

SHELBY COUNTY BOARD MEETING
November 14, 2024 – 7:00 P.M.

Video archive of entire meeting can be found at shelbycounty-il.gov under You Tube

The Shelby County Board met on Thursday, November 14, 2024, at 7:00 P.M. in Courtroom A of the Shelby County Courthouse in Shelbyville, Illinois.

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

County Clerk Jessica Fox called the roll. Edwards, Martin, Martz, and Otis were absent.

Minutes for the October 10, 2024, Board meeting were presented for approval. McCormick made motion to approve the minutes. Tate seconded said motion, which passed by voice vote (15 yes, 0 no).

Minutes from the October 21, 2024, emergency meeting were presented for approval. Wallace made motion to approve. Keenan seconded said motion, which passed by voice vote (15 yes, 0 no).

Minutes from the November 7, 2024, special board meeting were presented for approval. Cole made motion to approve. Shuff seconded said motion, which passed by voice vote (15 yes, 0 no).

A vacancy was announced in County Board District 8 due to the resignation of Jeremy Williams. The Republican Central Committee recommended the appointment of Chad Yantis to fill this vacancy.

Nelson made motion to approve the appointment. Firnhaber seconded said motion, which passed by voice vote (15 yes, 0 no). Clerk Fox administered the Oath to Yantis and he took his seat on the board.

Probation Officer and Drug Court Coordinator Angie Durbin requested the board proclaim December 2024 as Drunk and Drugged Driving Prevention month. The memorial tree will be placed in the Courthouse throughout the month of December. Durbin thanked the board for their support. (Proclamation attached to these minutes).

Morse made motion to approve the proclamation. Firnhaber seconded said motion, which passed by voice vote (16 yes, 0 no).

Ross presented the annual Illinois State Appellate Prosecutor resolution for approval. Ross informed the board he had spoken with the office, and they assist Shelby County with many cases, and the costs for those are all covered by the one amount. This year's amount is \$10,000 but Ross told the board those costs would be much higher if the County had to hire outside attorneys.

McCormick made motion to approve the SAAP resolution. Boehm seconded said motion, which passed by roll call vote (16 yes, 0 no). Ayes: Amling, Boehm, Brown, Cole, Firnhaber, Hardy, Keenan, Mayhall, McCormick, Morse, Nelson, Ross, Shuff, Tate, Wallace, and Yantis. Nays: none.

EMA Coordinator Scott McKee addressed the board requesting \$21,500 in ARPA funds for IPAWS software, a public alert system, to include a 4-year agreement with TextMyGov. McKee previously updated the board on this program and informed them there be no automatic renewal after the 4 years.

Mayhall made motion to approve the use of ARPA funds for this program. Tate seconded said motion, which passed by roll call vote (16 yes, 0 no). Ayes: Amling, Boehm, Brown, Cole, Firnhaber, Hardy, Keenan, Mayhall, McCormick, Morse, Nelson, Ross, Shuff, Tate, Wallace, and Yantis. Nays: none.

Chairman Ross called for the Highway Engineer's Report.

Highway Engineer Michael Tappendorf covered his monthly Highway report, prior to addressing items requiring board attention.

A resolution for no parking signage to be placed on County Highway 2 around Wilborn Creek, was presented for approval. Brown made motion to approve the resolution. Firnhaber seconded said motion, which passed by voice vote (16 yes, 0 no).

The next agreement presented was an engineering agreement with Gonzalez Companies for services related to the reconstruction of structure 087-3120. Estimated costs of \$17,250 are expected to be paid by the State of Illinois.

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Brown made motion to approve the agreement. McCormick seconded said motion, which passed by roll call vote (16 yes, 0 no). Ayes: Amling, Boehm, Brown, Cole, Firnhaber, Hardy, Keenan, Mayhall, McCormick, Morse, Nelson, Ross, Shuff, Tate, Wallace, and Yantis. Nays: none

Tappendorf presented a 50/50 petition from the Rose Township Highway Commissioner requesting approval to demolish and construct a new bridge on TR221 (1010N/1250E), southwest of Shelbyville. Brown made motion to approve the 50/50 petition. Shuff seconded said motion, which passed by voice vote (16 yes, 0 no).

