

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

April 27, 2011

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 Wednesday, April 27, 2011 at 6:05 p.m.

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

District 1	Lyle Johnson
District 2	Greg “Chops” Bacon
District 3	Barbara Foster
District 4	George Knapp
District 5	Jeff Jefferson
District 1	Allen Pickrel
District 2	Paul Stewart
District 3	Pamela Davidson
District 5	Ricardo “Rick” Sandoval
District 1	Cheryl Nache
District 2	William Abel
District 3	Tim Hasten
District 4	Shawn Pitman
District 5	David Serven

Those absent: District 4 Wayne Saline

Also present were Sheriff Dave Clague, State’s Attorney John Pepmeyer, County 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 delivered the invocation.

Chairman Bacon asked for public comments. Mary Anne Schwartz addressed the Board in reference to health and safety issues at the courthouse. She works in the Probation Department and has been working in the courthouse since 1984. She has developed serious health issues and has kept a file of pertinent information. Included in this file is a copy of a letter dating back to 1991 which addresses the radon issues in the basement, where she worked for several years. There have been recent stories in the local newspaper about the radon, mold, and asbestos issues in the courthouse. However, these health issues have been going on for over 20 years and affecting courthouse employees as

well as courthouse patrons. These courthouse employees are the only ones with a vested interest as they are the ones who are in this building on a daily basis. These are the ones who are putting their lives and their careers on the line. Although the courthouse is a pretty old building, it is not a healthy building. Several years ago there was a study done, and the County was investigating the possibility of purchasing the City Hall. Other possibilities have also been considered. Historically this entire situation has been going on far too long, for over 20 years. Something needs to be done.

Nikki Gulick-Stanaland, the office manager of the State's Attorney's Office, also addressed the Board in reference to the health safety issues at the courthouse. She has not worked in the courthouse as long as Ms. Schwartz but has worked in the building long enough to have experience with mold and mildew problems in the State's Attorney's Office. This whole issue has not been addressed. One day during her first year of employment in that office she and her co-workers developed severe headaches and worked with the windows open to try to air out the office. It had rained all weekend. Within an hour everyone in that office had a severe headache. These are dedicated workers who toughed it out and remained on the job. During that time there was also a pregnant woman working in that office. This was reported to maintenance and their solution was that the office utilize a dehumidifier. She did ask for mold testing, which was never done. Approximately 6-9 months later that wall was patched, but not by a certified worker. It was not properly repaired and the mold, mildew problem was not remedied. Within one month of the patch job, the mold returned. At various times bleach was sprayed onto the mold to try to keep it at bay. However, the mold kept returning. By this time she was also pregnant. Her desk is immediately under the worst part of this wall, which is continuing to crumble. Still today there often is crumbling plaster all over the floor. Routinely desks and office equipment have to be kept covered during non-working hours. Every two or three days they try to clean it up. There are a total of six offices in this area that continue to have issues with water damage and mold. Debris continues to fall from the ceiling. There are reasons to link some employees' health issues to the mold and mildew problems of these offices. These health issues affect all of the 80 employees who work at the courthouse. The Board needs to make a decision to do something about this problem. We should not have to quit our jobs. Think of the employees first.

Pete Caruso also addressed the courthouse problems. He has been a resident of Knox County since 1973. He has noticed that people who have lived in Knox County their whole lives do not properly appreciate their historic old buildings such as the courthouse. The craftsmanship exhibited in the construction of the courthouse could not be duplicated today. There are problems that do need to be solved to make this building what it should be; however, it should be preserved.

Dick Allen, former Chairman of the Knox County Board, also addressed the Board about the courthouse. The building committees have looked at this for a long time and kept putting off any decision because they did not have the money. This old building has needed to be fixed up for a long time. Whatever it takes to fix it, it should be done. But do not tear it down.

Jim Jacobs also addressed the Board about the courthouse. He has been a resident of the County since 1946. The health of the county workers should come first. He appreciates the comments from the two courthouse employees. These matters should have been addressed a long time ago. You would never get a new building as sound as

this building might be. This is a sound structure that has been here for well over 100 years. He agrees with Mr. Allen that this building should be renovated but the historical integrity should be maintained. It should be a safe place for the employees. There are ways to deal with the radon gas issue. Asbestos can be removed. The mold can also be done away with.

