

**JO DAVIESS COUNTY BOARD
MEETING MINUTES
FEBRUARY 8, 2022**

CALL TO ORDER: Jo Daviess County Chairperson Don Hill called the meeting to order at 7:00 p.m. on Tuesday, February 8, 2022 in the Jo Daviess County Board Room, Jo Daviess County Courthouse in Galena, Illinois.

ROLL CALL was answered as follows: Present – William Bingham, Diane Gallagher, Robert Heuerman, Don Hill, John Korth, John Lang, Robert O'Connor, Hendrica Regez, John Schultz, and LaDon Trost. Present: 10. Present electronically – Dianne Allendorf, Staci Duerr, and Steve McIntyre. Present electronically: 3. Absent - Janet Checker, Darcy Wild, and Don Zillig. Absent: 3. Vacant: 1.

THE PLEDGE OF ALLEGIANCE was led by Chairperson Hill.

THE INVOCATION and thought for the day were given by William Bingham.

Janet Checker entered the meeting at this time.

Darcy Wild entered the meeting electronically at this time.

AGENDA ITEM I – CONSENT AGENDA

A motion to approve the consent agenda was made by John Lang and seconded by Hendrica Regez.

The motion carried by roll call vote. Ayes – Dianne Allendorf, William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Korth, John Lang, Steve McIntyre, Robert O'Connor, Hendrica Regez, John Schultz, LaDon Trost, and Darcy Wild. Ayes: 15. Nays: 0. Absent – Don Zillig. Absent: 1. Vacant: 1.

AGENDA ITEM II - CITIZENS' COMMENTS

There were no citizens' comments at this time.

AGENDA ITEM III – UNFINISHED BUSINESS

There was no unfinished business brought before the board at this time.

AGENDA ITEM IV – NEW BUSINESS & COMMITTEE REPORTS

GGMI President and CEO Rose Noble presented her quarterly report and distributed copies of the Galena Country 2022 Official Visitors Guide.

At this time, Chairperson Hill exercised his prerogative and moved to Item K.

LAW ENFORCEMENT & COURTS:

Chief Deputy Craig Ketelsen addressed the board on issues regarding the Criminal Justice Reform Trailer bill. The 700+ page bill was written without any input from law enforcement, attached to a prescription drug oversight bill proposal, presented at approximately 3:15 a.m. and voted on at 4:00 a.m. It was sent to the House and called for a vote with approximately 60 minutes left in the lame duck session.

There are several concerning issues that will negatively impact law enforcement. It establishes a "board" that will hear complaints, conduct investigations, and have the power to decertify an officer, even if said officer was not disciplined by their own department. Although it has yet to be appointed, this board will consist of 10-12 individuals, of which none have to be actual law enforcement, however representation from law enforcement "groups" will be appointed to the board. Previously, a citizen had 90 days to file a complaint; with this bill, they have up to 3 years to file a complaint and also allows it to be made anonymously without a sworn affidavit.

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In regard to body cameras, it requires all footage to be retained for just 90 days, then requires the footage to be destroyed. If a complaint is filed against an officer after 90 days, there would be no evidence that could potentially exonerate them. In fact, if body camera footage is produced after the 90 day window, the officer is guilty of a Class 3 felony for not following the disposal rule. After an officer involved shooting (OIS), officers are not allowed to view their body camera footage prior to writing their report. It has been proven that after an OIS, officers can experience trauma and a temporary loss of memory of the event, so viewing the camera footage could help them recollect the details. Regardless of their mental and/or emotional state, the officer may still be required to write a report and any omissions or inconsistencies in their report will be held against them.

The bill threatens qualified immunity, which is essentially tort immunity. Previously, an officer could not be held liable for lawful acts or omission of those acts, examples being: an officer has to subdue a person and in the process the person gets injured, or; the officer chooses to disengage and avoid a fight/conflict and the person leaves and subsequently commits a crime or injures someone. If qualified immunity is taken away, the officer can be sued personally for either one.

