

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

May 13, 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 May 13, 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, May 13, 2014, at 6:30 PM and that all claims must be filed with the County Clerk on or before Friday, May 2, 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, Giordano, Kohr, Lilley, Mangrich, Marini, Maynard, McCook, Piccatto, Rabe, Rediger, Sondgeroth, Stetson, Thompson, Volker, Warren, Whited, and Dale Anderson. Absent: Ptasnik.

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

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

Mrs. Hieronymus presented the following communications:

1. A letter from the Illinois Department of Transportation stating they approved the subject construction engineering agreement on May 7, 2013, with a copy enclosed. The County may proceed with the engineering work.
2. A Resolution authorizing application for a Public Transportation Capital Assistance Grant. Mr. Rabe moved for approval, seconded by Ralph Anderson. On vote, motion carried.

Several appointments were presented as follows:

1. A Resolution for appointments to the Bureau County Metropolitan Exposition, Auditorium and Office Building Board: Robert F. Russell, Gene Englehart, and Stanley W. Gingrich, each for a five-year term. Mr. Anderson made those appointments and asked for the Board's approval. On vote, motion carried.
2. Reappointment of trustees to the Greenfield Cemetery Association: Eldon D. Ross and Janice Becker, for a term expiring March 1, 2020. Mr. Anderson made those appointments and asked for the Board's approval. On vote, motion carried.
3. Reappointment to the Board of Commissioners of the Bureau County Housing Authority of Dan Whitlock for another five-year term. Mr. Anderson made that appointment and asked for the Board's approval. On vote, motion carried.
4. Reappointment of Trustee Terry Linnig to the Ladd Fire Protection District for a three-year term to June 30, 2017. Mr. Anderson made that appointment and asked for the Board's approval. On vote, motion carried.
5. Reappointment of Trustee Richard Koch to the Arlington Fire Protection District for a three-year term. Mr. Anderson made that appointment and asked for the Board's approval. On vote, motion carried.
6. Appointment to the Bureau County Board of Review of Bill Lane to a term expiring May 31, 2016. Mr. Anderson made that appointment and asked for the Board's approval. On vote, motion carried.

7. Appointment to the Bureau County Board of Review of Dennis Miscevic to a term expiring May 31, 2016. Mr. Anderson made that appointment and asked for the Board's approval. On vote, motion carried.

Mr. Ed Gerdes was on the agenda for Public Comment, but was not yet present.

EMA/ZONING

The claims for EMA totaled \$3,067.15 and those for Planning and Zoning totaled \$9,794.37.

Ms. Lilley said the EMA report was on the desks.

The other agenda item was the approval of the decommissioning funds for Big Sky wind farm. The memorandum was received from the Springfield law firm. Mr. Herrmann said there are no major changes. The County has three options: 1. Submit an alternate letter of credit from KeyBank. The Board would have to decide whether they want to accept a letter of credit from them; 2. Keep the funds as they are currently. That would be the County's assurance that decommissioning takes place whenever. The money cannot be used for anything else. 3. Substitute the cash into a cash escrow account. The interest would go into the escrow account. That would add to the fund as time goes on. The escrow agent could do limited investing. A CD would be about as risky as the Treasurer could go. It is secure but there is minimum return. The letter of credit would be written as it is now. There would be a 60 day window, and between 60 and 30 days of expiration a replacement letter of credit would have to be placed on file. In the last 30 days the County can draw on the letter of credit, and it would be in the name of Big Sky regardless of whether it changes to Suzlon or Everpower, whichever company owns Big Sky. Mr. Herrmann does not have an opinion on bankruptcy; we can get one. It could be an asset or could be seized as a possible debt. If the bank has issued a letter of credit, they are already issuing that credit and the assets, if any, are already provided to them. The bank would have to pay the entire amount, not a percentage. The letter of credit is not an asset so cannot be taken to bankruptcy court. The bankruptcy court is allowed to go back for a period of time on transactions on the bankrupt company and try to void some of those transactions. If the County were to seize upon the letter of credit during the course of this, then the bankruptcy court could try to void that transaction saying that is now a debt of the bankrupt party, so there could be a fight with the bankruptcy court. Mr. Albrecht asked if there was any case law that would be a precedent for the letter of credit. Mr. Herrmann did not have a legal opinion on that. He also did not know how the Board felt about approving KeyBank. Mr. Sondgeroth referred to page 2 of the letter received from EverPower. Replacing the letter of credit would provide additional benefits to the County because it would include a CPI increase. Using March 2014 CPI-U data, the letter of credit will be in the amount of \$1,936,779, which represents a 7.9% increase on the \$1,794,607 that was drawn by the County in 2012. He thought that was the biggest advantage the County had with the letter of credit was that the numbers will reflect the CPI. He would like to go with the letter of credit based on that. Mrs. Volker thought the County needs to get a few more questions answered, and wondered about postponing this for a month. Mr. Maynard then made a motion to go into negotiations to accept the letter of credit, seconded by Mr. Rabe. There is no specific letter of credit before the Board. If there is not enough cash, say 15 years from now at the time of decommissioning, the County can still go after the wind farm. Then the County could look to the landowners because they are responsible for anything on their property that is not meeting zoning requirements. If the County is required to do the decommissioning because the wind farm does not, then we must use this money. It was pointed out that if another company buys the wind farm, the letter of credit stays with Big Sky. Mr. Kohr wanted to know if the Board approves this, can they still get an opinion on whether or not the letter of credit would be drawn into a bankruptcy. The final decision would be made at another board meeting.

