

COUNTY OF BUREAU)
)
STATE OF ILLINOIS)
)
County Board)

July 8, 2014

The County Board met in the Court House in Princeton, Illinois, in said County of Bureau, in the State of Illinois, in the Board Room on July 8, 2014, which said notice is in the words and figures as follows:

NOTICE

Notice is hereby given that the members of the County Board of Bureau County, Illinois, will meet at the Court House in Princeton, Illinois, in Regular Session on Tuesday, July 8, 2014, at 6:30 PM and that all claims must be filed with the County Clerk on or before Friday, June 27, 2014.

Kamala S. Hieronymus
County Clerk

The meeting was called to order by Dale Anderson, Chairman of the Board. Members present: Albrecht, Ralph Anderson, Baracani, Dobrich, Donarski, Entwhistle, Feeney, Kohr, Lilley, Mangrich, Marini, Maynard, Piccato, Rabe, Rediger, Sondgeroth, Stetson, Thompson, Volker, Warren, Whited, and Dale Anderson. Absent: Bassetti, Giordano, McCook, and Ptasnik.

The Invocation was given by Mr. Rabe, followed by the Pledge of Allegiance to the flag of the United States.

There being no additions or corrections to the minutes from the June meeting, it was moved by Mr. Baracani, seconded by Mr. Albrecht, for approval. On vote, motion carried.

Mrs. Hieronymus presented the following communications:

1. A letter from IDOT stating the agreement for Manlius Road District/Bureau was approved by the department on May 1, 2012, with a copy enclosed. The County may proceed with the engineering work.
2. A letter from IDOT stating the subject agreement was executed by the department on June 17, 2014, and a copy was enclosed. It was for Norton Street in Neponset to 750 N Road.
3. A letter from Corn Belt Energy in regards to the new House Bill 1776 passed on vegetation management by public utilities companies. Even though they are not a public utility, they intend to follow this bill as though they were governed by it. They have 18 counties where they do a four year pruning cycle of various electric substation circuits. They enclosed a map of those areas that they will send to us each time a pruning is to be done in our county. An 800 number was enclosed for questions or concerns.
4. The Quarterly Report from the Regional Superintendent of Schools for the period April 2014 through June, 2014. Mrs. Entwhistle moved to place the report on file, seconded by Mr. Dobrich. On vote, motion carried.

Diana Stiles addressed the Board to give an update on Senate Bill 2674 where poison control was trying to get 911 funding. It did not go through. She said it became PA 980634 which was

kind of a benefit. We will get \$.02 per wireless line increase, and an additional \$.02 since our population is less than 50,000. It starts about September and will amount to about \$30,000 per year additional funding.

Starting Monday BueComm will do the after-hours utility dispatch for the City of Princeton. Diana feels it is a win-win, and there will be much better quality of service because there will be immediate response.

Ed Gerdes addressed the Board regarding the decommissioning for Big Sky. He is concerned about the letter of credit and giving up about \$1.8 or \$1.9 million. They did not agree with the folks in Big Sky when they decided to sign for turbines, but they are still friends and neighbors. Everpower said performance bonds are not generally used in decommissioning, but he said it can be done. Geronimo Energy sent out a newsletter this week and said that decommissioning could be a letter of credit, cash escrow or bonds. Mr. Gerdes said they don't want neighbors to be responsible for taking down the turbines or for paying taxes. Geronimo also said that the turbines will be running for a long time. If they wear out, they can be revamped. The problem is that the present towers are 400 feet, but the new ones would be 500 feet. It was felt the base would not support the additional 100 feet. He thinks that it would be 15 years at best before they would have to come down. He said it has affected the tax revenues to the schools. It decreased by \$360,000 to Ohio School and then it takes state aid time to make up the difference.

There has been a request by Geronimo for a moderator for the Board of Appeals hearing. Mr. Gerdes said Mr. Herrmann has done a great job. They are very satisfied with what he has done. He said Mr. Dale did a good job at the Board of Appeals, as well as Mr. Welbers and Mrs. Donarski. Everything went very well. It was suggested that Geronimo wants a controlled hearing. This is not a trial but a public hearing. The Judge planned for a moderator is very rigid. Mr. Gerdes suggested that the County keep the hearings with Pat Herrmann and the Board members.

