

FINANCE COMMITTEE MEETING
September 5, 2017
5:15 P.M.

MEMBERS PRESENT

Jay Dunn
Kevin Greenfield
Debra Kraft
Greg Mattingley
Tim Dudley
Patty Cox
John Jackson

COUNTY PERSONNEL PRESENT

Josh Tanner, S of A
Jennifer Gunter, P&Z
Carol Reed, Auditor
Ed Yoder, Treasurer
Bruce Bird, County Highway Engineer
Mike Baggett, State's Attorneys Office
Lt. Jim Root, EMA
Lt. Jon Butts, Sheriff's Department
Jeannie Durham, County Board Office

MEMBERS ABSENT

CALL TO ORDER

The meeting was called to order by Chair Greenfield, at the Macon County Office Building.

APPROVAL OF MINUTES

Mr. Mattingley made a motion to approve minutes of July 31, 2017 meeting, seconded by Ms. Kraft and the motion carried 7-0.

CLAIMS

Motion to approve the report of the finance claims as presented made by Ms. Cox, seconded by Mr. Jackson and the motion carried 7-0.

REPORTS –

Audit Sub Committee – no report

Auditor –

Ms. Reed reported that they are continuing work on the software conversion. It is getting pretty close. She said they can now produce statements.

Board of Review –

Mr. Tanner reported that the Board of Review begins tomorrow when they will start hearing and making decisions on cases.

Supervisor of Assessments –

Mr. Tanner reported that they are done with their work. It was finished about a week late. He said they were able to make up some time after the Mt. Zion issue. He said they just did the valuation part, but will go out and photograph this fall and then they will get their bill. Mr. Dunn asked about the number of appeals. Mr. Tanner said 150. Most of them are sale of the subject and are pretty straight forward, meaning that someone purchased a home for less than it is assessed for. Mr. Dunn asked how those are taken care of in-house. Mr. Tanner said that

township assessors don't like to take care of them because they don't want to get accused of sales chasing. Every year, it is discussed in the annual meeting. If the home sells, it is an arms length sale. Nine times out of ten, it is the condition of the home. If you change the condition of the home, that is not sales chasing, but they are real hesitant to do that. People are not discouraged from filing at the Board of Review because you buy your house and talk to the Township and then a long time passes before you get an answer. If you're not paying attention, your deadline can pass. Some of them may have been taken care of and they'll be even easier. They'll just be dismissed cases.

GIS – no report

Treasurer –

Macon County Board Resolution to Execute Deeds to Convey Property on which Taxes were Delinquent

Motion to approve placing the resolution on the consent calendar of the agenda for the September 14, 2017 Macon County Board meeting made by Ms. Cox, seconded by Mr. Mattingley, and the motion carried 7-0.

CITIZEN REMARKS – PUBLIC COMMENT - None

OLD BUSINESS - None

NEW BUSINESS –

Emergency Management Agency

Macon County Board Resolution Approving Increase in Nuclear Safety Grant Fund for Purchase of Furniture for Emergency Operations Center

Lt. Root explained that this comes out of two grants. The first grant is the Illinois Plan for Radiological Accidents. This was an additional \$22,366 from what was previously given. The 2nd revenue line is for \$7,076 and came out of what IEMA referred to as the 5th quarter. It was in addition to what had been originally estimated what would be received through this grant. This goes to an expenditure line, 002-150-7596, and gives an additional \$29,442 of spending money to purchase EOC furniture.

Mr. Dunn made a motion to approve forwarding the resolution on to the full board with recommendation to approve, seconded by Mr. Jackson, and the motion carried 7-0.

Sheriff's Department

Macon County Board Resolution Approving Increase in the General Fund for Tasers

Lt. Butts explained that the Howard G. Buffett Foundation has donated approximately 48 new tasers and accessories for those tasers valued at approximately \$53,364.79. They would replace 32 tasers that are currently being used by deputies, correctional officers, court security and Animal Control. Forty Three of the tasers would be assigned to officers with 5 additional tasers that would be used as backups in case one becomes inoperational or dysfunctional. The old

tasers would be taken out of service, destroyed and disposed of. There is not much of a trade in value for them.

