

SHELBY COUNTY BOARD MEETING

February 9, 2023– 7:00 P.M.

The Shelby County Board met on Thursday, February 9, 2023, at 7:00 P.M. in Courtroom A of the Shelby County Courthouse in Shelbyville, Illinois.

Chairman Orman called the meeting to order. Board member Sonny Ross gave the prayer, and all present recited the Pledge of Allegiance.

County Clerk Jessica Fox called the roll. Charles Davis Jr and Mitchell Shuff were absent.

Minutes for the January 12, 2023, board meeting were presented for approval. Brands made motion to approve the minutes as presented. Kessler seconded said motion, which passed by voice vote (20 yes, 0 no).

Minutes for the January 30, 2023, Special meeting were presented for approval. Firnhaber made motion to approve the special meeting minutes. Wallace seconded said motion. The question was asked if the meeting had been properly recessed on Jan. 30 since there had not been a motion, a second or a voice vote to recess the meeting? The Chairman stated he had not reviewed Robert's Rules (Mayhall read from RR, which said a second was required), the Chair asked about OMA, to which nobody responded. Voice vote to approve the special meeting minutes from January 30 passed (16 yes, 4 no – Boehm, Cole, Mayhall and Morse).

Chairman Orman called for Public Body Comment from a standing room only crowd.

Chris Boehm – expressed concerns about the “relationship” of various board members, State Rep. Brad Halbrook, the Edgar County Watchdogs, and the new State's Attorney Robert Hanlon. Boehm stated he was tired of seeing his County “torn apart” and told those in attendance the Watchdogs are not “here to help us.”

Rachel Smith, CPA asked the board members if any of them had requested a peer review report from the new county auditor, Benford and Brown, what guidance the board received in choosing this audit firm and asked why no local firms were considered to perform the County Audit?

Elizabeth Ragan, county employee spoke about the hostile work environment, expressed serious concerns about the appointment of State's Attorney Hanlon, and told the board members they needed to look at their leadership and the people who voted them here.

Lisa Swenny, AFSCME President and county employee thanked reporter Rob Stroud for posting the video of SA Hanlon speaking at the meeting on February 2 and thanked the 5 board members who voted against this appointment. She questioned the transparency of county board members and stated their allegiance does not lie with the citizens who elected them to serve. Swenny stated the County is being led down a terrible path with Orman and Williams at the helm.

Board member David Ogden addressed the crowd and stated he is “not a follower and has only been serving 3 months.” Ogden said he has received “not one phone call” and has trouble listening to what Swenny is saying when he is “not hearing anything.” Ogden stated several 1,000 voters voted for him, and he sees nothing wrong with the appointment of the new State's Attorney.

Jill Miller asked those in attendance if they can't see a pattern of what is going on? She stated she and her parents have done a lot of research. She encouraged the board to think for themselves and stated she doesn't understand why everyone is listening to the Edgar County Watchdogs and why the board members look to them for everything.

Board member Tim Morse state this is a majority republican board, for this many people to be upset, something “isn't working.” Morse state the board should be listening to the voices of the people.

Kevin McKittrick stated he had never seen a “bigger bunch of crybabies.” McKittrick stated he had attended many county farm meetings, the farm had been handled wrong for years, and was finally being farmed correctly.

Board member Mark Bennett stated the farm had been talked about over and over, false information had been put out and Bennett also encouraged people to go in and read everything. Bennett stated the farm “is not being sold.”

Sharon Ongman encouraged everyone in attendance to have respect for people speaking. Ongman said the new State's Attorney has been voted in by members of the County Board and people need to “let him prove himself.”

Tricia Miller stated the hostility is spilling out over everywhere. The hatred is scary, and she is concerned about people's safety. The board needs to disengage from what is causing the hostility and govern “without outside influences.”

Board member Julie Edwards stated nobody has asked her why she votes the way she does, that she has no secrets and feels bad for the new board members that have a “target on their heads.” Edwards asked the public to give the board a chance to do the right thing and asked the public to give the board a chance to solve something. She stated it's time to “tone down the anger” and move the county forward. Edwards asked the public to show some support instead of “constant criticism.”

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Board member Tad Mayhall recognized the students from the High School civics class. He encouraged those in attendance to “stop the rhetoric” on social media because nothing was going to be won on the keyboard. Mayhall encouraged people to get involved, to call him with concerns and as far as he was concerned, he was on the board to represent everyone. People need to provide the board with feedback, but he asked people to “be nice” and “set a better example” for the students in attendance.

Jared Yantis read the poem IF by Rudyard Kipling.

At 8:02 PM, Don Jones, Deputy Director of the Pretrial Operations for the State of Illinois addressed the board regarding the new Pre-Trial program put in place across the State. Shelby County will have 1 pretrial officer, and the Pretrial Operations department would like to rent office space in the Courthouse for this position. The pretrial officer will do criminal history for offenders, take a social history, drug test and work closely with the Sheriff's office and the court system. Jones stated the State will pay \$13.00 per square foot and require a desk and file cabinet if possible. This will cost the county no money, will be a resource for the county to work with offenders pre-trial, and the lease amount collected will be deposited in the general fund. The State normally signs a 5-year lease, which is paid annually. Sheriff McReynolds has been trying to determine a space for this in the Courthouse. Once approval has been received from the board and a space chosen, a contract will be provided for review and approval by the board.

