

**JO DAVIESS COUNTY BOARD
MEETING MINUTES
APRIL 12, 2021**

CALL TO ORDER: Jo Daviess County Vice-Chairperson Don Hill called the meeting to order at 7:00 p.m. on Monday, April 12, 2021 in the Jo Daviess County Board Room, Jo Daviess County Courthouse in Galena, Illinois.

ROLL CALL was answered as follows: Present – Janet Checker, Robert Heuerman, Don Hill, John Lang, Robert O’Connor, and Don Zillig. Present: 6. Present electronically – Staci Duerr, Diane Gallagher, Hendrica Regez, and LaDon Trost. Present electronically: 4. Absent - William Bingham, John Korth, John Schultz, Scott Toot, and Darcy Wild. Absent: 5. Vacant: 2.

THE PLEDGE OF ALLEGIANCE was led by Vice-Chairperson Hill.

Darcy Wild joined the meeting electronically at 7:04 p.m.

AGENDA ITEM I – CONSENT AGENDA

A motion to approve the consent agenda was made by LaDon Trost and seconded by John Lang.

The motion carried by roll call vote. Ayes – Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O’Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 11. Nays: 0. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

AGENDA ITEM II - CITIZENS’ COMMENTS

Emily Legel, NWILED thanked the board for offering another round of grant funding through the Small Business Stabilization Grants Program.

Vice-Chairperson Hill read the following citizens’ comments received via email into the minutes. They are recorded here as they were received.

Operating during a pandemic has been a heavy strain on everyone throughout our community this past year. Quarantines, new procedures, and virtual meetings have created a massive barrier in everyone’s ability to conduct business smoothly. The Workshop and Jo Daviess County Transit have strived to conduct business with teamwork, transparency, and professionalism. During the S&E meeting on April 8, 2021, we were surprised to hear that we were still in non-compliance, and so, we have prepared the following items with the goal of maintaining our integrity within the community.

- *The Operator (a.k.a. The Workshop) and Transit were not provided with a written list of “Violations” until April 8, 2021. We were blindsided to hear that we were still in violation of the agreement, as we had been operating under the impression that the presented items had been resolved.*
- *The workshop and Transit were not given a deadline for the 2019 Audit recommendations and, to date, we have not received a full report of the published November 2019 Audit. As stated in the Meeting, the results are posted to the “BlackCat System”, however, the Transit Director had virtually no access to those reports until July 2020. It should also be noted that the Audit gave our organization a rating of, “Excellent”.*
- *The mentioned clerical error, in reference to the property insurance, was completely unintentional. The matter was investigated and resolved. In no way was any Workshop employee attempting fraud.*

The Workshop has built an excellent working relationship with Transit, their mission to help fellow community members meshes perfectly with our goal of serving people with disabilities. We hope that we are given the chance to continue operating this amazing service, and help Transit flourish.

We are disheartened by the process that brought about a recommendation for change of Operators, we hope that any future leadership would continue to run Transit as an asset to the community, and an organization that strives to serve the residents of Jo Daviess County.

Signed,

Peg Tonne, Board President, Gordy Montgomery, Board Member, Garrett Hahn, Board Member, Cindy Laity, Board Member, Susan McBride, Board Member, Ed Ersfeldt, George W. Rett, Terry Korth, Laura Kuzniar

AGENDA ITEM III – UNFINISHED BUSINESS

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

AGENDA ITEM IV – NEW BUSINESS & COMMITTEE REPORTS

A motion to accept a letter of resignation from Jo Daviess County Administrator Dan Reimer with deep regrets was made by LaDon Trost and seconded by Hendrica Regez.

The motion carried by roll call vote. Ayes – Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 11. Nays: 0. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

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 May 15, 2021 was made by Robert Heuerman and seconded by John Lang.

The motion carried by roll call vote. Ayes – Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 11. Nays: 0. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

A motion to approve the award of grants associated with the Jo Daviess County Small Business Stabilization Grant Program was made by Robert Heuerman and seconded by Hendrica Regez.

The motion carried by roll call vote. Ayes – Janet Checker, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 10. Nays: 0. Abstain - Staci Duerr. Abstentions: 1. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

A motion to approve \$15,862.00 in claims associated with the award of Jo Daviess County Small Business Stabilization Grant Program grants was made by LaDon Trost and seconded by Robert Heuerman.

