

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

April 29, 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 April 29, 2009 at 6:20 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, 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. Rev. Dave Scholl of Galesburg delivered the invocation.

Chairman Bacon asked for additions to the agenda. He asked for an addition to the agenda at item 7 to include the name of Tim Carlson to be appointed to the Oneida-Wataga Fire Protection District.

Chairman Bacon asked for public comment. He asked that those addressing the Board keep their comments brief.

Father John Verrier, Pastor of the St. James Church in Williamsfield and representative of the diocese of Peoria, addressed the Board stating the church's opposition to the rezoning request if the purpose is to erect a grain bin. He wants to go on the official record that the Catholic Church opposes this rezoning request if that is the purpose of the land use. He presented information to the Board Members.

Michael Gray, village president of Williamsfield, addressed the Board in reference to this same topic. He asked that this matter including the variance request be tabled. The village needs time to work out the arrangements with the elevator company.

Judy Johnson addressed the Board in reference to Worker's Memorial Day usually observed April 28. She read aloud her prepared remarks to ask that citizens remember those who have been injured or have died as the result of work related injuries.

Randy Lynch, representative of AFSCME Local #31, spoke in favor of the resolution of support for the bariatric unit in the nursing home. Currently they have the lowest census that they have had for five years. This proposed unit will give the Knox County Nursing Home a lot of positive public attention. There is not another certified bariatric unit in this area. This unit would increase the census at the nursing home. It is estimated that annual revenue would increase by \$200,000. This specialized wing would employ approximately 20 people. There has been a lot of support throughout the State and within the City of Galesburg. Representative Phil Hare has worked very hard to try to help secure funding for this project.

Ben DeRose addressed the Board in reference to the zoning change request in Williamsfield. He presented a copy of the letter that was sent to surrounding property owners notifying them of the hearing held for this request. Unfortunately the letter included a wrong parcel number and wrong address. Therefore, people did not attend this hearing because the listed address is already zoned commercial. He displayed a large map of the village of Williamsfield. There are 25 homes located within 400 ft of this property. Some of these residents were not notified of this hearing. This grain bin will be 104 ft tall. Only one structure in Galesburg would be taller. This would be even taller than Galesburg's water tower. There are residents who would have liked to have received notification of this hearing and did not receive it. They are not happy at all.

Motion was made by Member Occhi and seconded by Member Jefferson to approve the following items of the consent agenda: 1)minutes of the Regular and Closed Board Meeting held on March 25, 2009, 2)claims by Members for per diem and mileage for the Meeting of April 29, 2009 and other claims for per diem from meetings, 3) sales tax and various taxes for the month of January 2009 in the amounts of \$81,973.18 and \$21,094.68 and public safety tax in the amount of \$70,415.30. 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 Damm and seconded by Member Sandoval to approve the proclamation of May as Motorcycle Awareness Month in Knox County. Chairman Bacon read aloud this proclamation and it was presented to a representative from A.B.A.T.E. 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 Sandoval to approve the union contract for the nursing home. A copy of this contract is included in the Board packet. 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 Stewart and seconded by Member Foster to approve the appointment of Norma Coleman to the Knox County Housing Authority Board. This term will expire in May 2014. 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 Knapp and seconded by Member Serven to approve the appointment of Eli W. Calkins, Tim C. Carlson, and Ray Tucker to the Oneida-Wataga Fire Protection District. Mr. Calkins' and Mr. Carlson's terms will expire in 2012. Mr. Tucker will be completing an unexpired term until 2010. 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 Damm to approve the reappointment of Gerald Severns to the Abingdon Fire Protection District. This term will expire in 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 Mannhardt and seconded by Member Jefferson to approve the reappointment of William Shenaut to the Knoxville Fire Protection 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.

The Finance, Insurance, Treasurer, Judicial, and Clerk Committee report was presented by Committee Chairman Wayne Saline. Reports are included in the packets. Revenues have been a little low but expenses have been low too. We are holding our own.