Mr. Sondgeroth referred to page 11 of the study that was passed out which suggests complete foundation removal. The County ordinance requires that only 48" be taken, so that would lower the cost. MainStream did not account for any road removal or disposing of the materials. The road removal is up to the landowner. Mr. Gerdes said the letter of credit will increase but so will the costs for taking the towers down.

Mr. Speerschneider was present to talk to the Board about the decommissioning fund. The letter that EverPower had drafted was included in the Board mailout. He said he appreciated the discussion that has gone on at this meeting. He asked that the Board allow them to fulfill their obligation and replace the letter of credit with a new letter of credit. The County will get a little more with the CPI increase. The CPI was calculated for the period of April 2008 to April 2014 which was about \$ 1.94 million. Everpower is willing to go to \$2 million to show good faith.

The Letter of Credit is a promise by the bank to pay the beneficiary (or Bureau County) under certain circumstances. The bank assumes all risks in its obligation to pay the beneficiary upon receiving a proper draw request. If Big Sky is not able to meet its collateral obligations, the bank must still pay the full amount under the LOC and cannot stop payment to the beneficiary.

Bankruptcy of Big Sky does not affect the bank's obligation to pay and the LOC funds are not part of the bankruptcy estate. While no form of surety is 100% safe, an LOC offers Bureau County the highest level of security.

Key Bank is one of the leading lending banks in the country and is Ohio based.

Mr. Speerschneider said Big Sky has recently executed replacement LOCs with nine other entities in Bureau and Lee Counties representing nearly \$7.5 million in financial sureties, all with KeyBank as the approved issuer. It is very common to use this kind of surety.

Mr. Speerschneider also provided other documents to the Board including a legal opinion from Chicago-based Schain Banks on Big Sky Decommissioning and Replacement Letter of Credit. It stated the County drew on the initial letter of credit because a renewal letter of credit was not posted within 30 days of termination of the initial letter of credit. Big Sky is now under new control and is ready and able to submit a replacement letter of credit. But Bureau County has indicated it may elect to keep the funds, as decommissioning security, rather than accept a replacement letter of credit. It was stated that under Illinois law, the County has no legal right to keep the decommissioning funds and to refuse to accept a replacement letter of credit.

Statistical information was also provided on KeyBank as the proposed issuer of the LOC.

A form of LOC that was reviewed and accepted by Big Sky and the Bureau County State's Attorney was available.

Mr. Anderson said the Board needs to decide if they want to keep the cash or accept a replacement letter of credit.

A BPART letter addressed to Dale Anderson was included in the mailout asking for fare increases. Routes were listed along with the amounts to be charged. Some routes will be dropped and the frequency of others decreased. A motion to approve the fee increases was made by Mrs. Feeney, seconded by Mrs. Volker. It was reported that BPART had a \$67,000 loss last year. On vote, motion carried. Mr. Rabe was opposed.

EMA/ZONING

The claims for EMA totaled \$4116.26 and those for Planning and Zoning totaled \$5983.17.

Ms. Lilley said the first five items on the agenda pertained to EMA. Items two and three were regarding an HMEP grant and an EMPG grant. Item 5 was regarding the EMA truck, which has a malfunctioning turbo. The replacement cost is between \$2000 and \$2500. Mr. Baracani moved to repair the truck turbo, seconded by Mr. Rabe. On vote, motion carried.

Ms. Lilley presented an application for Kory Farm Equipment LCC, for a rezone from Agriculture to M-2 to build a new manufacturing facility, the common location being the northwest corner of the intersection of 1250 E Street and IL Route 92, Section 7, Walnut Township. It was approved by the Planning Commission and the Zoning Board of Appeals and Ms. Lilley moved for approval, seconded by Mr. Rabe. Mr. Maynard abstained on the vote. On vote, motion carried.