It requires monthly reporting of instances where an officer was dispatched to a person experiencing a mental health crisis. Officers are not health professionals and are not trained to diagnose mental illness and HIPPA regulations prohibit hospitals from releasing health information to law enforcement, so this greatly impedes law enforcement when reporting a possible mental health crisis.

Finally, the bill sets mandatory minimums for officer training, however some courses aren't even developed in Illinois and unfortunately, officers will not get credit for training obtained in another state. It reduces newly hired officer time in the academy from 12 months to 6 months, but has not introduces any new academies. The wait list for Police Training Institute is currently 2 years and although you can request a 3 month extension, if the cadet is not in the academy within that time, they cannot be hired for the period of 1 year. This greatly reduces the ability to fill vacancies, which is of great concern to their office and to Jo Daviess County.

Don Zillig entered the meeting electronically at this time.

Chairperson Hill returned to New Business & Committee Reports at this time.

A motion to accept a letter of resignation from Planning & Development Administrator Eric Tison with regrets was made by Diane Gallagher and seconded by Steve McIntyre.

The motion carried by voice vote.

A motion to appoint Don Hill, John Lang, John Schultz and Diane Gallagher to the Ad-Hoc Planning & Development Administrator Search Committee and for Don Hill to serve as Committee Chairperson was made by Robert O'Connor and seconded by Robert Heuerman.

The motion carried by voice vote.

A motion to approve a resolution to amend and extend the Jo Daviess County Emergency Disaster Declaration due to COVID-19 in Jo Daviess County with an amended ending date of March 8, 2022 was made by John Schultz and seconded by William Bingham.

The motion carried by roll call vote. Ayes – Dianne Allendorf, William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Korth, John Lang, Steve McIntyre, Robert O'Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 16. Nays: 0. Vacant: 1.

EXECUTIVE:

A committee recommendation to approve a request for proposals for a position classification and compensation study was seconded by John Lang.

The motion carried by voice vote.

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A committee motion to approve a Letter of Support for the Galena-Jo Daviess County Historical Society & Museum was seconded by John Lang.

The motion carried by voice vote.

FINANCE, TAX, & BUDGETS:

A committee motion to approve a Resolution to Amend the FY2021 Jo Daviess County Tourism Promotion Fund (027) Budget was seconded by John Schultz.

The motion carried by roll call vote. Ayes – Dianne Allendorf, William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Korth, John Lang, Steve McIntyre, Robert O'Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 16. Nays: 0. Vacant: 1.

Don Zillig left the meeting at this time.

A committee motion to approve a Resolution to Pay Eligible FY2022 COVID-19 Expenses from the Contingency Fund was seconded by John Schultz.

The motion carried by roll call vote. Ayes – Dianne Allendorf, William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Korth, John Lang, Steve McIntyre, Robert O'Connor, Hendrica Regez, John Schultz, LaDon Trost, and Darcy Wild. Ayes: 15. Nays: 0. Absent – Don Zillig. Absent: 1. Vacant: 1.

A motion to pay eligible FY2022 COVID-19 expenses over \$2,000 from the Contingency Fund (016) per the approved resolution stated above was made by John Schultz and seconded by Janet Checker:

- Top Notch \$3,600.00

The motion carried by roll call vote. Ayes – Dianne Allendorf, William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Korth, John Lang, Steve McIntyre, Robert O'Connor, Hendrica Regez, John Schultz, LaDon Trost, and Darcy Wild. Ayes: 15. Nays: 0. Absent – Don Zillig. Absent: 1. Vacant: 1.

The adjusted total claims for February, 2022 is \$663,694.10.

A committee motion to approve a resolution to opt out of Public Act 102-0175, an amendment of Property Tax Code (35 ILCS 200/15-178) for Preferential Assessment of Rental Housing Construction/Rehabilitation was seconded by John Schultz.