Mr. Gerdes was now present. Mr. Gerdes said that there is a large group that is concerned about the letter of credit. There are two issues: the amount and how it is done and how it is guaranteed. When Mainstream started their project they had a company from Arlington, VA, do an in-depth study as to how much it costs to take a wind farm down. They gave them all of the specs. There are 87 turbines. The total cost for decommissioning for Green River with salvage was \$19,499,000, which divides out to \$224,130 per turbine if all of them were taken down at once. The County has \$1.9 million to take them down. When the land owners signed leases, they were promised they would take the turbines down. If they don't have the money, they said the County would have the money to

take the turbines down. He thinks the landowners may end up with a bill for \$150,000 to \$200,000 to dispose of each turbine. The companies that are making the promises now won't be here then. The letter of credit was done before the new zoning ordinance. The new ordinance has to be revisited every five years; the CPI increase will not make any difference. Mr. Gerdes said that the letter of credit was with Citizens; when Heartland took over, the money went with them. They may not want to deal with the letter of credit. He said the company is pushing hard to get the cash back. Part of the original agreement when they created this project was they were promising to take it down. If they do not have \$10 or \$12 million to take it down, how much will \$1.9 million help? The tax laws for the turbines expire in 2016 which set the standard assessment rates for turbines. When that is over, they will be in Springfield saying they cannot afford to pay those real estate taxes anymore. The turbines are equipment, not real estate; only the platform that they are built on is. He said he would make the report available of the costs for taking the wind farm down.

Mr. Speerschneider distributed a letter at each of the desks and commented that they prefer the letter of credit. He said that the letter of credit would be \$1.9 million and+ over the next 17 years of expected project life, would be close to \$3.5 million with the CPI. He said they have the obligation to do the decommissioning, which they intend to do. The costs in the decommissioning plan were done by an engineering firm independent of their firm. There are a lot of variables. They closed last week on buying the Big Sky project. Mr. Anderson said they would vote on the motion to start negotiations for a letter of credit. On vote, motion carried

HEALTH DEPARTMENT

Mrs. Volker presented the annual report of the Bureau and Putnam County Health Departments for 2013. Diana Rawlings, administrator, was also present to answer any questions. There are many ways in which the Health Departments touch the lives of local citizens. On page 6 she pointed out the Medical Reserve Corp, which organizes volunteers in medical emergencies or disasters. It is held together by Kurt Kuchle and Terry Madsen. The tar war winners were shown, which is part of an educational program for helping children stay tobacco-free. Government funding for that program has been discontinued. The "CPASA (Community Partners Against Substance Abuse) program, headed by Dawn Conerton, partners with a large group of community members to help our youth stay healthy, safe, and substance-free. Included in that is BASSET training for bar businesses which reduces underage drinking and an ordinance requiring keg registration which lists those who were sold kegs. On page 13 are the financial reports, including revenues and expenditures for both Putnam County and Bureau County. They were done as pie graphs which show that the largest source of revenue for Bureau County is from federal and state grants. At the end of the year there was a balance remaining of \$12,000. All of the partnering that is done in both counties was shown on page 14.