Nelson made motion to approve leasing available office space in the Courthouse for the Pre-Trial officer. Firnhaber seconded said motion, which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

A resolution to accept a grant in the amount of \$41,206.59 was presented for approval. This grant is from the Administrative Office of Illinois Courts (AOIC) and will be used for technology modernization in both Courtrooms. The budget of the Circuit Clerk for line item 001-003-70450 (Technology Grant Expenses), will need to be amended pending acceptance of this grant by the Board.

Edwards made motion to approve the acceptance of the AOIC grant and to amend the Circuit Clerk's budget for the same amount. Bennett seconded said motion, which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

Deviating from the agenda, Chairman Orman jumped to item #12 to rescind action related to the preliminary plat for Lithia Estates, which the board rejected at the January 12, 2023, meeting. Ogden made motion to rescind the action from the Jan. 12 board meeting to reject the preliminary plat of Lithia Estates. Williams seconded said motion. Mayhall made motion to table the rescission. Firnhaber seconded said motion, which passed by voice vote (18 yes, 2 no Ogden and Orman).

Attorney Jake Smallhorn and his clients the Goodwins and Curls were present, as was Attorney John Barger and his client Barb Galvan. The planning commission approved this preliminary plat at their December 13, 2022, meeting. The Budget committee met on December 29, 2022, and made recommendation to the full board for the January 12, 2023 meeting. The Shelby County Zoning Ordinance states the plat either must be accepted or denied within 30 days following the January 12 board meeting. Zoning Administrator Bill Schmitz informed the board, they had to decide at this meeting to either reject or deny and give a reason why the Zoning Ordinance wasn't followed.

After much discussion, McCormick made motion to approve the resolution to reject the preliminary plat for Lithia Estates subdivision as presented. Williams seconded said motion, which passed by voice vote (16 yes, 4 no – Bennett, Hardy, Ogden and Orman).

Public Safety Chair Don Tate presented for approval a resolution to increase fees of the Animal Control Department. The previous animal control committee had been working on this issue. The resolution presented had been reviewed by the special prosecutor currently staffing the State's Attorney's office. Tate made motion to approve the resolution. Ross seconded said motion, which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

At this time, David Woods from Mytec Solutions, addressed the Board regarding the template for the County website. Every department will have their own page. It will be a simple drag and drop type of format which should be easy for everyone to use. There will be a link on the main page so the public can access live streams of the board meetings. Woods stated this is something they have been working on for several years and have mocked up many times. The annual hosting fee will be \$180.00 per year.

Williams made motion to approve Mytec Solutions to activate the County website and work with the various County departments to set up their pages. McCormick seconded said motion, which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

At this time, Chairman Orman called for the County Highway Report.

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Reed Best, Engineering Assistant, presented for approval 2 resolutions and a 50/50 petition. The County Oil letting was held on Feb. 6th by the Road and Bridge committee. The only bidder was Howell Paving, Inc. for 78,000 gallons of asphalt emulsion and 400 ton of M 19-07.

Kessler made motion to approve the resolution. Hardy seconded said motion, which passed unanimously by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

Tate made motion to approve the resolution to award the low bid for 33,000 gallons of HFE 300 to produce Cold Mix to Howell Paving, Inc., who was the only bidder. The bid was for \$3.09 a gallon/\$101,970. Mayhall seconded said motion, which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

Best presented a 50/50 petition for the Cold Spring Highway Commissioner to replace a 48" x 30' CMP with a 48" X 40' CMP located on 675N Rd near 1100E Rd. Estimated costs are \$3,870 and will be shared equally between the Township and the County.

Bennett made motion to approve the petition. Wallace seconded said motion, which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

Chairman Orman informed the Board he had been contacted by a representative from Prairie Power, Inc. regarding an easement for additional power lines which would cross the Shelby County Farm property (parcel 1812-04-00-200-014). This project is for the Shelbyville Loop Project. Discussion was held about the types of poles, path across the ground, ease of farming around poles, etc. No action was taken regarding this issue.

The annual resolution to approve participation in the service program of the Office of the State's Attorney Appellate Prosecutors office was presented. The annual cost for this program is \$7,000 and the money is budgeted for such program in the State's Attorney budget.

