval to approve the reappointment of Lyle Johnson to the Board of Review. This would be a two year term. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Abel, Occhi, Saline, and Serven—(12). Noes—(0). Pass—Johnson—(1). Motion carried.

Motion was made by Member Knapp and seconded by Member Damm to approve the letter of support for the I-74 off ramp project. This interchange would be located at County Highway 18 and mile marker 56 near the east County line.

During the committee meeting Roger Newell, Supervisor of Elba Township, presented this request. This letter of support is a key ingredient to get consideration for approval from the Federal Highway Administration to construct the proposed interchange. Without this letter of support this request will not even be considered. A study would also need to be done. The entire process could take several years.

Chairman Bacon asked Mr. Ratermann for clarification of what would be involved with the letter of support and specifically how much money would be involved with this support letter.

Mr. Ratermann responded that there would be no budget impact for the County with this support letter. Mr. Newell is saying that once this is approved that State and Federal funds would take over. Mr. Ratermann has been told that there are economic stimulus funds available.

Chairman Bacon stated that he had discussed this with Sheriff Clague who stated that this project would aid in response times to emergencies. This is a 20 mile stretch that does not an entrance/exit ramp to I-74.

Member Mannhardt questioned if this is the best location for such an entrance/exit ramp to the interstate. The way that this was presented in the committee meeting, Mr. Newell would want the County to pay half of the cost of this study.

Mr. Ratermann responded that there are several factors that determine where an interchange would be built. There are four options. He is not a traffic engineer and could not make a recommendation as to which option would be best.

Chairman Bacon stated that a study would help determine the best option.

Mr. Ratermann reminded Members that years ago there was a comprehensive plan that was a joint effort with Galesburg and Knox County. At that time County Highway 12 was listed as a possibility.

Member Abel questioned if it is necessary to do this right now. There is no guarantee for the funding for such a project.

Mr. Ratermann responded that after a study they could still say no.

Chairman Bacon stated that the cost of the study would be shared with some of the townships.

Mr. Ratermann reported that Mr. Newell had said that Elba Township would be willing to pay one half of this \$36,000 cost for this study.

Member Serven stated that during the committee meeting it was said that even if this is approved, it will be a long time down the road. If legislators do not jump on it, it is not going to happen.

Mr. Ratermann stated that it could be a ten year process.

Chairman Bacon asked Member Knapp for his opinion on this matter.

Member Knapp responded that he had mixed emotions about it. This location is only about three miles from the County line. Peoria County should be in on this as it would benefit them as well. It is very seldom that the federal government comes in and builds an interchange.

Mr. Ratermann commented that without the support of the legislature this will never happen.

Chairman Bacon expressed his opinion that he is in favor of this because it would aid the Sheriff's department and ambulance service. This a 20 mile stretch with nowhere to get off or on.

Member Abel stated that considering completion could be several years down the road, there are too many unknowns with this project.

Roll call vote to approve the letter of support for the I-74 off ramp project is recorded as follows: Ayes—Foster, Damm, Knapp, Sandoval, Johnson, Occhi, Saline, and Serven—(8). Noes—Bacon, Mannhardt, Jefferson, and Abel—(4). Pass—Stewart—(1). Motion carried.

Motion was made by Member Knapp and seconded by Member Stewart to approve the low bid submitted for Birkey's Construction at a net cost of \$67,788.00 for a Case 821E end loader for the Highway Department. Member Knapp explained the specifications have been changed compared to the original bid.

Mr. Ratermann stated that this will be a heavier more powerful machine and in the long run it will more cost effective. This purchase has been included in the budget. The purchase price is based on state bids pricing. This is his recommendation to purchase this end loader with the standard warranty. Although there is an extended maintenance agreement, he recommends that we do not purchase that. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

Motion was made by Member Mannhardt and seconded by Member Sandoval to approve to bid and bring back for two snow plows for the Highway Department. Two of the snow plows that they currently use are over 10 years old and in need of replacement. Mr. Ratermann stated that one snow plow would be kept on hand and the other one would be scrapped. The estimated cost is \$9,000 for each snow plow. Voice vote is recorded as follows: Ayes—(13). Noes—(0). Motion carried.

The Landfill and Nursing Home Committee report was presented by Committee Chairman Lyle Johnson. The committee minutes and reports are included in the packets.

Motion was made by Member Johnson and seconded by Member Mannhardt to approve the contract with Western Illinois Area Agency on Aging for Respite Care. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

Motion was made by Member Johnson and seconded by Member Knapp to approve the bid for a NuStep Exercise unit for the nursing home in the amount of \$7,057.00 to be funded through the tax referendum. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

Motion was made by Member Occhi and seconded by Member Stewart to approve the opening of the budget for line item adjustments. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

Motion was made by Member Occhi and seconded by Member Serven to approve specific line item adjustments in the budget. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). 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 April 30 through May 27, 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.)

Member Stewart commented that he was pleased that the Child Advocacy Center had corrected their format and now there is adequate information. He will therefore vote for approval of the bills. Roll call vote is recorded as follows: Ayes—Bacon, Foster, Mannhardt, Jefferson, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(13). Noes—(0). Motion carried.

## STATEMENTS OF GENERAL CONCERN

Chairman Bacon and Member Foster had no comments at this time.

Member Mannhardt commented in reference to the electronic version of the Board packets. There is still room to improve those documents that are printed on the side. You cannot read them that way.

Member Jefferson and Member Damm had no comments at this time.

Member Stewart echoed Member Mannhardt's comments about the Board packets. It is hard to read those pages. He would still prefer the paper version. Even still there should be the correct orientation.

Member Knapp, Member Sandoval, Member Johnson, and Member Abel had no comments at this time.

Member Occhi commented in reference to Member Mannhardt and Member Stewart's comments about the page orientation. There is a little button in the software that will turn the page to the correct orientation.

Member Saline and Member Serven had no comments at this time.

The next regular Meeting will be held on Wednesday, June 24, 2009, 6:00 p.m., at the Knox County Courthouse, Galesburg, Illinois.

Chairman Bacon reminded Members that a special Meeting will be held Wednesday, June 3 at 6:00 p.m.

Motion was made by Member Sandoval and seconded by Member Abel to adjourn until the next scheduled meeting of the County Board. Voice vote is recorded as follows: Ayes—(13). Noes—(0). Motion carried. Meeting adjourned at 7:20 p.m.