Ms. Lilley reported that when the committee discussed the Big Sky Decommissioning Funds, three voted in favor of keeping the cash, three voted for a letter of credit, and one abstained. Mr. Sondgeroth moved to go with the letter of credit of \$2 million dollars and Mr. Herrmann and Mr. Speerschneider should work out the details, seconded by Mr. Kohr.

Roll call.

Yes: Ralph Anderson, Dobrich, Donarski, Feeney, Kohr, Lilley, Marini, Maynard, Piccato, Rabe, Rediger, Sondgeroth, Thompson, Volker, Whited, and Dale Anderson.

No: Baracani, Entwhistle, Mangrich, Stetson, and Warren.

Pass: None

Abstain: Albrecht

Absent: Bassetti, Giordano, McCook, and Ptasnik.

Yes: 16; No: 5; Pass: 0; Abstain: 1; Absent: 4.

On roll call vote, motion carried.

Mrs. Stetson commented that she had planned to make the motion to keep the cash.

FEES AND SALARIES

Mrs. Entwhistle presented the Resolution for increasing the Circuit Clerk's fee from \$15 to \$25 for the court automation system effective August 1. She moved for approval of the resolution, seconded by Mr. Baracani. On vote, motion carried.

Mrs. Entwhistle presented the Circuit Court schedule of legal holidays for 2015. She moved for approval, and included the Friday after New Year's Day, seconded by Mrs. Marini. On vote, motion carried.

Mrs. Entwhistle presented a Resolution amending the vital records fee in the Office of the County Clerk. An uncertified vital record for genealogical purposes only will be set at \$10, effective August 1, 2014. Mrs. Entwhistle moved for approval, seconded by Mrs. Piccato. On vote, motion carried.

Mrs. Entwhistle reported their committee heard a presentation from John Phillips on hiring a County administrator. He told them what they needed to have in place before trying to hire one. A resolution would also be needed for all the duties included in the job.

Mrs. Entwhistle reported that the Sheriff received a check through the Circuit Clerk's Office in the amount of \$34 for deposit in the vehicle procurement fund. It is court-funded income derived from fees gained through court supervision cases. Sheriff Thompson also received a check from the Office of Judy Baar Topinka, State of Illinois Comptroller, in the amount of \$35 for mileage reimbursement for the transport of inmates to the Illinois Department of

Corrections. She moved to place these reports on file, seconded by Mr. Dobrich. On vote, motion carried.

Mrs. Entwhistle presented the Sheriff's Earnings Report for June 2014 of \$5958.26 and moved that it be placed on file, seconded by Mr. Baracani. On vote, motion carried.

Mrs. Entwhistle presented the Circuit Clerk's Receipts and Disbursements Report for June which showed earnings of \$15,646.00, Interest Traffic/Criminal/Civil checking of \$13.88, Interest/Child support checking of \$.07, Interest/Savings of \$.21, and June Passport fees of \$450. She moved to place the report on file, seconded by Mrs. Stetson. On vote, motion carried.

Mrs. Entwhistle presented the County Clerk's Earnings and Expenditures Report for June which showed earnings of \$23,300.93. She moved to place the report on file, seconded by Mrs. Warren. On vote, motion carried.

Mrs. Entwhistle presented the sales tax reports as follows:

1. The local share of income tax collected in March and received in June of \$86,596.05, which is \$4,366.14 more than last year.
2. The local share of State use tax collected in April and received in June 2014 of \$13,778.82, which is \$2,479.95 more than last year.
3. The ¼% sales tax collected in April and received in June of \$48,389.61, which is \$1,016.89 more than last year.
4. The Retailer's Occupational Tax collected in April and received in June of \$20,444.63, which is \$1,699.04 more than last year.
5. The Public Safety Sales Tax collected in March and received in June of \$79,563.64, which is \$970.15 less than last year.

Mrs. Entwhistle moved that \$74,811.94 of Public Safety sales tax be transferred to the General Fund, seconded by Mr. Sondgeroth. On vote, motion carried.

TRANSPORTATION

The County Highway Fund totaled \$49,738.16, the County Motor Fuel Tax Fund \$53,524.02, the County Aid Bridge Fund \$38,346.44, the TBP Fund \$35,899.14, and Township MFT Fund \$270,800.82.