FEES AND SALARIES

Mrs. Entwhistle reported that they are recommending the following increases for the elected officials' salaries: 3.5% per year for years one and two, and 3.0% per year for years three and four. Those included were the Treasurer, the County Clerk, the Circuit Clerk, and the Sheriff. Mrs. Entwhistle moved to accept the increases as presented, seconded by Mrs. Warren. On vote, motion carried.

The increase in the Circuit Clerk's document storage fee has been delayed until June.

Mrs. Entwhistle reported that the Sheriff received a check through the Circuit Clerk's Office in the amount of \$63.50 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 Mr. Dobrich. On vote, motion carried.

Mrs. Entwhistle presented the Sheriff's earnings report for April in the amount of \$3,596.98. She moved to place the report on file, seconded by Mr. Baracani. On vote, motion carried.

Mrs. Entwhistle presented the Circuit Clerk's Receipts and Disbursements Report for April which showed Clerk's fees of \$21,863.35, Interest Traffic/Criminal/Civil checking of \$17.24, Interest/Child support checking of \$.13,

Interest/Savings of \$.21, and April passport fees of \$750. She moved to place the report on file, seconded by Mrs. Feeney. On vote, motion carried.

Mrs. Entwistle presented the County Clerk's Earnings and Expenditures report for April of \$11,215.89. She moved to place the report on file, seconded by Mr. Whited. On vote, motion carried.

Mrs. Entwistle presented the sales tax report as follows:

1. The local share of income tax collected in January and received in April of \$86,799.98, which is \$2,347.00 more than last year.
2. The local share of state use tax collected in February and received in April of \$10,630.67, which is \$1,387.52 more than last year.
3. The ¼% sales tax collected in February and received in April of \$45,535.05, which is \$4,165.49 more than last year.
4. The Retailer's Occupational Tax collected in February and received in April of \$31,163.80 which is \$8,597.03 more than last year.
5. The Public safety sales tax collected in January and received in April of \$77,603.30 which is \$4,852.72 more than last year.

Mrs. Entwistle moved for the transfer of public safety sales tax funds in the amount of \$73,009.09 to the General Fund, seconded by Mr. Dobrich. On vote, motion carried.

TRANSPORTATION

The County Highway Fund totaled \$106,063.44, the County Motor Fuel Tax Fund \$27,231.58, the Federal Aid Matching Fund \$11,236.78, the County Aid Bridge Fund \$16,722.09, and the Township MFT Fund \$11,361.68.

Mr. Sondgeroth reported that he had three resolutions to present which pertain to the 2014 township HMA overlay projects. The first one was for acceptance of low bid from Advanced Asphalt Company for the townships of Arispie, \$58,803.27; Dover, \$171,861.72; Hall, \$45,891.04; Macon, \$57,402.00; Princeton, \$194,932.50; and Selby, \$41,967.66. Mr. Sondgeroth moved for approval, seconded by Mr. Thompson. On vote, motion carried.

The second resolution was for the acceptance of low bid from Martin & Company Excavating for the townships of Bureau, \$40,758.40, and Ohio, \$41,312.50. Mr. Sondgeroth moved for approval, seconded by Mr. Ralph Anderson. On vote, motion carried.

The third resolution was for the acceptance of low bid from McDonald Trucking and Paving for the townships of Fairfield, \$52,757.33, and Greenville, \$59,256.46. Mr. Sondgeroth moved for approval, seconded by Mr. Rabe. On vote, motion carried.

INSURANCE

The claims for Insurance totaled \$35,241.82.

Mr. Kohr reported that a CIRMA meeting was scheduled for May 12, but there were no claims so it was not necessary to meet.

The County received a rebate of \$275 from CIRMA of workman's compensation insurance due to an audit. Mr. Kohr moved for approval of the lawyer's professional liability insurance premium and renewal from Dimond Brothers for the public defender in the amount of \$3,578, seconded by Mr. Donarski. On vote, motion carried.

Mr. Kohr moved for the approval of the request for proposal for medical coverage from Butler for the same amount as last time, which was \$8,000. Mr. Kohr moved for approval, seconded by Mr. Rabe.