The motion carried by roll call vote. Ayes – Dianne Allendorf, Staci Duerr, Robert Heuerman, Don Hill, John Korth, John Lang, Steve McIntyre, John Schultz, LaDon Trost, and Darcy Wild. Ayes: 10. Nays - William Bingham, Janet Checker, Diane Gallagher, Robert O'Connor, and Hendrica Regez. Nays: 5. Absent – Don Zillig. Absent: 1. Vacant: 1.

The fund balance for the Contingency Fund (016) on December 31, 2021 was \$432,167.80.

Don Zillig entered the meeting electronically at this time.

INFORMATION & COMMUNICATIONS TECHNOLOGY:

The committee had no business to bring before the board.

SPECIAL SERVICE AREA COMMISSIONS:

The commissions had no business to bring before the board.

DEVELOPMENT & PLANNING:

A committee motion to establish an Ad-Hoc Comprehensive Plan Steering Committee as appointed by County Board Chairperson to consist of seven (7) members was seconded by Diane Gallagher.

The motion carried by voice vote.

A committee motion to approve an ordinance amending Title 4, Chapter 6, Guest Accommodations of the Code of Ordinances was seconded by Diane Gallagher.

The motion carried by roll call vote. Ayes – Dianne Allendorf, William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Korth, John Lang, Steve McIntyre, Robert O'Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 16. Nays: 0. Vacant: 1.

PUBLIC WORKS:

A committee motion to approve the purchase of a ¾ ton Standard Cab Pickup Truck from Runde Chevrolet in East Dubuque, IL, at a cost of \$38,185.00 was seconded by LaDon Trost.

The motion carried by voice vote.

A committee motion to approve the purchase of a ¾ ton Extended Cab Pickup Truck from Runde Chevrolet in East, Dubuque, IL, at a cost of \$37,660.00 was seconded by LaDon Trost.

The motion carried by voice vote.

A committee motion to approve a resolution for the 2022 Spring Road Posting was seconded by LaDon Trost.

The motion carried by roll call vote. Ayes – Dianne Allendorf, William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Korth, John Lang, Steve McIntyre, Robert O'Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 16. Nays: 0. Vacant: 1.

SOCIAL & ENVIRONMENTAL:

A committee motion to approve a resolution for sole/single source procurement of new computer software for Transit from Modeshift at a yearly cost of \$27,000.00 was seconded by Don Hill.

The motion carried by roll call vote. Ayes – Dianne Allendorf, William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Korth, John Lang, Steve McIntyre, Robert O'Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 16. Nays: 0. Vacant: 1.

A committee motion to approve an Intergovernmental Agreement for General Public Transportation between the City of Galena and Jo Daviess County Transit in the amount of \$20 per hour, per driver, for full performance of the terms of this Agreement was seconded by Don Hill.

The motion carried by voice vote.

A committee motion to approve an Agreement for Advertising between Dupaco Community Credit Union and Jo Daviess County Transit at a monthly advertising fee charge of \$1,250.00/\$15,000.00 per year was seconded by Don Hill.

The motion carried by voice vote.

A committee motion to approve an Intergovernmental Agreement for General Public Transportation between the East Galena Township and Jo Daviess County Transit for a sum of \$100.00 for full performance of the terms of this Agreement was seconded by Don Hill.

The motion carried by voice vote.

A committee motion to approve an Intergovernmental Agreement for General Public Transportation between the West Galena Township and Jo Daviess County Transit; West Galena will be responsible for paying per invoice of Blue tickets at a cost of \$1.00 each ticket was seconded by Don Hill.

The motion carried by voice vote.

A committee motion to approve an Agreement for General Public Transportation between the Little Learners and Jo Daviess County Transit; Little Learners will be responsible for paying a fee of \$1.00 per child, per trip was seconded by Don Hill.

The motion carried by voice vote.

PLANNING COMMISSION/ZONING BOARD OF APPEALS:

A motion to approve a special use permit to allow for a nonagricultural residence on a lot less than forty acres on the subject property (commonly known as 4894 S. Derinda Road, Elizabeth) was made by John Schultz and seconded by John Korth.