Chair Greenfield asked about the life expectancy on the tasers. Lt. Butts said about 4 to 5 years. Lt. Root added that they are getting 4 to 5 years out of the majority of them. Once they break, it is cheaper to replace than the cost of the warranties.

Mr. Mattingley made a motion to approve forwarding to the full board with recommendation to approve, seconded by Mr. Jackson and the motion carried 7-0.

State's Attorney

Macon County Board Resolution Approving the Illinois FOP Labor Council Collective Bargaining Agreement for Fy2017 – FY2019 Regarding the Macon County State's Attorney's Special Investigators

Mr. Baggett explained that this is the first contract for this union. It will be effective retroactively from December 1 of last year and will extend for a 3 year period. Ms. Cox asked how many employees there are. Mr. Baggett said 2. At the time the union was formed, there were four. Once the union is formed, it is formed. Two would not be enough to form a union under normal circumstances, but once it was formed, it exists and even though they have dropped down to 2, they still exist as a union.

Mr. Dunn made a motion to approve forwarding to the full board with recommendation to approve, seconded by Ms. Cox, and the motion carried 7-0.

Macon County Board Resolution Amending the State's Attorney's FY2017 Budget to Appropriate Additional Funds Necessary to Further a Homicide Investigation

Mr. Baggett explained that this will enable some DNA testing on evidence pertaining to a 1990's murder. The victim was a Decatur attorney. There was a man who was originally charged and convicted of the murder. Subsequent DNA testing on that case by the by the Innocence Project resulted in that man's conviction being overturned on appeal. DNA samples are still available. This would allow the State's Attorney's Office to conduct further testing in the hopes of identifying other suspects to pursue for the charge of murder in this case. It is a private laboratory and the reason we have to go with them is because the Illinois State Police has indicated that they will not test samples that are in custody of the private laboratory. Additionally, the private lab is capable of performing certain types of DNA testing that the ISP is not capable of doing and which are necessary in order to advance the investigation. The cost of the additional testing has to be paid up front. It is \$15,831. The Decatur Police Department has indicated that they will reimburse half of the cost, but are asking us to foot the entire bill initially.

Chair Greenfield asked what fund it would come out of. Mr. Baggett explained that it would be a general fund expense. This is one of those things that appropriations are not made for because this amount is not normally needed. It is one of those situations that cannot be planned for.

Mr. Mattingley made a motion to approve forwarding to the full board with recommendation to approve, seconded by Ms. Cox, and the motion carried 7-0.

Macon County Board Resolution Approving Right of First Refusal with Millikin University for Potential Conduit Financing Bond Issue

Mr. Baggett explained that Millikin is interested in potentially having a bond issue under the county's bonding authority later this year to facilitate building a new athletic complex. This would be a \$15,000 payment to the county in exchange for right of first refusal on any bonding issue that may happen between now and the end of the calendar year. Attorney Scott Garwood was present representing Millikin University.

Mr. Dunn made a motion to approve forwarding to the full board with recommendation to approve, seconded by Mr. Dudley, and the motion carried 7-0.

Planning & Zoning Department

Macon County Board Resolution Approving Mitigation Grant for Macon County to Mitigate Flood Properties

Ms. Gunter explained that there are 3 properties. She wrote a FEMA grant for \$322,652 to mitigate the 3 properties on Kruze Road and turn them into green space. The matching grant will cost the county \$50,000 which she said she is working on a state reimbursement to match those funds.

Mr. Dudley made a motion to approve forwarding to the full board with recommendation to approve, seconded by Mr. Jackson, and the motion carried 7-0.

