

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

March 11, 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 March 11, 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, March 11, 2014, at 6:30 PM and that all claims must be filed with the County Clerk on or before Friday, February 28, 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, Bassetti, Dobrich, Donarski, Entwhistle, Feeney, Kohr, Lilley, Mangrich, Marini, Maynard, McCook, Rabe, Rediger, Sondgeroth, Stetson, Thompson, Volker, Warren, Whited, and Dale Anderson. Absent: Giordano and Ptasnik.

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

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

Mrs. Hieronymus presented the following communications:

1. A letter from IDOT stating the department executed a joint agreement on February 6, 2014, a copy of which was enclosed. It was for the project three miles Northwest of Milo over Fox Creek.
2. A letter from IDOT stating the enclosed agreement was approved by the department and authorized by the Federal Highway Administration on February 19, 2014. The county may authorize the consultant to proceed with the engineering work.

Phase II is also authorized with the understanding no work will begin until environmental approval is given and we have been notified by the district to proceed with Phase II work. This is for the project in Milo Township over Fox Creek.

Mrs. Hieronymus presented the appointment of Lee Schroeder, Trustee, to the Wyanet Fire Protection District for a three-year term, beginning the first Monday in May, 2014. Mr. Anderson made that appointment and asked for the Board's approval. On vote, motion carried.

Animal Control Officer Scott Robbins addressed the Board regarding the LaBounty situation in Arlington involving dogs and horses. He said his office impounded 13 dogs, and the horses are still on the property. Mr. Robbins said he received a call about the animals on February 11, and on the 12th went

out with a deputy and fed the dogs. On the 18th a veterinarian went out to assess the situation, and on the 19th the Department of Agriculture investigator went. He decided to give notice of owner's duties, which includes feeding and watering, shelter, and veterinarian care. The owner had a 24-hour notice to make good. On the 21st, the Animal Control office impounded 13 dogs. The case was sent to Springfield last Wednesday, and the judge has ruled that the dogs and horses will be forfeited. Mr. LaBounty has 30 days to appeal, and the animals will have to stay in the County's care until then. The vet ordered treatment for one of the horse's eyes. Mr. Robbins said another penicillin shot will be given on Thursday, and they will continue ointment in the horse's eye. Mr. Robbins has seen trophies for the beagle dogs, but has seen nothing for the horses. It was asked if there is anything that will keep Mr. LaBounty from possessing other dogs in the future, and there is not. The administrative law judge does not affect the future. There were 20 dogs the first time they went, but there are 13 remaining. The flesh scale for horses is between 1-9, and these averaged 5-6. For dogs it is 1-5, and these averaged 3. The horse's eye injury happened prior to the County getting the horses.

Keenan Campbell, the new Emergency Management Agency director, was introduced. He has 16 years of experience as a volunteer fire fighter. He has been on the job three weeks. He said there is a weather spotter class next week. He is reaching out to County responders. He is located downstairs next to the Zoning Office and has business cards.

Mike Speerschneider from EverPower Wind Holdings addressed the Board. The company is based out of Pittsburgh. They have six projects throughout the United States, and are looking at the Big Sky project. They have looked at a number of aspects of the project, including the decommissioning plan and the decommissioning funds. He said it is something they would commit to. There is a question about where the decommissioning funds are now. About two years ago a letter of credit was drawn by the County. They question where those funds are now and how it relates to the decommissioning plan. He said there are no rules or conditions as to how those funds could be recouped by the project. There is concern with the uncertainty of the project twenty years down the road. They want a paper trail for the County and the company. They propose to put in place what was in place which is a letter of credit with an appropriate financial institution. The letter of credit would provide the certainty that the project would be decommissioned. It was asked if EverPower would purchase Big Sky with or without the letter of credit; it was thought they would. It was asked if the value would increase with the CPI? There was a provision in the contract for that annually. When the County first drew up the letter of credit, Big Sky had proposed a bank out of the country. The County should amend its decommissioning plan to reflect whatever financial assurance the County Board likes. The letter of credit needs to be revisited. It was stated the County had outside counsel on letters of credit before, and this should go to the Zoning Committee. It was hoped to have a proposal by the April County Board meeting. A letter of credit versus a cash escrow was mentioned. It can be discussed but no action taken. The County has both in place right now. Mr. Speerschneider said they have worked with a Cleveland based bank which is Key Bank in the past.