The motion carried by roll call vote. Ayes – Janet Checker, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 10. Nays: 0. Abstain - Staci Duerr. Abstentions: 1. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

The adjusted claim total for April 2021 is now \$608,083.96.

A motion to send a letter of support for the East Dubuque District Library was made by Don Zillig and seconded by Janet Checker.

The motion carried by roll call vote. Ayes – Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 11. Nays: 0. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

FINANCE, TAX, & BUDGETS:

A committee motion to approve a resolution to again partner with the HOPE Foundation on the printing and mailing of the second edition of the Community Resources Directory from Contingency Fund (016) was made by John Lang.

Robert O'Connor expressed his belief that the Contingency Fund should not be used to make charitable donations and would like to see any future approved requests be paid from either the General Fund or Mental Health.

The motion carried by roll call vote. Ayes – Staci Duerr, Diane Gallagher, Don Hill, John Lang, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 8. Nays - Janet Checker, Robert Heuerman, and Robert O'Connor. Nays: 3. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

A committee motion to approve a resolution to amend *P2014-Policy for the Review and Approval of Year-end Financial Statements and the Schedule of Expenditures of Federal Awards* was made by John Lang.

The motion carried by roll call vote. Ayes – Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 11. Nays: 0. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

A committee motion to approve a resolution to pay eligible FY2021 COVID-19 expenses over \$2,000.00 from the Contingency Fund (016), per R2021-10 was made by John Lang:

i. Top Notch \$2,400.00

The motion carried by roll call vote. Ayes – Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 11. Nays: 0. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

The adjusted claims total for April 2021 is now \$610,483.96.

The fund balance for the Contingency Fund (016) on February 28, 2021 was \$340,997.90.

INFORMATION & COMMUNICATIONS TECHNOLOGY:

The committee had no business to bring before the board.

EXECUTIVE:

Items H (1) (5) (6) will be addressed after closed session.

A committee motion to approve a resolution to dissolve and rescind the probation restitution fund was made by Don Hill.

The motion carried by roll call vote. Ayes – Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 11. Nays: 0. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

A committee motion to approve an updated IT Systems Manager position description was made by Don Hill.

The motion carried by roll call vote. Ayes – Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 11. Nays: 0. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

A committee motion to approve an updated IT Technician position description was made by Don Hill.

The motion carried by roll call vote. Ayes – Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 11. Nays: 0. Absent – William Bingham, John Korth, John Schultz, and Scott Toot. Absent: 4. Vacant: 2.

William Bingham joined the meeting at 7:39 p.m.

SPECIAL SERVICE AREA COMMISSIONS:

The commissions had no business to bring before the board.

DEVELOPMENT & PLANNING:

Diane Gallagher spoke of the Development & Planning Committee's work with reviewing the current Comprehensive Plan and encouraged board members to attend Zoning Board meetings when possible.

PUBLIC WORKS:

A committee motion to approve a resolution to purchase a used 2010 John Deere 329D skid steer loader, and trade in the 1995 Ford 250C utility tractor at a final cost of \$28,170 to be paid from line item 059-46174-810 was made by LaDon Trost.

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 12. Nays: 0. Absent –John Korth, John Schultz, and Scott Toot. Absent: 3. Vacant: 2.

A committee motion to approve the 2021 Township Motor Fuel Tax (MFT) Maintenance Bids as indicated to be paid from line item 021-43146-601 was made by LaDon Trost.

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 12. Nays: 0. Absent –John Korth, John Schultz, and Scott Toot. Absent: 3. Vacant: 2.

A committee motion to approve the 2021 County Motor Fuel Tax (MFT) Maintenance Bids as indicated to be paid from line item 006-43142-601 was made by LaDon Trost.

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 12. Nays: 0. Absent –John Korth, John Schultz, and Scott Toot. Absent: 3. Vacant: 2.

LAW ENFORCEMENT & COURTS:

The committee had no business to bring before the board.

SOCIAL & ENVIRONMENTAL:

A committee motion to approve the Jo Daviess County Transit Procurement Policy was made by Don Hill.

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 12. Nays: 0. Absent –John Korth, John Schultz, and Scott Toot. Absent: 3. Vacant: 2.