An engineering agreement with Hampton, Lenzini, and Renwick for engineering services for the bridge in Rose Township was presented. Estimated costs are \$48,000 and payment is expected from the State of Illinois.

Brown made motion to approve the agreement with HLR. Firnhaber seconded said motion, which passed by roll call vote (16 yes, 0 no). Ayes: Amling, Boehm, Brown, Cole, Firnhaber, Hardy, Keenan, Mayhall, McCormick, Morse, Nelson, Ross, Shuff, Tate, Wallace, and Yantis. Nays: none

The Shelbyville Township Highway Commissioner requests approval for a 50/50 petition to remove and replace a box culvert with concrete pipes. Estimated costs are \$23,160. Brown made motion to approve the 50/50 petition. Shuff seconded said motion, which passed by roll call vote (16 yes, 0 no). Ayes: Amling, Boehm, Brown, Cole, Firnhaber, Hardy, Keenan, Mayhall, McCormick, Morse, Nelson, Ross, Shuff, Tate, Wallace, and Yantis. Nays: none.

The final 50/50 petition presented was from the Okaw Township Highway Commissioner to install storm relief CMP pipes along 1650E at the intersection with Union Pacific Railroad. Estimated costs are \$5,996. Brown made motion to approve the 50/50 petition. Firnhaber seconded said motion, which passed by roll call vote (16 yes, 0 no). Ayes: Amling, Boehm, Brown, Cole, Firnhaber, Hardy, Keenan, Mayhall, McCormick, Morse, Nelson, Ross, Shuff, Tate, Wallace, and Yantis. Nays: none.

Boehm made motion to approve continuing the ARPA \$1.00/hour premium pay and health insurance payment (if wellness checks completed) for all non-union employees until a new union contract is negotiated and signed. Mayhall seconded said motion. Both Union contracts have expired, and it was recently approved to continue this practice with AFSCME until a new contract is approved. Boehm's motion, with Mayhall's second passed by roll call vote (16 yes, 0 no). Ayes: Amling, Boehm, Brown, Cole, Firnhaber, Hardy, Keenan, Mayhall, McCormick, Morse, Nelson, Ross, Shuff, Tate, Wallace, and Yantis. Nays: none.

McCormick made motion to rescind resolution 2024-34, regarding the sale of the county farm. Boehm seconded said motion, discussion was held.

McCormick stated his purpose for this agenda item was to get the county board out of the lawsuit and work with the State's Attorney to draft a legal resolution to sell the farm should the board decide to move forward with that. McCormick stated he had read that anyone that had voted in favor of that resolution could make a motion to rescind. Ross stated the board had gotten themselves into this mess by doing things they thought were right, being as the board is engaged in a lawsuit and doesn't currently have court appointed counsel, he did not know if rescinding the resolution would necessarily get the board out of the lawsuit. Ross also stated he had concerns that rescinding this resolution wouldn't compound the issue and create additional legal issues. The court has not yet appointed legal counsel for the county board. The lone bidder has been made aware there is a pending lawsuit regarding the sale of the farm. The situation is in status quo, nothing is moving, nothing is happening. Ross said he personally was not in favor of doing anything regarding that resolution without having court-appointed counsel. The statement was made that Robert's Rules would not allow the resolution to be rescinded since action has been taken on the resolution. Mayhall reported that in the most current edition of Robert's Rules, it states the parts of the resolution which have been acted on, cannot be undone; however, those parts that haven't been acted on could be. Ross stated that there are opinions on both sides of that.

Firnhaber made motion to table this agenda item. Keenan seconded said motion. Motion to table passed by voice vote (11 yes, 5 no – Boehm, Cole, McCormick, Mayhall, and Morse).

The next item for action was the approval of liquor license renewals for FY 2025.
Jacki's Gaming dba Lucky Ducks Gaming – Class 5 Restaurant B
Oak Terrace Resort – Class 3 Resort
Castaways at Coon Creek – Class 1 Beer
Willow Ridge Winery – Class 4 Winemakers and Class 7 Banquet Hall
Twilight Distillery – Class 8 Craft Distillers
Vahling Vineyards – Class 4 Winemakers and Class 7 Banquet Hall
Eagle Creek Golf Course – Class 6 Golf Course