Williams made motion to approve the resolution. Firnhaber seconded said motion, which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

Williams made motion to approve a resolution concerning Illinois Gun Control Bills, which had been drafted by the legislative committee. McCormick seconded said motion. Williams made motion to amend the paragraph stating the paragraph stating "the County Board expects all elected officers in Shelby County to support and enforce this resolution" to be applicable to only the Sheriff, State's Attorney and Coroner. McCormick seconded said amendment. Mayhall made motion to table this resolution until the County could get legal counsel to provide some guidance. Firnhaber seconded said motion to table. Williams withdrew his motion to amend, McCormick seconded. Mayhall's motion to table, seconded by Firnhaber passed by voice vote (17 yes, 3 no 0 Bennett, Brown, and Ross).

Changes to the board rules were presented for approval as drafted by the Legislative committee. Williams made motion to approve, seconded by Mayhall. Discussion was held. Legislative chair Williams stated following discussion with the County Clerk, he would recommend item #17 regarding submission of bills be left at 7 days prior to the meeting. The Clerk explained that any bill submitted prior to the Finance committee meeting would be submitted to the committee for review, but the office needed time to process all of the accounts payable claims submitted, especially during busy times in the office.

Williams made motion to amend #17 to read 7 days. Bennett seconded said motion, which passed by voice vote (20 yes, 0 no). The vote on the originally motion by Williams, seconded by Mayhall to approve the Order of Business for the County Board passed by voice vote (20 yes, 0 no).

Changes to the Public Comment Policy as drafted by the Legislative committee were presented for approval. Williams made motion to approve, Ogden seconded said motion. Ross made motion to amend bullet point 4 from "*members of the public may yield their time to another member of the public*" to read **members of the public may yield their time to another member of the public; however, any one member of the public shall not exceed 10 minutes and the member yielding their time shall forfeit any other use of their time.** Williams seconded said amendment, which passed by voice vote (17 yes, 3 no – Cole, Edwards, and Nelson).

Vote on public comment policy as motioned by Williams and seconded by Ogden, passed by voice vote (19 yes, 1 no – Cole).

Board member Brands informed the board quotes had been received by Mytec Solutions for equipment for the board to live stream their meetings. Williams made motion to approve the quotes to purchase the equipment. Ogden seconded said motion, which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

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Firnhaber made motion to approve the County Board to affirm the addition into the next compensation setting resolution for IMRF, Health Insurance and all other benefits standard to elected officials in Shelby County. Bennett seconded said motion. Discussion was held. Kessler made motion to table this item until legal counsel could advise the board. Ross seconded said motion, which passed by voice vote (20 yes, 0 no).

Board member and Finance chair Bennett stated after speaking with the County Treasurer he felt the county would benefit in changing the fiscal year from 9/1 – 8/31(only 2 counties in IL have this) to a December 1 – November 30 fiscal year. Firnhaber made motion approve changing the county's fiscal year. Williams seconded said motion, which passed by voice vote (20 yes, 0 no).

Bennett next recommended the county request Bellwether do a 12-month budget year beginning Sept 1, 2023, and an additional 3-month budget which would allow the County to begin a new fiscal year cycle on December 1, 2024. Bellwether, who Shelby County currently contracts with for budget services, stated this additional budget would result in a small increase for their services. Mayhall made motion to approve this item. Firnhaber seconded said motion which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

County Clerk Jessica Fox requested the board approve the moving the polling place for Moweaqua 1 & 2 to the former Lion's Club Building in Moweaqua located at 415 N. Main St. in Moweaqua. Nelson made motion to approve this request. Firnhaber seconded said motion, which passed by voice vote (20 yes, 0 no).

There were no committee reports.

For Chairman updates, Orman stated he had previously presented the updates when he discussed the issue regarding the Prairie Power easement request.

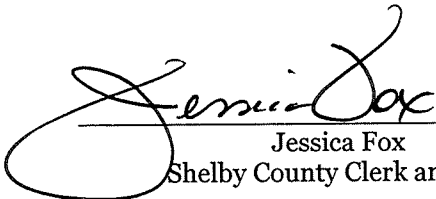
Continuing with Chairman Appointments Orman requested approval for the following:

Reappoint Jim Hampton to the Zoning Board of Appeals. Motion by Cole, seconded by Ogden. Motion passed by voice vote (20 yes, 0 no).

There was no correspondence and no old business to be discussed.

Williams made motion to approve the paying of the monthly bills as reviewed by committees. Bennett seconded said motion. Discussion was held regarding a bill submitted by the Dive Team to reimburse the Commander Austin Pritchard for providing breakfast prior to training for his group. There is nothing in the current County travel policy to allow for meals to be purchased for a training event held locally and this also was not a public purpose of County funds. Pritchard has been reimbursed by some members of the board for the \$188.05 in meal expenses. Bennett made motion to amend the paying of the claims to reflect only \$87.51 would be reimbursed to Pritchard for Dive Team. Williams seconded said motion to amend the payment of claims, which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Cole, Edwards, Firnhaber, Hardy, Kessler, Martin, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

Brands made motion to adjourn until the next meeting to be held on March 9, 2023. Williams seconded said motion, which passed by voice vote (20 yes, 0 no) and the meeting was adjourned at 10:34 P.M.



Jessica Fox
Shelby County Clerk and Recorder