Debbie Sudlow, of the Galesburg Historical Society, also addressed the Board in reference to the courthouse. She voiced her support of saving the courthouse as it is an historic structure, designed by a renowned architect.

Shawn Mason, of Knoxville, also addressed the Board in reference to the courthouse. Very few communities have their historic structures intact. That can be translated into sales tax and property tax dollars. This building is an historic cornerstone. We do have a resource here. Yet, employees should be given a safe work place. We do not need a band aid anymore. As an example he reported on the progress of the Knoxville Historical Museum, which is a new building. Within a year and half after opening, it was discovered that this building had a problem with mold and radon in the basement. These problems are not limited to old buildings but do often occur in basements. The problems in the museum have since been remediated. Somehow during the previous building committee meeting, the renovation project for the courthouse was halted. We need to address these health issues and preserve this valuable old building.

Chairman Bacon asked for additions or deletions to the agenda. Member Serven asked that agenda item # 10, approve decision on a trustee for the London Mills Fire Protection District, be removed from this agenda.

Motion was made by Member Johnson and seconded by Member Davidson to approve the following items of the consent agenda: 1) minutes of the Regular and Closed Board Meeting on March 23, 2011, 2) claims by Members for per diem and mileage for the Meeting of April 27, 2011 and other claims for per diem from meetings, and 3) sales tax and various taxes for the month of January 2011 in the amounts of \$83,903.74 and \$16,402.91 and public safety tax in the amount of \$72,782.73. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Chairman Bacon read aloud the proclamation on Motorcycle Awareness Month to be observed in Knox County during the month of May. This has been observed for the past few years. Representatives from Central Illinois A.B.A.T.E. were recognized and presented a copy of this proclamation.

Motion was made by Member Knapp and seconded by Member Davidson to approve the reappointment of Sam McKie to the Oneida-Wataga Fire Protection District. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Motion was made by Member Jefferson and seconded by Member Pitman to approve the reappointment of Roger L. Fitchpatrick to the Williamsfield Fire Protection

District. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Motion was made by Member Knapp and seconded by Member Johnson to approve the reappointment of Harold Ziehr to the Wataga Sanitary District. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Motion was made by Member Jefferson and seconded by Member Hasten to approve the reappointment of Charles A. Cooley II to the Spoon Lake Sanitary District. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Motion was made by Member Pitman and seconded by Member Davidson to approve the appointment of Edward Gullstrand to the Rio Fire Protection District. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Chairman Bacon announced the following appointments to the Ad Hoc Redistricting Committee: Member Pickrel and Member Sandoval who served 10 years ago. Additionally he named Member Jefferson and Member Johnson as well as himself who will serve as chairman of this committee. Legally this is something that must be done every 10 years because of the census. Motion was made by Member Hasten and seconded by Member Serven to approve these appointments. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Motion was made by Member Pickrel and seconded by Member Johnson to approve the amendments to the Knox County Food Safety Ordinance. A copy of these amendments was included in the packets. Member Pickrel reported that among other things some of these changes affect the price structure for health inspections. Restaurants and even the ball parks are comfortable with these changes. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

There was no report from the Ad Hoc Committee on Personnel.

The Finance, Insurance, Treasurer, Judicial, and Clerk Committee report was presented by Committee Vice Chairman William Abel. Copies of the monthly reports are included in the packets. Copies of the committee minutes had been provided to the Members.

Motion was made by Member Abel and seconded by Member Stewart to table the bid for the county electrical provider. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Motion was made by Member Abel and seconded by Member Sandoval to approve the specialty crop grant commission in the amount of \$2,500 to Gary Tomlin. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(13). Noes—Pickrel—(1). Motion carried.

The Building Committee report was presented by Building Committee Co-Chairman George Knapp. The committee minutes and the monthly report are included in the packets.

Motion was made by Member Knapp and seconded by Member Abel to continue the courthouse rehabilitation project as previously scheduled. Member Stewart stated that this has been a long process. He is sensitive to the employees' concerns. All along it was the intent during the renovation project to remediate all of those elements. To now get upset over this derails the progress that has been made. We all agreed that this is the path to take. The Board investigated all three options and decided that this plan to renovate the courthouse is the least expensive. Already the County has paid approximately \$400,000 on these preliminary plans. Now to abandon this plan seems to be ill advised.