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Firnhaber made motion to approve the liquor license for Jacki's Gaming, dba Lucky Ducks Gaming. Hardy seconded said motion. It was asked if there had been any issues at any of the establishments requesting approval for a liquor license renewal. It was asked if Shelbyville Township was still a dry township. Boehm made a statement that there were records showing there had been a vote regarding the wet/dry of Shelbyville Township. Firnhaber stated the legality of the wet/dry issue was one that should be decided by the courts and not for the county to decide at this time. Boehm requested a roll call vote. Renewal of Jacki's Gaming dba Lucky Ducks Gaming liquor license passed by roll call vote (10 yes, 3 no, Morse, Shuff, and Yantis, and 3 abstain – Boehm, Keenan, and Mayhall) Ayes: Amling, Brown, Cole, Firnhaber, Hardy, McCormick, Nelson, Ross, Tate, and Wallace. Nays: Morse, Shuff, and Yantis. Abstain: Boehm, Keenan, Mayhall.

Ross asked if any members of the board had any issue with him taking one vote on the remaining liquor license renewals. Tate made motion to approve the remaining liquor license renewals. Firnhaber seconded said motion, which passed by voice vote (16 yes, 0 no).

Chairman Ross called for committee reports.

Public Safety committee chair Mayhall informed the board that although the committee had not met recently in an effort to save time and expense, regular communications are had with those that lead those various departments.

R/B committee chair Brown said the cookout at the Highway Department was well received by the employees and a few board members also attended. Next year the plan is to also include department heads in the invitation.

Under Chairman updates, Ross said he met with LaVonne Chaney, president of the Mental Health "708" board about various bills that had been submitted for payment. Ross said he now has a much better understanding of the services offered/provided, the way the funds are used, and stated the services provided are very necessary to the county.

Chairman Ross requested the following appointments.

Brian McReynolds to the ETSB 9-1-1 board as the elected official appointment for a 1-year term. Firnhaber made motion to approve the appointment, seconded by Tate. Appointment passed by voice vote (16 yes, 0 no).

Scott McKee to the ETSB 9-1-1 board as a public safety member for a 1-year term. Firnhaber made motion to approve the appointment, seconded by Wallace. Appointment passed by voice vote (16 yes, 0 no).

Mitchell Shuff to the Rescue Squad committee. Firnhaber made motion to approve the appointment, seconded by Wallace. Appointment passed by voice vote (16 yes, 0 no).

Under old business, Ross stated that the audit was done, but not yet complete, as the single audit and circuit clerk audit still need to be completed, but these items are being worked on. Mayhall and Ross have been in conversations with other auditors who they hope can jump in and do the 2023 audit, once the 2022 audit has been finalized. Morse expressed concerns about the draft budget sitting for 15 days and constantly changing. Ross said the budget must be approved by 12/1. The statute says the budget must lay for 15 days, but that changes can still be made.

Firnhaber made motion to approve the payment of claims as reviewed by the respective committees. Tate seconded said motion. Discussion was held.

Ross stated the board needs more information regarding the bill from Benford & Brown in the amount of \$7,837.50 and recommended pulling this bill from those to be approved for payment. Mayhall made motion to approve amending the bills. McCormick seconded said motion, which passed by voice vote (15 yes, 1 no - Firnhaber).

Ross recommended amended the claims to include the \$128,916.35 claims submitted by Shelby County Community Services. Mayhall made motion to approve this amendment. Tate seconded said motion, which passed by voice vote (16 yes, 0 no).

The original motion to pay the bills made by Firnhaber and seconded by Tate, passed by roll call vote (16 yes, 0 no). Ayes: Amling, Boehm, Brown, Cole, Firnhaber, Hardy, Keenan, Mayhall, McCormick, Morse, Nelson, Ross, Shuff, Tate, Wallace, and Yantis.

Chairman Ross called for Public Body Comment. A summary of public body comment/opinion is listed as follows:

Rescinding the Farm sale resolution
County's right to refuse all bids
Recent comments made by a board member about law enforcement

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FY 24-25 budget
FY 22 audit
Right to free speech
Support for county employees and elected officials

Nelson made motion to adjourn the meeting of the Shelby County Board. Firnhaber seconded said motion, which passed by voice vote (15 yes, 0 no) and the meeting was adjourned at 8:20 P. M.

Jessica Fox
Shelby County Clerk and Recorder