Motion was made by Member Saline and seconded by Member Mannhardt to approve to bid and buy for 14 computer work stations for the County Clerk's and the County Treasurer's Offices. Bid specifications are included in the Board packets. County Clerk Scott Erickson explained that the software that the County uses for real estate taxes is due for an expansion upgrade to the program. Part of that program expansion involves the changing of the resolution on the computer screens. That means that we will have to buy bigger computer monitors to handle this information and make it visible to the user. Currently the computers that this software runs on are averaging at least five years old. It will be more cost effective to update the computer systems and monitors as well.

Previously there has been discussion about lumping some of these computer purchases together to try to reduce the cost. Therefore, they are looking at grouping together these computers in the County Clerk's Office and the Treasurer's Office. That will allow us to run the new software programs, make a more efficient work space for our employees, and prepare us for improvements in the future. The reason that this is a bid and buy is that we need to get this program in place before the redemption process begins on the taxes. When collections start coming in we need to get these things in fairly quickly.

Member Stewart inquired about the cost.

Mr. Erickson responded that the cost for the computer, software, and monitors would be approximately \$1,200 - \$1,300 per unit. Not all of the computers will require that software. Buying these units in bulk should diminish the total cost. This will be funded through the equipment replacement line item from each office. Roll call vote to approve to bid and buy for 14 computer work stations for the County Clerk's and the County Treasurer's Office 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 Saline and seconded by Member Occhi to approve the resolution for Mary Davis Home funding. Member Saline explained that the Mary Davis Home is way behind in receiving funding from the State of Illinois. This resolution would allow a one time transfer of funds from the Public Safety Fund. The Mary Davis Home needs funds to pay the Board bills for this month and next month. Additionally they need funds to cover payroll for the three pay periods in May. These funds shall be paid back no later than November 30, 2009. If a check from the State is received, that would diminish that amount of money that would need to be borrowed. The finance committee is investigating a better long term solution for funding for the Mary Davis Home. In the next month or two, the finance committee plans to make a full presentation to the Board about a possible solution. It is a continual problem to depend on funding from the State. This resolution is intended to get us through for now. These funds will be paid back to the Public Safety Fund.

Rod Clear reported that he had not received any reimbursement from the State since March. They still owe for July, August, and September of 2008.

Member Saline stated that the State is typically six months behind. Others are experiencing similar problems. We have got to find a better solution.

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.

Member Saline presented an update on the County electric purchase. The company that we bid with and that the Board approved to purchase the electricity from did not want or accept our bid. Therefore, we consulted another company and rebid it with them. It turns out to be an even better deal. It looks like the savings will be more than originally anticipated. Instead of saving \$130,000 over two years, we will be saving over \$200,000 during the same time period. There are signed copies of this bid.

Motion was made by Member Occhi and seconded by Member Johnson to approve the employment contract with Gary Tomlin for the position of Development and Communications Coordinator. This contract will expire in November 2009.

Member Stewart stated that he is on the record for supporting the hiring of a County Administrator. He is concerned that in approving this motion they are trying to put parts of the County Administrator position together. The best solution would be to hire a County Administrator who could not only accomplish these tasks that are outlined in this job description but also would have more comprehensive and expansive functions. He is not in favor of this position. He has nothing personally against Mr. Tomlin, but would prefer a County Administrator perform these duties and other tasks.

Roll call vote is recorded as follows: Ayes—Bacon, Mannhardt, Jefferson, Damm, Johnson, Occhi, Saline, and Serven—(8). Noes—Foster, Stewart, Knapp, Sandoval, and Abel—(5). Motion carried.

Motion was made by Member Saline and seconded by Member Abel to approve the policy on essential function testing. Member Saline explained these five items are policy changes that need to be adopted for Workman's Compensation. There will be no discussion of these policies. Department heads and elected officials will be distributing this information. 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 the policy of modified return to work. The purpose of establishing a modified duty policy is to provide temporary duty for employees who are temporarily disabled as a result of a work related injury or illness and cannot be assigned to regular duty but maintains the ability to perform another form of productive duty. 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 policy on employee incident/accident reporting. 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 Occhi to approve the policy on authorized drivers and motor vehicles check. The purpose of this policy is to ensure the safety of those individuals who drive county vehicles or personal vehicles on county business and their passengers. 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 Damm to approve a policy on post accident testing. The policy would allow testing for drugs and/or alcohol after an accident. 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.

Member Saline added that these policy changes were recommended by the insurance carrier. Now there will be a uniform written policy in place.