Mr. Sondgeroth presented a Resolution to Enter into a local agency agreement for federal participation for resurfacing FAS 241 Mineral Blacktop (CH 10). The low bid of \$673,401.00 was from Advanced Asphalt Company, 80% of which is covered by Federal Funds and 20% by Federal Aid Matching. Bureau County agrees to appropriate \$134,680.20 from Federal Aid Matching for the required local funds. Mr. Sondgeroth moved for approval, seconded by Mr. Thompson.

Roll call.

Yes: Albrecht, Ralph Anderson, Baracani, Dobrich, Donarski, Entwhistle, Feeney, Kohr, Lilley, Mangrich, Marini, Maynard, Piccatto, Rabe, Rediger, Sondgeroth, Stetson, Thompson, Volker, Warren, Whited, and Dale Anderson.

No: None

Pass: None

Absent: Bassetti, Giordano, McCook, and Ptasnik.

Yes: 22; No: 0; Pass: 0; Absent: 4.

On roll call vote, motion carried.

Mr. Sondgeroth presented a Resolution for HBP & TBP Funds agreement and Township Participation of Bridge Replacement in Manlius Township. It is for removal and replacement of an existing bridge structure which carries TR 175 over Smith Ditch. A letting for this construction project was held and the low bid of \$232,281.00 was provided by Curnyn Construction. The Bureau County Board will appropriate \$185,824.80 of HBP Funds for 80% of the construction cost with the Township Bridge Program Funds providing \$37,164.96, and Manlius Township paying \$4,645.62. Mr. Sondgeroth moved for approval, seconded by Mr. Rabe.

Roll call.

Yes: Albrecht, Ralph Anderson, Baracani, Dobrich, Donarski, Entwhistle, Feeney, Kohr, Lilley, Mangrich, Marini, Maynard, Piccatto, Rabe, Rediger, Sondgeroth, Stetson, Thompson, Volker, Warren, Whited, and Dale Anderson.

No: None

Pass: None

Absent: Bassetti, Giordano, McCook, and Ptasnik.

Yes: 22; No: 0; Pass: 0; Absent: 4.

On roll call vote, motion carried.

Mr. Sondgeroth presented a Resolution for Acceptance of Low Bid from Advanced Asphalt Company to furnish and grade HMA Millings on CH 27. The amount of the contract is \$135,355.84 and the funding is from the County Highway Fund. Mr. Sondgeroth moved for approval, seconded by Mr. Donarski.

Roll call.

Yes: Albrecht, Ralph Anderson, Baracani, Dobrich, Donarski, Entwhistle, Feeney, Kohr, Lilley, Mangrich, Marini, Maynard, Piccatto, Rabe, Rediger, Sondgeroth, Stetson, Thompson, Volker, Warren, Whited, and Dale Anderson.

No: None

Pass: None

Absent: Bassetti, Giordano, McCook, and Ptasnik.

Yes: 22; No: 0; Pass: 0; Absent: 4.

On roll call vote, motion carried.

Mr. Sondgeroth presented a Resolution for Acceptance of low bid from McDonald Trucking and Paving for CH 27 Reclamation Project. The contract was in the amount of \$9,603.00 and the funding is to be appropriated from the County Highway Fund. Mr. Sondgeroth moved for approval, seconded by Mr. Baracani.

Roll call.

Yes: Albrecht, Ralph Anderson, Baracani, Dobrich, Donarski, Entwhistle, Feeney, Kohr, Lilley, Mangrich, Marini, Maynard, Piccatto, Rabe, Rediger, Sondgeroth, Stetson, Thompson, Volker, Warren, Whited, and Dale Anderson.

No: None

Pass: None

Absent: Bassetti, Giordano, McCook, and Ptasnik.

Yes: 22; No: 0; Pass: 0; Absent: 4.

On roll call vote, motion carried.