Member Abel recommended that corrective action be taken as soon as possible. Safety for employees might be best arranged by moving affected employees to a different facility as soon as possible.

Member Pickrel stated that this measure would pass during this Meeting. However, cosmetic issues should, as the sidewalk should, be put aside. There is only \$2,500,000 left of these bond funds. The building committee should give priority to addressing the mold, asbestos and radon issues for the employees. He mentioned the letter from Durrant as they have been managing this project. It is Durrant's recommendation that corrective action should be taken as soon as possible and the building's occupants be relocated to another facility. It should also be noted that since Johnson Building Systems has resigned, this project will have to be rebid and started over.

Member Pitman reported that when the building committee voted on this the previous week, he was not comfortable with the life safety issues for the courthouse employees. He is concerned that the \$2,500,000 remaining will not cover these life safety issues. If there is not enough money to address these issues, then there will be a courthouse that is all torn up. He is not against spending money for the courthouse, but does want these repairs to be done properly. We should take care of the employees. Further, he has concerns that these mold tests were done in the later part of the winter. That is when the mold levels should be at the lowest level. If these levels were this high then, it can only be worse in the summer when the humidity levels are higher at levels of 80-90%. He knows from personal experience how mold affects him and does not want

courthouse employees to be exposed to mold. The problem should be properly addressed. We should not let the employees down.

Member Sanodval agreed with Member Pitman and Member Pickrel. The building committee has done well. Although initially one area of concern was space, it is now far more important that these health safety issues be addressed. This building is only stone and mortar. We must worry about our people as they are our asset.

Member Davidson stated that definitely the primary concern should be for the safety of the employees and the patrons of the courthouse. However, for over 20 years this employee reported that health and safety issues have been pushed aside. This is not a new problem. Member Davidson did not become part of this Board to push problems away. We need to get these issues immediately taken care of. The Board should not stop the courthouse renovation project in midstream.

Member Hasten spoke of the recent building committee meeting. During that meeting the committee members were not as informed as they now are. He has since spoken to a representative from Johnson Building Systems and now he feels comfortable with their plans to remedy these health safety issues. Even though the Board must start over, we should do so as soon as possible. The committee and the Board should be kept informed.

Member Pitman commented that the Board will be voting on this. He emphasized that life safety issues must come first, not cosmetic issues.

Member Pickrel suggested that new specifications be included in the rebidding process. The building committee should bring these specifications back to the full Board. He is still hoping that the interior of the courthouse could become a safe working environment.

Member Johnson explained that in order to solve some of the interior problems of the courthouse, some outside work will have to be done to seal it up. Outside work is not just cosmetic.

Member Stewart stated that he would reiterate that it was every intention of the renovation project to take care of the mold, asbestos, and radon. The mold is the result of leakage. The renovation project was to include taking care of these issues. The Board should proceed with doing interior renovations including installing a better ventilation system. All of this is part of the renovation process.

Member Pickrel referred to the letter presented to the Board from Member Saline who was absent from this Meeting. Member Saline stated that the Board should be advised that as this renovation work progresses, affected offices will only be working 2-4 hours per day. The remaining time would be utilized to cover and uncover work space and materials. Additionally there are concerns about this courtroom being closed. June 20 is currently the scheduled date for a huge murder case. Of course, the Board may not even have the bids back by that date. If this courtroom is shut down, there is no other courtroom that has a holding cell to hold the criminal. That could result in additional security problems as this renovation project progresses. Perhaps by the time a new project manager is hired, the majority of this murder trial will be over. Still as the renovation project is going on, there will not be much work going on in some of these courthouse offices.

Member Jefferson stated that the Board has a responsibility not only to the County employees, but also to the County taxpayers to finally address this issue for once

and for all. We would all like a new courthouse if we could afford it but we cannot afford that. Therefore, we are going to try to fix this one up. We are going to have to live with it. We can fix this.

Chairman Bacon reported that the County did receive a \$250,000 grant from the State of Illinois to be used for hazardous materials. State Senator Dale Risinger helped the County secure this grant. The plan was to apply these funds to the mold, asbestos and radon abatement issues.