On vote, motion carried.

LAW/ASSESSMENTS

The claims for Law totaled \$15,851.21 and those for Assessments totaled \$6965.99.

Mrs. Marini gave the coroner's report for April which showed 28 coroner's cases, 6 death investigations, 16 cremations, 2 autopsies, and \$350 of income. She moved to place the report on file, seconded by Mr. Baracani. On vote, motion carried.

Mrs. Marini presented the public defender's report for March which showed 40 cases opened and 44 cases closed. She moved to place the report on file, seconded by Mrs. Piccato. On vote, motion carried.

The income for the Supervisor of Assessment's Office was \$964 for the sale of plat books. Mrs. Marini moved to place the report on file, seconded by Mr. Maynard. On vote, motion carried.

BUILDING/GROUNDS/PRINTING/STATIONERY

The claims for Building and Grounds totaled \$57,615.49, and those for Printing and Stationery totaled \$9759.18.

Mrs. Warren said they hope to have the installation of the remaining repeaters wrapped up by next month.

A padded cell for use with suicidal or mental issue inmates was discussed by the committee which is expected to cost \$15,755.

Mrs. Warren said they had received two requests for the use of the park:

1. Shakespeare in the Park, July 16 through July 27.
2. Community Band, Sundays, June 1, 15, 29, July 6, 20, and 27.

She moved for approval of the requests, seconded by Ralph Anderson. On vote, motion carried.

Mrs. Warren reported that white copy paper is needed, and it is planned to order 100 cases from SBM at \$34.00 per case. She moved for approval to accept the bid, seconded by Mr. Dobrich. On vote, motion carried.

PAYMENT OF CLAIMS

Mrs. Entwhistle moved for the payment of claims plus mileage and meetings of \$1498.22, seconded by Mrs. Volker.

Roll call.

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

No: None

Pass: None

Absent: Ptasnik

Yes: 25; No: 0; Pass: 0; Absent: 1.

On roll call vote, motion carried.

It was announced that the meeting for renewal of liquor licenses will be held on Thursday, May 22, at 1:00 PM in the County Board room.

Mr. Rediger announced that the new tourism brochures have been completed and a supply was available on the front table. "More on 34" brochures were also available.

Diana Stiles, E911 Coordinator, was present in support of a letter to protect local 9-1-1 services and not support SB2674. That bill would take an additional \$2 million a year from 9-1-1 services to fund the Illinois Poison Control Center. There is a huge shortfall in the fees designed to fund 9-1-1 since land lines have decreased from 16,000 down to 7,000 and the amount received per cell phone is \$.53. They are aware of the necessity of the Illinois Poison Control program, but oppose diverting funds from the Wireless 9-1-1 Carrier fund to that program.

A County administrator position was on the agenda under Fees and Salaries. Mr. McCook asked if the Board wants to or does not want to begin a search for someone for that position. Mr. Dobrich said their committee has had some positive support for getting a search firm to do that. He made a motion for that action, seconded by Mr. Rabe. On vote, motion carried.

NEW BUSINESS

A Resolution for the Permitting of Public Fireworks Display by the Village of Hennepin was received for their July 4 celebration. It was moved by Mr. Sondgeroth , seconded by Mr. Maynard, for approval. On vote, motion carried.

A motion was needed to go into Executive Session to discuss labor negotiations according to 5 ILCS 120/2c2. Mrs. Entwhistle so moved, seconded by Mr. Baracani.

Roll call.

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

No: None

Pass: None

Absent: Ptasnik

Yes: 25; No: 0; Pass: 0; Absent: 1.

On roll call vote, motion carried.

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

Roll call.

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

No: None

Pass: None

Absent: 1

Yes: 25; No: 0; Pass: 0; Absent: 1.

On roll call vote, motion carried.

Mr. McCook made a motion to approve the Teamster contract, seconded by Mr. Albrecht. On vote, motion carried.

A motion to approve the same increase of \$.35 for three years for the non-union personnel with the exception of those that got the raise up to \$10 was made by Mrs. Entwhistle, seconded by Mr. Giordano. On vote, motion carried.

Mrs. Entwhistle said she had new County Board Committee lists for distribution to the Board.

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. Rediger, that the meeting be adjourned. On vote, motion carried.