Motion was made by Member Mannhardt and seconded by Member Serven to approve a Workman's Compensation settlement with Wesley Fields in the amount of \$24,363.68. 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.

There was no report from the Building Committee.

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 purchase of 25 XDPM tasers for the Sheriff's Department from Ray O'Herron Co from Danville for the total price of \$21,497.50 to be funded through the Public Safety Tax. Member Sandoval explained that these tasers will help our deputies. There will be in house training. 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.

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 Johnson to approve the recommendation from the Zoning Board of Appeals on Case # ZA—0109 which requests a zoning district change from "R" rural residential zoning district to "M" restricted industrial zoning district. Ag-land, 117S.Oak Street, Williamsfield is making this request. The Zoning Board of Appeals unanimously approved this recommendation.

Member Knapp reported that this request involves three lots. There was a separate hearing regarding their request for a setback variance for a grain bin. The Zoning Board of Appeals tabled that request.

Member Stewart commented that Board Members had been provided maps. He was not able to personally visit this site. He asked for clarification on the orientation of the map.

Ben DeRose, Chairman of the Zoning Board of Appeals, was given permission to address the Board. He pointed out the location of the church and the proposed grain bin.

Member Stewart voiced his concerns about rezoning this property. He always feels that there should be a buffer in place between commercial and residential properties. He will be voting against this motion. He is in favor of maintaining a residential buffer.

Mr. DeRose explained that current zoning ordinances provide for a buffer between commercial and residential properties.

Chairman Bacon commented that the buffer area should be 20 ft.

Roll call vote to approve the recommendation from the Zoning Board of Appeals on Case # ZA—0109 which approves this property to be rezoned as a restricted industrial district is recorded as follows: Ayes—Bacon, Foster, Damm, Knapp, Johnson, Occhi, Saline, and Serven—(8). Noes—Mannhardt, Jefferson, Stewart, Sandoval, and Abel—(5). Motion carried.

Motion was made by Member Knapp and seconded by Member Stewart to approve the purchase of two sets of building and electrical code books. This would begin the process of establishing building codes in the County. In May, the County Board would adopt the Building and Electrical Codes. During the month of June, the codes would be on display for the public to view. One set would be for the Zoning Office, and one set would be for public view in the County Clerk's Office. Then after the 30 day display time, the County Board would make a final adoption of the codes. The total cost for these books would be \$1,152.40. These codes would be effective January 1, 2010.

Roll call vote is recorded as follows: Ayes—Bacon, Foster, Damm, Stewart, Knapp, Sandoval, Johnson, Abel, Occhi, Saline, and Serven—(11). Noes—Mannhardt and Jefferson—(2). Motion carried.

Motion was made by Member Knapp and seconded by Member Stewart to approve a discount of fees of recurring GIS data purchases. This would give companies the incentive to update data every year. The GIS department is asking for a flat fee of \$1,500 rather than the complete data fee of \$2,500. 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.

Member Knapp commented that the Department of Revenue has again issued Knox County a multiplier of "1". Chris Gray is to receive the final paperwork April 30.

Chairman Bacon expressed his appreciation to the Assessor's Office, the Clerk's Office, and the Treasurer's Office that the tax bills are going out on time.

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 resolution of support for the bariatric innovative care grant for the Knox County Nursing Home.

Member Jefferson questioned if the Board Members had really taken a good look at this.

Member Johnson stated that this is an application for a grant. The committee would like the Board's support for this application. This 8 bed unit would be for very heavy patients.

Marianne Wiesen explained that this unit would be for those residents over 450 pounds or more. Ambulance services are also applying for grants to transport bariatric patients. Funds from this grant would be used for overhead lift devices which would aid when residents are moved. These lifts can support up to 1,000 pounds. Having the right equipment and the right training would eliminate Workman's Compensation claims. This

separate grant for \$700,000 would come from economic stimulus funds. She has spent five and a half months working on these grants. Today people are getting larger as 20% of the population is severely obese. There is a definite need for bariatric services. This wing would fill up immediately. This grant would be used for appropriate equipment to insure the safety of the residents and the staff.

Member Abel asked about the possibility of exposure to lawsuits.

