

## **SHELBY COUNTY BOARD MEETING**

**July 13, 2023 – 7:00 P.M.**

The Shelby County Board met on Thursday, July 13, 2023, at 7:00 P.M. in Courtroom A of the Shelby County Courthouse in Shelbyville, Illinois.

Chairman Robert Orman called the meeting to order. All present recited the Pledge of Allegiance and Orman gave the prayer.

County Clerk Jessica Fox called the roll. Davis, Hardy and Mayhall were absent.

Minutes for the June 8, 2023, board meeting was presented for approval. Williams made motion to approve the minutes. Kessler seconded said motion, which passed by voice vote (19 yes, 0 no).

Minutes for the June 27, 2023, special board meeting were presented for approval. Ogden made motion to approve the special meeting minutes. Firnhaber seconded said motion, which passed by voice vote (19 yes, 0 no).

At this time, the Chairman deferred from the agenda to allow John Hippard from the Tower Hill Fire Department and Chris Overbeck from Global Technical Systems to give an informational presentation to the Board and those in attendance regarding an upgrade to the Shelby County Emergency Responders (9-1-1) radio system using ARPA funds. Hippard detailed current issues regarding analog radio communications in the County and referred to a handout that showed what new digital equipment and more repeater towers in the county would do for improved emergency responder communications, this includes ambulance, police, fire, and all emergency services. The county currently only has 5 repeaters across the county and would like to see 10 new repeaters spread throughout Shelby County. \$600,000 is the current estimated budget numbers to implement a new system. The ETSB Board is comprised of both Christian and Shelby Counties. Christian County has not made any commitments yet regarding a share of funding. Overbeck stated they have a lot of systems to build out and it would probably be the end of 2024 before a project in Shelby County could begin.

At this time, Chairman Orman requested the appointment of Scott McKee as EMA Director. Ross made motion to approve the appointment, Firnhaber seconded said motion. Boehm, asked McKee, who is also the current Zoning Director, how many hours a week he would work. McKee stated he could do both jobs in 20 hours a week. McKee stated initially EMA might require more hours as he does some training. Hours will rotate week per week, but McKee is always available by cellphone. McKee will be paid \$23.00 per hour, which is what he makes for Zoning. If at anytime both positions become too much, in addition to McKee's fulltime employment elsewhere, changes could be made and someone else could be appointed to one of the positions. Voice vote was taken on Ross's motion, Firnhaber's second and passed (19 yes, 0 no).

Orman suggested due to the large public turnout, it would be easier for the board to hold the Closed Session in Courtroom B.

Ross made motion to enter closed session pursuant to 5 ILCS 120/2 (C) 2 – Collective Negotiating Matters. Williams seconded said motion, which passed by roll call vote (19 yes, 0 no). Ayes: Bennett, Boehm, Brands, Brown, Cole, Edwards, Firnhaber, Kessler, Martin, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nays: none.

### **CLOSED SESSION OF THE COUNTY BOARD**

The closed session ended at 8:44 PM and the County Board returned to Courtroom A. There was no action taken in closed session.

Firnhaber made motion to re-enter the open meeting. Tate seconded said motion, which passed by roll call vote (19 yes, 0 no). Ayes: Bennett, Boehm, Brands, Brown, Cole, Edwards, Firnhaber, Kessler, Martin, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nays: none.

Williams made motion to authorize the State's Attorney in conjunction with the Sheriff to negotiate terms and conditions of an MOU for FOP. Brands seconded said motion. Ross had tabled this item at the June 27, 2023, special meeting and held this item on the table. Williams withdrew his motion and Brands withdrew his second.

Orman informed the board that the next agenda item simply gave the State's Attorney office the authority to hire a second assistant state's attorney, and there was currently no plan to implement a second assistant with the 3-month budget, but this might be an option for the yearly budgeted when the new fiscal year starts on December 1, 2023. Orman stated the ability to have a 2<sup>nd</sup> assistant doesn't mean there will be. Orman had stated there was a significant backlog of cases and former SA Kroncke recognized that as well. This will give the SA the ability to hire another assistant as long as they stay within the confines of the budget.

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Firnhaber made motion to approve a 2<sup>nd</sup> assistant state's attorney. Kessler seconded said motion.

Cole made motion to table this item, Boehm seconded said motion, which failed by roll call vote (4 ayes, 15 nays). Ayes: Boehm, Code, Martin, and Morse. Nays: Bennett, Brands, Brown, Edwards, Firnhaber, Kessler, McCormick, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams.