ESDA/ZONING

The claims for ESDA totaled \$926.59, and those for Planning and Zoning totaled \$5327.29.

ANIMAL CONTROL

The claims for Animal Control totaled \$5,160.33.

FEES AND SALARIES

A presentation by Gateway was listed on the agenda, but Mrs. Entwhistle said there is nothing to report at this time.

Mrs. Entwhistle reported that the Sheriff received a check through the Circuit Clerk's Office in the amount of \$51.30 for deposit in the Vehicle Procurement Fund. It is court funded income derived from fees gained through court supervision cases. She moved to place the report on file, seconded by Ralph Anderson. On vote, motion carried.

Mrs. Entwhistle presented the Sheriff's earnings report for February in the amount of \$2569.59. She moved to place the report on file, seconded by Mr. Dobrich. On vote, motion carried.

Mrs. Entwhistle presented the Circuit Clerk's Receipts and Disbursements Report for February which showed Clerk's fees of \$19,080.44, Interest Traffic/Criminal/Civil checking of \$15.37, Interest/Child support checking of \$.01, Interest/Savings of \$.18, and February Passport fees of \$800. 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 February of \$8,697.24 and for the quarter of \$28,267.96. She moved to place the report on file, seconded by Mr. Baracani. On vote, motion carried.

Mrs. Entwhistle presented the sales tax report as follows:

1. The local share of income tax collected in December and received in February in the amount of \$44,166.98, which is \$1,986.42 less than last year.
2. The local share of state use tax collected in December and received in February of \$12,742.32, which is \$654.50 more than last year.
3. The 1/4% sales tax collected in December and received in February of \$49,890.11, which is \$949.65 less than last year.
4. The Retailer's Occupational tax collected in December and received in February of \$37,053.30, which is \$12,642.16 more than last year.
5. The Public Safety sales tax collected in November and received in February of \$89,570.67, which is \$3,883.94 more than last year.

It was learned the local share of video gaming tax that the County had started receiving should have gone to the Village of Walnut.

TRANSPORTATION

The County Highway Fund totaled \$101,253.27, the County Motor Fuel Tax Fund \$42,098.85, the Federal Aid Matching Fund \$12,916.26, the County Aid Bridge Fund \$14,661.16, and the Township MFT Fund \$20,101.74.

Mr. Sondgeroth did not have any Resolutions to present but reported on the road conditions in the County. They will soon be posting the weight limits, which could be any day. He said the shoulders are soft, but there is no bleeding right now, which is when the frost is coming out. He said usually the roads are posted for 90 days, and it is at the County engineer's discretion. He encouraged those needing to haul grain, livestock, and seed to do it now. He said that those needing to haul can call the Highway

Department for permission to do so. They can also be put on an email list at the County Highway Department to get notices.

INSURANCE

The claims for Insurance totaled \$37,287.79.

Mr. Kohr reported that the quarterly CIRMA meeting will be on March 27, and there will be a governmental training seminar on April 3. He reported that the Insurance Committee will change its meeting time to the last Monday of the month, so the next meeting will be on Monday, March 31, at 5:30 PM.

LAW/ASSESSMENTS

The claims for Law totaled \$11,133.55, and those for Assessments totaled \$12,793.72.

Mrs. Marini gave the coroner's report for February which showed 18 coroners cases, 4 death investigations, 1 autopsy, 11 cremations, and \$150 income. She moved to place the report on file, seconded by Mr. Bassetti. On vote, motion carried.