A committee motion to approve the Jo Daviess County Transit Title VI Policy was made by Don Hill.

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 12. Nays: 0. Absent –John Korth, John Schultz, and Scott Toot. Absent: 3. Vacant: 2.

A committee motion to serve the Workshop notice of termination of the Operator Agreement with the County and prepare to become the operator of Transit was made by Don Hill.

Jo Daviess County PCOM Nicole Hermesen gave a brief history of issues of non-compliance and deficiencies that led to the County extending the last Operator Agreement with a ten month probation period, ending on March 1, 2021. She listed the probationary items that remain unresolved and how this ultimately led to the recommendation to terminate the Operator Agreement between The Workshop and Jo Daviess County. Approving the termination of this agreement would transfer the duties of Operator of Jo Daviess County Transit to the County. In no way would this recommendation affect the availability of Transit services in Jo Daviess County.

Social & Environmental committee members spoke of events that led to the committee's recommendation. The ultimate goal is to continue to provide transportation in the County at the same high level

of service the citizens have come to expect. The County is, and always has been the Grantee of the State and Federal funding used to provide this service and as such, passed all rules and regulations on to the Workshop via the Operator Agreement. Taking on the duties of operating Transit will allow the County to be more hands-on in the administration of the program.

The motion carried by roll call vote. Ayes – William Bingham, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 10. Nays - Janet Checker and Hendrica Regez. Nays: 2. Absent –John Korth, John Schultz, and Scott Toot. Absent: 3. Vacant: 2.

John Schultz joined the meeting electronically at 8:00 p.m.

PLANNING COMMISSION/ZONING BOARD OF APPEALS:

A motion to approve a Special Use permit for a commercial dog kennel at 7341 E Center Road, Stockton was made by Hendrica Regez and seconded by Diane Gallagher.

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O'Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 13. Nays: 0. Absent –John Korth and Scott Toot. Absent: 2. Vacant: 2.

LEGISLATIVE:

John Lang updated the board on the Legislative Committee's ongoing concern with bills that may adversely affect law enforcement in Jo Daviess County. He's been told that at least one Wisconsin county has decided to end their agreement to provide support to Illinois because of recent legislative changes.

AGENDA ITEM V – OTHER COMMITTEES AND BOARDS

Don Hill reported from the Board of Health on the Health Department's work with vaccinations in Jo Daviess County. They are seeing a slow-down in appointments and are starting to seek out those people that may still want or need the vaccine.

John Schultz reported on the recent Jo-Carroll Enterprise Zone Maintenance Organization meeting. They currently have \$13,762.25 in funds with \$2,500.00 bills to pay. It is an under-utilized option and his committee would like to see more businesses look into what they have to offer.

AGENDA ITEM VI – BOARD MEMBER CONCERNS

Robert O'Connor challenged all board members to step up and volunteer to work as Election Judges. He was called upon to work in the April election and was happy to say he enjoyed the experience, but is concerned about the lack of available judges. This election was short 52 judges and he fears if it continues, the County will have to start shutting down polling places.

AGENDA ITEM VII – CITIZENS' COMMENTS

There were no citizens' comments at this time.

AGENDA ITEM VIII – CLOSED SESSION

A motion to enter closed session at 8:14 p.m. was made by LaDon Trost and seconded by John Lang to discuss:

A. Personnel section 2(c)1

"The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity." Topic of discussion: IT Systems Manager/Advance Step Hire, Deputy Treasurer/Advance Step Hire, County Administrator/Advance Step Hire

B. Collective bargaining section 2(c)2

“Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.” Topic of discussion: Union negotiations - Local 150

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O’Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 13. Nays: 0. Absent –John Korth and Scott Toot. Absent: 2. Vacant: 2.

The board reconvened at 8:51 p.m. following a motion by John Lang and seconded by William Bingham.

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O’Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 13. Nays: 0. Absent –John Korth and Scott Toot. Absent: 2. Vacant: 2.

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

An Executive Committee motion to approve the hire of Scott Toot for the position of County Administrator at an advance step hire at Pay Grade 19, Step 7, which is an annual salary of \$80,905.00, a starting vacation level of three weeks per year, and an employment start date of May 1, 2021 was made by Don Hill.