Firnhaber's motion giving the State's Attorney the authority to have 2 assistant state's attorneys, seconded by Kessler passed by voice vote (15 yes, 4 no – Boehm, Cole, Martin, and Morse).

At this time, items from the Highway Department were presented for approval.

A 50/50 petition from the Ash Grove Highway Commissioner to replace a concrete culvert located 3.5 miles south of Windsor with an arch shaped CMP, estimated costs are \$6,727,43.

Orman made motion to approve the petition. Firnhaber seconded said motion, which passed by roll call vote (19 yes, 0 no). Ayes: Bennett, Boehm, Brands, Brown, Cole, Edwards, Firnhaber, Kessler, Martin, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nays: none.

A resolution to renew the 25-year term easement for continued maintenance of County Highway 3 with the Army Corp of Engineers. Ogden made motion to approve the easement. Williams seconded said motion, which passed by voice vote (19 yes, 0 no).

An engineering services agreement with Gonzalez Companies, LLC for the Moweaqua Bridge, estimated costs are \$76,800. Brown made motion to approve the agreement. Williams seconded said motion, which passed by roll call vote (19 yes, 0 no). Ayes: Bennett, Boehm, Brands, Brown, Cole, Edwards, Firnhaber, Kessler, Martin, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nays: none.

The final item submitted for approval was IDOT resolution BLR 02210 certifying the name of Michael Tappendorf to sit for the County Engineer Exam. Firnhaber made motion to approve the resolution. Ross seconded said motion, which passed by voice vote (19 yes, 0 no).

County Treasurer Firnhaber requested approval of a salary increase for the full-time Public Defender's (\$137,621.55) and for the Sheriff (\$122,330.26) due to the recent cost of living increase in the State's Attorney salary (\$152,912.83) (55 LCS 5/3-4007). The State reimburses 2/3's of the Public Defender and Sheriff salaries. This salary adjustment will be retroactive to July 1, 2023.

Bennett made motion to approve the salary increases as presented. Williams seconded said motion, which passed by roll call vote (19 yes, 0 no). Ayes: Bennett, Boehm, Brands, Brown, Cole, Edwards, Firnhaber, Kessler, Martin, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nays: none.

A lease agreement for the current building on South First and Morgan streets was presented for approval. Several county offices including the Circuit Clerk, Treasurer, County Board and County Clerk use this building for storage. SCCS has allowed the County to use this building for the past 10-15 years at no costs. A lease agreement was recently presented for \$6,000 annually by Shelby County Community Services. The county is in dire need of storage and this building is full. Discussion was held regarding square footage, where this expense would be paid from, and where the county could move the records currently stored in the building if the lease is not approved.

Boehm made motion to approve the lease agreement. Edwards seconded said motion, which passed by roll call vote (19 yes, 0 no). Ayes: Ayes: Bennett, Boehm, Brands, Brown, Cole, Edwards, Firnhaber, Kessler, Martin, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nays: none.

At this time, Williams made a motion to approve a bid from CIC (Computer Information Concepts) for \$23,895 for establishment of electronic timekeeping on recommendation of the Legislative Committee. Nelson seconded said motion. Discussion was held.

Boehm asked where the timeclocks would be located. Williams responded Highway, Health, Sheriff's office, and the Courthouse. Edwards referenced an MOU from 2021 which stated Highway, Health and Animal Control will continue current timekeeping and payroll practices. Edwards stated there was a slew of information and documentation that states the Health Department is exempt from timekeeping because it interferes their grants. Edwards stated they should probably look into the health department specifically regarding this issue.

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Health Administrator Steve Melega addressed the board stating that the Health Department had a governance body. The Health Department has to generate grants and their product is their service. When the health department gets a State or Federal grant it is for a specific term and time management has to be applied by the employees against the grants.

Nelson withdrew her second. Williams stated all the electronic timekeeping is, is the tracking of time. Kessler seconded the motion to approve the timekeeping bid of CIC. William's motion, Kessler's second passed by roll call vote (13 yes, 5 nays, 1 abstain). Ayes: Bennett, Brands, Brown, Firnhaber, Martin, Kessler, McCormick, Ogden, Orman, Ross, Shuff, Tate, Williams. Nay: Boehm, Cole, Edwards, Morse, and Wallace. Abstain: Nelson.

The Whistleblower policy on recommendation by the Legislative committee was the next item presented. Williams made motion to approve the policy. Edwards seconded said motion. Williams explained the policy was based on the Whistleblower act in the State statutes. This policy was formatted following Jo Davies County Whistleblower policy which is considered one of the best around. It is planned to have copies of this form next to the time clock. There was much discussion about where to place the forms and the ability to remain anonymous while naming a witness to the complaint. State's Attorney Hanlon addressed the board to make it clear that things that are anonymous make it very difficult to one's constitutional right to confront their accuser. After much discussion regarding layout of the complaint form, Williams withdrew his motion to approve so the policy could go back to committee for more discussion.