Ms. Wiesen responded that the right equipment, the right education, and doing things the right way every day diminish the probability of lawsuits.

Member Abel questioned if the nursing home can refuse care.

Ms. Wiesen responded that as a county nursing home they are held to a higher standard. It is the County's mission to accommodate those with no place else to go. However, they do not take felons, sex offenders, or drug abusers.

By voice vote this motion to approve the resolution of support for the bariatric innovative care grant for the Knox County Nursing Home carried.

Motion was made by Member Johnson and seconded by Member Abel to approve the statement of support for the health information exchange program. Marianne Wiesen explained that the State is purposing to spend three billion dollars to develop an electronic medical records database. Knox County would be part of the Peoria region. They are asking for letters of support. She has been attending some of these meetings. Voice vote is recorded as follows: Ayes—(13). Noes—(0). Motion carried.

Motion was made by Member Johnson and seconded by Member Abel to bid and bring back for a NuStep exercise unit for the therapy department at the Nursing Home to be funded through the tax referendum account. Ms. Wiesen stated that the estimated cost is \$5,200.00. Voice vote is recorded as follows: Ayes—(13). Noes—(0). Motion carried.

Motion was made by Member Johnson and seconded by Member Mannhardt to approve a three year contract with Big River Resources for the landfill. Member Abel stated that this is a good program and the Board should approve this contract.

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 Mannhardt 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 Johnson and seconded by Member Occhi 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 Damm to approve the claims against Knox County, Illinois, for the period of March 26 through April 29,

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 the summary sheet from Child Advocacy still does not contain the necessary budgetary information.

Treasurer Robin Davis stated that she would meet with them and remind them that this information needs to be included.

Member Stewart responded that in that case he would vote to approve paying 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 announced that he had received a letter of commendation from the Transplant Foundation of Illinois recognizing County Coroner Mark Thomas and his assistance in recommending tissue donation. Chairman Bacon read aloud this letter and congratulated Mr. Thomas for receiving this recognition.

Chairman Bacon also commented about the zoning request in Williamsfield and the church. He met with a lot of the people involved. He was not able to attend the hearing but did attend the committee meeting. It is his opinion that this is something that needs to be worked out between those parties that are involved. Lines of communication have to be opened. Neighbors have to talk to neighbors. When neighbors cannot talk to neighbors that is when we get involved.

Member Foster and Member Mannhardt had no comments at this time.

Member Jefferson also commented about the zoning request in Williamsfield. He is not upset with the Zoning Board of Appeals or the Zoning Office. Chris Gray and her staff did a lot of legwork. The zoning committee also spent a lot of time on this. He took a hard look at this. His vote reflects his objection with the grain bin itself being located that close to homes and especially the church there in Williamsfield. He did go out and visit the site. He would not like that in his back yard either. This is in his district. If this issue comes back before the Board, he will not be voting in favor of it.

Member Damm had no comments at this time.

Member Stewart recognized the efforts of Jerry Reynolds for negotiating the contract with Big River Resources. He did a good job.

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

Member Abel commented that he agrees with Member Jefferson and his comments about the zoning issue.

Member Occhi commented that she had prepared copies of information gathered from recent IACO and United Counties Council of Illinois conferences. There is a lot of good information.

Member Saline thanked Chris Gray, Robin Davis, and Scott Erickson that the tax bills are getting out on time. The computer program for the Board packets is improving. Still he would like to see a page number and a back button. As you study the Board packet, there needs to be a simpler way to return to where you were.

Member Serven also commented about the zoning issue. He feels that the rezoning request is a totally separate issue from the grain bin. The Zoning Board of Appeals thoroughly studied this case and did a good job. The committee took all the right steps. That does not mean that he would support building a grain bin at that location. However, that is a separate issue that will be handled later. If it is something that is not going to work, then at that time it will be voted down. The Zoning Board of Appeals did their job. He feels that it is his duty to support what they did.

The next regular Meeting will be held on Wednesday, May 27, 2009, 6:00 p.m., at the Knox County Courthouse, Galesburg, Illinois.

Motion was made by Member Stewart and seconded by Member Occhi to adjourn. Voice vote is recorded as follows: Ayes—(13). Noes—(0). Motion carried. Meeting adjourned at 7:26 p.m.