The motion carried by roll call vote. Ayes – Dianne Allendorf, William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Korth, John Lang, Steve McIntyre, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 14. Nays - Robert O'Connor and Hendrica Regez. Nays: 2. Vacant: 1.

LEGISLATIVE:

The committee had no business to bring before the board.

AGENDA ITEM V – OTHER COMMITTEES AND BOARDS

Grant Administration Oversight Committee:

A motion to approve the Shive-Hattery Pre-Design Facility Needs Assessment & Master Plan in the amount of \$42,000.00 was made by John Lang and seconded by John Schulz.

The motion carried by voice vote.

AGENDA ITEM VI – BOARD MEMBER CONCERNS

Diane Gallagher spoke about the Galena Territory Annual meeting on February 26, 2022 from 9 a.m. to 1 p.m. They have provided a display table for the county and she will be there to answer questions and provide information.

AGENDA ITEM VII – CITIZENS' COMMENTS

Nicole Hermsen, Transit Director/PCOM thanked the board for their continued support.

AGENDA ITEM VIII – CLOSED SESSION

There was no need for closed session.

AGENDA ITEM IX – POSSIBLE ACTION AS A RESULT OF CLOSED SESSION

There was no action as a result of closed session.

AGENDA ITEM X - ADJOURNMENT

A motion to adjourn was made by John Korth and seconded by Robert Heuerman.

The motion carried by voice vote.

Chairperson Hill adjourned the meeting at 8:41 p.m. until 7:00 p.m. Tuesday, March 8, 2022 at the Jo Daviess County Board Room, Jo Daviess County Courthouse in Galena, Illinois.

JO DAVIESS COUNTY BOARD
CONSENT AGENDA
FEBRUARY 8, 2022

A. MINUTES APPROVAL

1. County Board meeting minutes from the January 11, 2022 County Board Meeting.

B. APPOINTMENTS/RESIGNATIONS

1. Appointment of James Francis to serve on the Upper Mississippi River International Port District for a three-year term commencing June 1, 2021 and ending May 31, 2024.
2. Appointment of David Schmit to serve on the Jo Daviess-Carroll Joint Action Solid Waste Planning Agency for a three year term commencing October 1, 2021 and ending September 30, 2024.
3. Appointment of Rick Pariser to serve on the Jo-Carroll Foreign Trade Zone Board for a three-year term commencing January 1, 2022 and ending December 31, 2024.

C. CONTRACTS, AGREEMENTS, & PETITIONS

D. ORDINANCES, RESOLUTIONS, & PROCLAMATIONS

E. REPORTS & CORRESPONDENCE

F. CLAIMS

1. Claims approval in the amount of \$660,094.10 as follows:
 - i. \$563,370.39 (\$557,790.47 Regular Claims + Claims associated w/LIT's \$5,579.92)
 - ii. \$96,409.69 (GGMI Hotel/Motel Tax Reimbursement – Over budget)
 - iii. \$314.02 (COVID-19 Claims to be paid from Contingency Fund)
2. Emergency Telephone Systems Board Fund claims in the amount of \$8,337.75.

G. LINE ITEM TRANSFERS

1. **FY2022** Line Item Transfers (without associated claims) in the amount of \$6,500.00 as follows:
 - i. \$1,500.00 \$1,500.00 from 046-44162-925 COVID-19 Expense to 046-44162-441 Uniform Allowance
 - ii. \$5,000.00 \$5,000.00 from 046-44162-925 COVID-19 Expense to 046-44162-603 Operating Supplies
2. **FY2022** Line Item Transfers (with associated claims) in the amount of \$11,000.00 as follows:
 - i. \$8,000.00 \$8,000.00 from 046-44162-925 COVID-19 Expense to 046-44162-702 Professional Service
 - ii. \$3,000.00 \$3,000.00 from 046-44162-925 COVID-19 Expenses to 046-44162-704 Telephone & Electronic Communications
3. **FY2021** Line Item Transfers (with associated claims) in the amount of \$706.00 as follows:
 - i. \$706.00 \$706.00 from 001-44127-724 Rental to 001-41127-702 Professional Service