Member Stewart asked that the motion be repeated.

Member Knapp stated that the motion is to continue the rehabilitation project of the courthouse as originally scheduled.

Member Pickrel commented that the due to starting over and rebidding that the original schedule may have to be modified.

County Clerk Scott Erickson added that modifications to the schedule are still within the intent of this motion to continue the rehabilitation project of the courthouse.

Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Stewart, Davidson, Nache, Abel, Hasten, and Serven—(11). Noes—Pickrel, Sandoval, and Pitman—(3). Motion carried.

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.

The Highway, Assessor, Zoning, GIS, and Recorder Committee report was presented by Committee Chairman Jeff Jefferson. Monthly reports are included in the packets. Committee minutes were distributed to the Members.

The Landfill and Nursing Home Committee report was presented by Committee Chairman Lyle Johnson. Committee reports and committee minutes are been given to the Members.

Motion was made by Member Davidson and seconded by Member Pitman to approve change order #8 in the amount of \$1,294.00 for the nursing home project. This change order is for a required panic device for a door. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Member Johnson added that the committee meeting had been held at the nursing home. The committee did have an opportunity to tour the project at the nursing home, which is nearing completion. Committee members seem to be happy and proud of this project. Later there will be an open house.

Chairman Bacon encouraged Board Members to go out and visit the nursing home to see the progress of this project.

Motion was made by Member Stewart and seconded by Member Hasten to approve the opening of the budget for line item adjustments. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Motion was made by Member Johnson and seconded by Member Serven to approve specific line adjustments in the budget for the health department and self insurance fund. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

Motion was made by Member Davidson and seconded by Member Hasten to approve the claims against Knox County, Illinois, for the period of March 24, 2011 through April 27, 2011 (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 Hasten questioned paying the bill for Johnson Building Systems for work done at the Courthouse, suggesting that since they have resigned that perhaps all of the work billed had not been completed. Chairman Bacon agreed that there could be modifications to that bill. Member Davidson and Member Hasten agreed to amend the original motion to pay all of the bills with this modification for this bill from Johnson Building Systems. Roll call vote is recorded as follows: Ayes—Johnson, Bacon, Foster, Knapp, Jefferson, Pickrel, Stewart, Davidson, Sandoval, Nache, Abel, Hasten, Pitman, and Serven—(14). Noes—(0). Motion carried.

STATEMENTS OF GENERAL CONCERN

Member Johnson commented that he is very pleased that the Board has decided to go ahead with the courthouse renovation project. He looks forward to being part of this completion.

Chairman Bacon had no comments at this time.

Member Foster commented that she also is pleased that the Board approved the plans to continue the courthouse renovation project. She is concerned about the safety issues. That is why we need to continue on task.

Member Knapp thanked the Members for their votes to approve the continuation of the courthouse renovation project. This was the original intent all along. The building committee allocated \$50,000 for radon abatement just in case the first plan did not work. These matters will be taken care of.

Member Jefferson thanked those people who addressed the Board. The concern is to get these issues addressed.

Member Pickrel commented that his thoughts and prayers are with Member Saline.

Member Stewart also expressed his appreciation to the Board Members for their support to continue the courthouse renovation project.

Member Davidson commented that as a Board Member she does hear the concerns that had been voiced in this Meeting regarding the health safety issues of the courthouse. She is glad that the Board is moving forward to correct these issues.

Member Sandoval and Member Nache had no comments at this time.

Member Abel commented that the safety of the courthouse employees should be the top priority.

Member Hasten commented that he is glad that the Board is moving forward and that the safety factors have been clarified and will be taken care of in a timely manner. He would hope that everything would continue smoothly.

Member Pitman commented that as this renovation project is completed that he hopes that the employees are not disappointed. Additionally he hopes that the project does not run out of money leaving a courthouse that is torn up.

Member Serven had no comments at this time.

The next regular Meeting will be held on Wednesday, May 25, 2011, 6:00 p.m., at the Knox County Courthouse, Galesburg, Illinois.

Motion was made by Member Davidson and seconded by Member Stewart to adjourn. Voice vote is recorded as follows: Ayes—(14). Noes—(0). Motion carried. Meeting adjourned at 7:05 p.m.