Mr. Sondgeroth presented an Escrow Agreement between Bureau County and Mapco. Mapco plans to use County roads during construction of a natural gas liquids pipeline. It is anticipated that as a result of Mapco's use of the roads during construction, repairs of and maintenance to the roads may be required. Right now they are working North of LaMoille. The roads agreement has been signed by the contractor and Mr. Gross and Sheryl Churney, and is recommended by the committee. Escrow funds of \$10,000 will be tendered to the County Treasurer or to the County bank account. A \$5,000 check will be payable to the County Highway for permit fees and temporary access for the road use agreement.

Mr. Sondgeroth moved for approval of the road use agreement, seconded by Ralph Anderson. On vote, motion carried.

Mr. Sondgeroth distributed County Highway Fund budget pages and drew attention to page 21 which was the Motor Fuel Tax Fund. The estimated Shop Labor was \$390,000, and they want to amend that account, increasing it by \$27,000 to \$417,000. It needed to be increased due to overtime. The line item for material and equipment rental needs to be increased from \$437,000 to \$527,000 for extra salt and equipment rental. The budget adjustment needs to be placed on file for 15 days, and Mr. Sondgeroth so moved, seconded

by Mr. Rabe. On vote, motion carried. The adjustment is in the County Highway Fund; the Motor Fuel Tax Fund is amended. The bottom line stays the same, which is \$898,000. Mr. Sondgeroth moved to adjust the County Highway Fund, seconded by Mr. Thompson. On vote, motion carried.

INSURANCE

The claims for Insurance totaled \$34,751.70.

Mr. Kohr said that Butler has run into a snag. There were no competing bids for the health insurance. Central States is not required to provide history so Universal Insurance forms were submitted. There are four interested bidders and three bids are expected. The committee expects to have something on the insurance for the Board next month.

Mr. Kohr said the CIRMA meeting was held on June 26 and they are in excellent shape. The County is to get a refund of \$209 on cyber insurance. Human resources is doing a much better job. He said Shelby County was admitted so there are presently 19 counties. Five additional counties may be added. The next quarterly meeting is set for October 23.

LAW/ASSESSMENTS

The claims for Law totaled \$10,958.22, and those for Assessments totaled \$6990.41.

Mrs. Marini gave the coroner's report for June which showed 20 coroner's cases, 3 death investigations, 2 autopsies, 10 cremations, and income of \$150. She moved to place the report on file, seconded by Mrs. Feeney. On vote, motion carried.

Mrs. Marini presented the Public Defender's report which showed 35 cases opened and 64 cases closed. She moved to place the report on file, seconded by Mr. Baracani. On vote, motion carried.

The income for the Supervisor of Assessment's Office was \$200. Mrs. Marini moved to place the report on file, seconded by Mrs. Piccatto. On vote, motion carried.

The County Central Committee chairmen of the two political parties submitted lists of persons to serve as Judges of Election for a two-year period as provided by law. Mrs. Marini moved for approval, seconded by Mr. Donarski. On vote, motion carried.

Mrs. Marini presented an Ordinance Establishing a System for the Licensing of Organizations to Operate Raffles and Poker Runs in the County of Bureau, Illinois. The fee for a license is \$5.00. Limits have been established as follows: a) the aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle shall not exceed \$100,000; b) the maximum retail value of each prize awarded by a licensee in a single raffle shall not exceed \$50,000; c) the maximum number of days during which chances may be issued or sold shall not extend beyond 365 days. Mrs. Marini moved for waiving the reading, seconded by Ralph Anderson. On vote, motion carried.

Mrs. Marini moved for approval of the Ordinance, seconded by Mrs. Feeney. On vote, motion carried.

Mrs. Marini presented a Resolution adopting Procedure for Awarding County Contracts or Purchase Orders for Work, Supplies, or Material as it applies to the Highway Department. It applies to projects or purchases costing more than \$30,000. Mrs. Marini moved for waiving the reading of the Resolution, seconded by Mrs. Piccatto. On vote, motion carried.

Mrs. Marini moved for approval of the Resolution, seconded by Mrs. Stetson. On vote, motion carried.

Mrs. Marini presented a Resolution adopting Procedure for Awarding County Contracts or Purchase Orders for Work, Supplies or Material. It applies to projects or purchases costing more than \$10,000, and it includes all of the County Departments excluding the Highway. Item 2 on page 2 was brought up which requires along with a bid, a cashier's check, bid bond, or bank draft in the amount of 5% of its bid. Mrs. Marini moved to waive the reading of the Resolution, seconded by Mrs. Entwistle. On vote, motion carried.