Don Hill informed the board of Scott Toot’s resignation from County Board District #13, which was tendered earlier in the day and will be on the next board meeting agenda for acceptance.

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O’Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 13. Nays: 0. Absent –John Korth and Scott Toot. Absent: 2. Vacant: 2.

Scott Toot thanked the board for their decision and pledged to dedicate himself fully to the position.

An Executive Committee motion to approve the IT Systems Manager advance step hire at Pay Grade 14, Step 7, which is an annual salary of \$61,431.00, and a start date of May 1, 2021 was made by Don Hill.

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O’Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 13. Nays: 0. Absent –John Korth and Scott Toot. Absent: 2. Vacant: 2.

An Executive Committee motion to approve the Deputy Treasurer advanced step hire at Pay Grade 6, Step 5 was made by Don Hill.

The motion carried by roll call vote. Ayes – William Bingham, Janet Checker, Staci Duerr, Diane Gallagher, Robert Heuerman, Don Hill, John Lang, Robert O’Connor, Hendrica Regez, John Schultz, LaDon Trost, Darcy Wild, and Don Zillig. Ayes: 13. Nays: 0. Absent –John Korth and Scott Toot. Absent: 2. Vacant: 2.

AGENDA ITEM X - ADJOURNMENT

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

Vice-Chairperson Hill adjourned the meeting at 8:58 p.m. until 7:00 p.m. Tuesday, May 11, 2021 at the Jo Daviess County Board Room, Jo Daviess County Courthouse in Galena, Illinois.

**JO DAVIESS COUNTY BOARD
CONSENT AGENDA
APRIL 12, 2021**

A. MINUTES APPROVAL

1. County Board meeting minutes from the March 9, 2021 County Board Meeting.

B. APPOINTMENTS/RESIGNATIONS

1. Appointment of Tom Schuldts to the Farmland Assessment Review Committee for a three-year term ending May 31, 2024.
2. Appointment of Don Hill to serve as a member of the Liquor Commission.
3. Appointment of Robert O'Connor to serve as a member of the Liquor Commission.
4. Appointment of Edward Haring to serve as trustee of the Hanover Fire Protection District for a three-year term beginning May 1, 2021 and ending April 30, 2024.
5. Appointment of Colin Fulrath to serve as trustee of the Hanover Fire Protection District for a three-year term beginning May 1, 2021 and ending April 30, 2024.
6. Appointment of Ernest Lieb to serve as trustee of the Stockton Fire Protection and Ambulance District for a three-year term beginning May 1, 2021 and ending April 30, 2024.
7. Appointment of Robert Wallenhorst to serve as trustee of the Dunleith-Menominee Fire Protection Board of Trustees for a three-year term beginning May 1, 2021 and ending April 30, 2024.
8. Appointment of Larry Timpe to serve as trustee of the Galena Rural Fire Protection District for a three-year term beginning May 1, 2021 and ending April 30, 2024.
9. Appointment of Merri Berlage to serve as a member of the Jo Daviess County Board of Health for a three-year term ending April 30, 2024.

C. CONTRACTS, AGREEMENTS, & PETITIONS

D. ORDINANCES, RESOLUTIONS, & PROCLAMATIONS

E. REPORTS & CORRESPONDENCE

F. CLAIMS

1. Claims approval in the amount of \$592,221.96 as follows:
 - i. \$518,736.77 (Regular Claims \$498,275.87 + Claims associated w/LIT's \$20,460.90)
 - ii. \$72,628.69 (GGMI Hotel/Motel Tax Reimbursement)
 - iii. \$856.50 (COVID-19 Claims to be paid from Contingency Fund)
2. Emergency Telephone Systems Board Fund claims in the amount of \$3,018.85.

G. LINE ITEM TRANSFERS

1. Line Item Transfers (with associated claims) in the amount of \$19,007.27 as follows:
 - i. \$1,000.00 \$1,000.00 from 001-40107-603 Supplies to 001-40107-705 Publishing Equipment/Small Tools
 - ii. \$5,300.00 \$5,300.00 from 001-41122-711 Utilities to 001-41122-702 Professional Services
 - iii. 12,707.27 \$12,707.27 from 001-41123-704 Telephone to 001-41123-701 Maintenance Service