Highway Department

Macon County Board Resolution Appropriating Funds for Additional Right of Way Expenses for Section 12-00249-00-BR, a Bridge on CH57 85th Street

Mr. Bird explained that this is also known as the Dalton City Blacktop.

Mr. Dunn made a motion to approve forwarding to the full board with recommendation to approve, seconded by Ms. Cox , and the motion carried 7-0.

Macon County Board Resolution Appropriating Motor Fuel Tax Funds for Section 17-00288-00-SM, the CH1 Brush College Road Pavement Rehabilitation Project

Ms. Kraft made a motion to approve forwarding to the full board with recommendation to approve, seconded by Ms. Cox, and the motion carried 7-0.

Macon County Board Resolution Approving an Agreement with the Illinois Commerce Commission Covering Grade Crossing Improvements on Franklin Street and Baltimore Avenue

Mr. Bird explained that this is at no expense to the county.

Mr. Jackson made a motion to approve forwarding to the full board with recommendation to approve, seconded by Ms. Cox, and the motion carried 7-0.

Macon County Board Resolution Approving the Purchase of a Pickup Truck

Ms. Cox asked which truck was being replaced. Mr. Bird explained that it is the Bridge Inspector's truck. It is 15 years old.

Mr. Dunn made a motion to approve forwarding to the full board with recommendation to approve, seconded by Mr. Mattingley, and the motion carried 7-0.

Macon County Board Resolution Appropriating Funds for an INFRA Grant Application for Macon County Beltway

Mr. Dunn made a motion to approve forwarding to the full board with recommendation to approve, seconded by Ms. Kraft, and the motion carried 7-0.

Mr. Baggett updated the committee members on the Trinity litigation which was a lawsuit that the county became a named plaintiff in regarding the guardrails that had been installed throughout the county. There was an issue as to whether they were safe for public use. There was a lawsuit in Texas that ultimately led to various other entities including Macon County that entered into litigation against Trinity, the manufacturer of those guardrails. The suit was pending in the southern district of Illinois. As of this morning, the county has voluntarily dismissed the case with prejudice. Mr. Baggett said he had met with the attorneys representing the county last week. Through the Discovery Process, it became apparent that the expert that the Plaintiffs had been using to build their case had a conflict of interest which fairly destroyed his credibility. Plaintiff's attorneys were not aware of this conflict until the past few weeks. Once they became aware of it, they notified Mr. Scott, Mr. Baggett and the attorney for St. Clair County where this case had been pending as well. The consensus view of all the involved attorneys was that there was no way that the plaintiffs would sustain their burden of proof in this case. They were advising their clients to agree to dismiss the case. Continuing to pursue it may have resulted in defense trying to collect costs of litigation from us down the road. Defendant was minimal to dismissal of the suit not coming after us for any of the attorney's fees already expended in this case. At this point, our lawyers had already invested more than \$25,000 in the cost of litigation and over \$1 million in attorney billable hours. The terms of our agreement are such that we are on the hook for none of that. It was a contingency fee. If we had ever gotten a recovery, they would have been entitled to part of that. They were fronting all of the costs and barring any type of recovery, there were not entitled to anything. One of the reasons we got involved in the first place is that we had a significant amount to gain with respect to getting the guardrails fixed. Ultimately, in hindsight, it looks like the guardrails were safe as they were. They continue to be safe. They are approved by the State Department of Transportation for use and are considered by the feds to be crash worthy. The county has lost nothing by taking the action it has taken. That was finalized as of this morning.

CLOSED SESSION - None

NEXT MEETINGS – Budget Hearing #3 – Wednesday, September 6, 2017
Budget Hearing #4 – Monday, September 11, 2017
Budget Hearing #5 – Monday, September 28, 2017
Regular Finance Committee Meeting – October 2, 2017

ADJOURNMENT

Motion to adjourn made by Mr. Mattingley, seconded by Ms. Cox, the motion carried 7-0, and meeting adjourned at 5:35 p.m.

Minutes submitted by Jeannie Durham, County Board Office