Mrs. Marini moved for approval of the Resolution including the term "bid bond", seconded by Mr. Rediger. On vote, motion carried.

BUILDING/GROUNDS/PRINTING/STATIONERY

The claims for Building and Grounds totaled \$40,103.52, and those for Printing and Stationery totaled \$2407.48.

Mrs. Warren reported that they are doing signal checking for the radio project.

The committee decided to award the food contract for the prisoners to Four and Twenty Café in Princeton at \$3.90 per meal, beginning July 25. Mrs. Warren moved for approval, seconded by Mr. Baracani. On vote, motion carried.

The Princeton Lions have requested the use of Soldiers and Sailors Park for October 19 for the Illinois Valley Toy Run from 8:00 AM to 4:00 PM. Mrs. Warren moved to approve the request, seconded by Mrs. Entwistle. On vote, motion carried.

Mr. Rabe reported that the repeaters are working. They are doing tweeking. He said there are two towers near Providence that are not ours and not BueComm's. He thought we needed to get another tower, and there is money in Public Safety Sales Tax. He wanted to make the overall communication better. Mr. Campbell said they cannot raise the Providence tower; it is at capacity. They want to come up with ideas, and thought they should work with Jim Shipp. It was suggested that a communication committee be formed. They will take this to the Building and Grounds committee next month.

Mrs. Entwistle moved for the payment of claims including payroll plus additional claims of \$2430.41 for mileage and meetings and tourism claims of \$473.63, seconded by Mrs. Stetson.

Roll call.

Yes: Albrecht, Ralph Anderson, Baracani, Dobrich, Donarski, Entwistle, Feeney, Kohr, Lilley, Mangrich, Marini, Maynard, Piccatto, Rabe, Rediger, Sondgeroth, Stetson, Thompson, Volker, Warren, Whited, and Dale Anderson.

No: None

Pass: None

Absent: Bassetti, Giordano, McCook, and Ptasnik.

Yes: 22; No: 0; Pass: 0; Absent: 4.

On roll call vote, motion carried.

Mr. Kohr gave the Economic Development report. He had attended the IVAC meeting. He did not anticipate that the idea would get off the ground. He wondered if the County would be willing to start spending money. He said the soonest anything would happen would be December 1. He wants to know whether or not we want to go on this. He thought Bureau County's share would be about \$28,444. They would like better than 50% participation. They are considering hiring an administrator for three years. The purpose is not to promote any one county but all three counties. Right now each entity works separately so they are competing against each other. The amount of pay is based on population. Mr. Kohr is looking for direction for the next meeting. He said towns are aware that real estate from Grundy County east is saturated. He said they need one person aware of all of the properties that are available. The unincorporated area of the County is about 9,000 people. Mr. Kohr moved to support IVAC and continue to pursue Economic Development, seconded by Mrs. Volker. On vote, motion carried.

It was asked if the Board wanted to get a moderator for the Zoning Board of Appeals hearing. The County would pay the moderator and then be reimbursed. It was pointed out that Pat Herrmann is comfortable chairing the hearing and has been to all of the hearings. The County has as much experience with this as anybody. They would also have to ask Kris Donarski for input. The budget would have to be amended to pay a moderator. The wind farm has offered to reimburse the County and has supplied a name (Judge Slavin). Mrs. Volker said she is happy with the job that is being done. Mr. Herrmann said that he does not have a stake in this since he is in Spring Valley. Mr. Kohr moved to keep handling the hearings like they have been, seconded by Mrs. Feeney. Mr. Albrecht abstained; Mr. Rabe voted nay. On vote, motion carried.

It was regularly moved and seconded that the Clerk of the Board be directed to issue orders to the members for their attendance and mileage to the session as listed on the roll call sheet.

There being no further business to come before the Board, it was moved by Mr. Donarski, seconded by Mr. Sondgeroth, that the meeting be adjourned. On vote, motion carried.