The income from the Supervisor of Assessments Office was \$13,695.50. She moved to place the report on file, seconded by Mr. Rediger. On vote, motion carried.

Mrs. Marini gave the Public Defender's Report for January which showed 49 cases opened and 89 cases closed. She moved to place the report on file, seconded by Ralph Anderson. On vote, motion carried.

Mrs. Marini said they received a letter from the Village of DePue regarding an effort to have a permanent earthen water control structure installed in the mouth of Lake DePue which will raise the level of water in the lake approximately three feet. They are asking for financial assistance and/or the Board's unanimous endorsement toward this project in writing. Mrs. Marini said their committee wants to give written endorsement but not offer financial support. She so moved, seconded by Mr. Dobrich. Dale Anderson, chairman, was authorized to sign the letter to be sent to the Village. On vote, motion carried.

BUILDING/GROUNDS/PRINTING/STATIONERY

The claims for Building and Grounds totaled \$49,927.82, and those for Printing and Stationery totaled \$5,341.01.

Mrs. Warren reported that the EMA office needs duct work repaired, which has been estimated to cost \$1,257. A motion was made by Mrs. Warren, seconded by Mr. Thompson, for approval. On vote, motion carried.

A switch is needed for the generator, which could cost up to \$2,000 for C & C Electric to repair. Mrs. Warren moved for approval, seconded by Mr. Rabe. On vote, motion carried.

The jail radio needs a new battery backup, expected to cost \$3,000. It will be put in by Starved Rock Communication. Mrs. Warren moved for approval, seconded by Mr. Dobrich. On vote, motion carried.

Mrs. Warren reported that a couple of requests have been received for the park: the Princeton Area Chamber for Lunch in the Park starting May 23 and each Friday through September 26, 2014, excluding Homestead Week; Thrivent for Saturday, May 3, 2014. She moved for approval, seconded by Mr. Baracani. On vote, motion carried.

PAYMENT OF CLAIMS

Mrs. Entwistle moved for the payment of claims plus an additional \$2,061.40 for mileage and meetings and \$1,702.91 for a computer and printer for the EMA officer, seconded by Mr. Kohr.

Roll call.

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

No: None

Pass: None

Absent: Giordano and Ptasnik.

Yes: 23, No: 0; Pass: 0; Absent: 2.

On roll call vote, motion carried.

Mr. Rediger reported that the new tourism guides are almost done. He will bring in a box of them when they are done.

The E911 stats were on the Board desks. Mr. Rabe suggested inviting Diana Stiles to address the Board sometime in the future.

The computer committee is putting some figures together so will get back to the Board with those.

NEW BUSINESS

Kris Donarski brought information to the States Attorney's office about a bill pending in the Illinois legislature, which is Senate Bill 3263 about wind farms. It proposes taking control away from the County and giving it to the state. The Board can contact the Illinois Council of Counties or its legislators pro or con regarding this. One hundred and eighty days prior to construction, the facility would have to file a notice of intent to construct a wind energy facility with the Illinois Department of Agriculture. He said the Department may grant final siting approval. It must comply with Section 15 which is Agricultural Impact Mitigation Agreement. It includes issues such as access roads, construction staging, storage areas, excavation and backfill, wind turbine foundations, etc. It also has to comply with Section 35 which is the deconstruction plan. End of useful life is defined as failure to operate for 18 consecutive months and failure to pay rent to landowners for six consecutive months. There are several aspects to the deconstruction plan including estimated cost per turbine, how it plans to pay for the deconstruction plan which is proposed by a third party, and filing a reclamation bond which is acceptable to the