Public Safety Chair Tate reported Neoga Police Department had submitted a bid of \$3,800 for the Sheriff's surplus speed trailer and it was the recommendation of the committee this bid be accepted. Ross made motion to accept the bid. Tate seconded said motion, which passed by voice vote (19 yes, 0 no).

Chairman Orman called for committee reports. Reports were given and items presented for follow-up are as follows: (Committee reports are attached to these minutes).

Airport Committee member Cole reported the Airport had a successful car show and fly-in on July 8<sup>th</sup>. 40 cars and 4 airplanes were in attendance. The response from the public was very good and they plan on doing it again next year. The airport has had 108 customers in June and sold \$9,244 in fuel. Cole thanked everyone for support.

Health Board member Edwards reported no bids were received for the building remodel, so the bids will be run again in Decatur, Effingham, and Pana newspapers. A school physical clinic will be held on August 3. The Department was awarded a \$300,000 strengthening Illinois Public Health grant to be paid over 5 years.

Boehm made mention the Dive Team had a meeting Monday, July 10, that many people attended and there were many concerned members of the Dive Team right now.

Orman reported under Chairman updates, that the wheat has been harvested and the County will receive a check for \$177, 469.04 for 20,14.61 bushels of wheat and the ladies at the FS office reported that was some of the best wheat they got in this year.

Orman also stated there were some issues with trespassing at the County Farm that must be discussed in a future Farm committee meeting.

Continuing with Chairman appointments, Orman requested appointments of the following:

Kenny Schwengel to the Board of Review. Williams made motion to approve the appointment. Ross seconded said motion, which passed by voice vote (18 yes, 1 no Boehm).

Gregg Brown to the Board of Review. Motion by Nelson, seconded by Ross. Motion passed by voice vote (19 yes, 0 no).

Mike Weber to the ETSB 9-1-1 Board. Motion by Firnhaber, seconded by Ogden. Motion passed by voice vote (19 yes, 0 no).

Orman reported both he and Bennett have stepped down from the Farm committee. Williams made motion to table appointments to the Farm Committee. McCormick seconded said motion, which passed by voice vote (10 yes Brown, Firnhaber, Kessler, Martin, McCormick, Ogden, Tate, Shuff, Wallace and Williams, 9 no).

Orman stated Cole would be the new chair of the Farm Committee.

Orman reported there was no correspondence.

Bennett made motion to pay the bills for July. Tate seconded said motion, which passed by roll call vote (19 yes, 0 no). Ayes: Bennett, Boehm, Brands, Brown, Cole, Edwards,

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Firnhaber, Kessler, Martin, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nays: none.

At this time, Chairman Orman called for Public Body Comment.

Meeting livestream archived at shelbycounty-il.gov on the Shelby County YouTube.

Orman told everyone prior to folks speaking anyone there with concerns about the Dive Team, a special meeting would be held on Tuesday, July 18 at 7:00 PM to discuss those issues.

Public Body Comments/Opinions of the almost 2-hour public body comment session of the county board are summarized as follows:

A question was asked about 9-1-1 calls being handled by Christian County and how the funding and payments are shared for 9-1-1 services.

Several people asked about the County Farm and expressed their support for that ground to continue to be farmed questioned where the income from the prior year had gone since the ground had been farmed for free and the revenue given to the county and disappointment was expressed that the beans did not get planted.

The availability of the State's Attorney was questioned, SA Hanlon informed the public there is a number on this office door folks can call if they need to reach him.

The status of an elected vs appointed board of review was asked about.

Many in the standing room only crowd expressed their support of the Dive Team volunteer members, the command structure and expressed the importance of this group to the county and questioned who had the authority to direct the stand down.

Many in the group asked for a change in leadership for the Dive Team committee, which Chairman Orman said there was nothing on the agenda to address those changes.

Other voiced concerns about local Ambulance services, which are run by privately owned companies and have no oversight by the County.

Some voiced concerns about media notification, they county website and the process to submit FOIA request.

Several members of the Dive Team spoke, as did their commander, and voiced voice displeasure at some social media posts made by county board members.

Williams made motion to adjourn until the next regular meeting to be held on August 10, 2023. Nelson seconded said motion, which passed by voice vote (19 yes, 0 no). The meeting was adjourned at 11:55 P.M.

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Jessica Fox  
Shelby County Clerk and Recorder