Department of Agriculture. They have to comply with noise standards, and the location is to minimize shadow flicker and signal interference for communications, etc. It is to be designed to protect public health, safety and welfare. Within 30 days of the Department of Agriculture receiving the application or the notice of intent, the Department has to send a letter to the County Board. The Board then decides if it wants to request an informational meeting. If 75 residents of the County petition the County Board for an informational meeting, then the Board has to request that meeting with the Department of Agriculture. That request must be made within 30 days. Notice of meeting must be put in the newspaper by the Department of Agriculture and posted at the courthouse ten days before the meeting. At the meeting all members of the public must be given an opportunity to ask questions and present oral or written copies. There are six different factors. The County Board has to give a statement within 30 days of its consideration of all six factors and then has to state what information it relied on as criteria to determine those facts. The recommendation to the County Board is advisory; it is not binding. Within 60 days of the County's recommendation, the Department of Agriculture shall either approve or deny the construction of the wind power facility or request additional information. Mr. Gross would still be able to control the roads, requiring permits to do so. This is just starting out in the energy committee and the sponsor is John Sullivan. This does not affect wind farms that are already constructed. Mr. Kohr said he would like to see the control stay with the County, using the Village of DePue with the EPA as an example of what can happen if the state is in charge.

Mr. Bassetti announced the fundraiser to benefit the Rob Pozzi family on April 1 at Rip's in Ladd. There are lots of medical bills from Mayo's and the Peoria hospital. He had tickets available for it.

Mr. Sondgeroth wondered what the consensus was from the Board with either a letter of credit or cash with the upcoming wind farm. The Board has had both in the past. In the last letter of credit the Board did exercise that right with JP Morgan Bank. He thought that if the letter of credit would help move the Big Sky project along, he would be in favor of it. Mr. Rabe wondered if the dollar amount was correct (\$1,794,607) that was listed in the letter, and was told that it was. Mrs. Entwistle said that the last company that we had the letter of credit with could not get another letter of credit when it expired, so we opted to go with the cash and our treasurer was to put it in an account that would accrue interest. The letter of credit required that the bank notify the County if there was not a replacement letter of credit. They did that and there was a 60-day window. That triggered the County doing the draw. Mr. Speerschneider said a letter of credit is renewed annually. It would have to be renewed with the proper institution, and the last one changed. If they failed to give notice, then the County would still have the option to draw on it. The bank makes the commitment for the entire year, regardless of what happens to the company. Mr. Herrmann did not know why the bank did not do a replacement letter of credit; if it was an issue with the company or the bank. It did not matter, and the County got the full amount. Mr. Anderson said someone has to stay on top of renewing the letter of credit, which is an annual task, and it was thought that was to be done by Mrs. Donarski. The bank also has to notify the County. It was asked if the Board was comfortable with the Cleveland bank or, as in the past, we have required that it be from a local bank. Mr. Maynard said it would be nice if it was a local bank. Mr. Speerschneider said there are a lot of credit worthy national banks, and he hoped that the Board would consider his as an option. Mr. Kohr said he is not too anxious to put in the hands of a future board the role of having to decommission these things. He would be in favor of a letter of credit assuming that it is with a reputable bank. Mr. Anderson told the Board to think about this and let the Zoning Committee know their thoughts.

It was brought up that it is necessary to declare a vacancy on the County Board in District 24 with the passing of Rob Pozzi. An appointment is to be made within 60 days, which will be good until the November election.

The County Board needed to go into Executive Session to discuss negotiations according to 5 ILCS 120/2c2. Mr. Baracani so moved, seconded by Mr. Maynard.

Roll call.

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

No: None

Pass: None

Absent: Giordano and Ptasnik

Yes: 23; No: 0; Pass: 0; Absent: 2.

On roll call vote, motion carried.

Upon conclusion of the Executive Session, it was moved by Mrs. Volker, seconded by Mr. McCook, to return to regular session.

Roll Call.

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

No: None

Pass: None

Absent: Giordano and Ptasnik.

Yes: 23; No: 0; Pass: 0; Absent: 2.

On roll call 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 Mrs. Entwhistle, that the meeting be adjourned. On vote, motion carried. The next meeting of the

County Board will be held on **Thursday, April 10, 2014, at 6:30 PM.**