

SHELBY COUNTY BOARD MEETING

August 10, 2023 – 7:00 P.M.

(Video archive of this meeting can be found at shelbycounty-il.gov on YouTube)

The Shelby County Board met on Thursday, August 10, 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. Board member Mitchell Shuff delivered the prayer, and all present recited the Pledge of Allegiance.

County Clerk Jessica Fox called the roll. Davis and Martin were absent.

Minutes for the July 13, 2023, board meeting was presented for approval. Tate made motion to approve the minutes. McCormick seconded said motion. Nelson made motion to amend them minutes requesting the 2nd paragraph on page 3 be struck and public body comment be summarized. Shuff seconded said motion. Firnhaber made motion to table until the minutes are amended. Boehm seconded motion to table, which passed by voice vote (14 yes, 6 no Bennett, Nelson, Orman, Ross, Shuff and Tate).

Minutes from the July 18, 2023, special board meeting were presented for approval. Ogden made motion to approve the minutes. Cole seconded said motion. Nelson made motion to amend the minutes requesting the public body comment portion be summarized. Shuff seconded said motion. Firnhaber made motion to table approval until the minutes are amended. Williams seconded motion to table, which passed by voice vote (20 yes, 0 no).

Orman diverted from the agenda to call for the Highway Report. Road/Bridge Committee chair Kessler introduced Highway engineer candidate Michael Tappendorf, who recently took and passed the IDOT County Highway Engineer exam. Tappendorf, who has worked in the private sector for the past 11 years, introduced himself to the board.

McCormick made motion to approve the resolution appointing Tappendorf as Shelby County Highway Engineer effective Sept. 1, 2023. Nelson seconded said motion, which passed by voice vote (20 yes, 0 no).

An employment agreement was presented between the County and Tappendorf. The salary for this position will always be 12% above the IDOT minimum, which is currently at \$116,500. Tappendorf's salary effective 9/1/23 will be \$130,000 and will be reviewed again effective January 1, 2025. Tappendorf informed the board he was comfortable with the employment agreement.

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

Kessler updated the board the highway department would be purchasing a 2020 trailer for \$13,000 that would allow the employees to haul the backhoe to job sites.

Dr. Rick Brown from the Airport Land and Fields Commission addressed the board to request ARPA funding in the amount of \$167,464 to replace 6 of the 15 hangar doors at the airport. Brown gave a brief overview of the aging doors and the problems those create as well as what type of door the commission would like to replace them with. Other members had recently attended air shows in Florida and Wisconsin and received some quotes. Since this project has not been properly let for bids, Brown was instructed to properly do a bid process and come back to request funding after that had been done.

Zoning Administrator Scott McKee presented amendments to the Solar and Wind Ordinances required to be in place by the end of May due to HB 4412 signed into law in January of 2023. The Zoning Board of Appeals met on June 29 but didn't approve these amendments, as they had not yet been reviewed by the State's Attorney. McKee told the board he still didn't know if the State's Attorney had reviewed these documents. McKee pulled his agenda item at this time but did recommend to the board they pass an Ordinance in the future requiring all DC power lines to be buried.

Farm Committee chair Cole told the Board the Farm committee had met to discuss the breach of the farm agreement with Kenny Compton. The committee would like to make a payment to Compton in the amount of \$3,500 due to losses he might have incurred by the County not planting the beans. It was discussed that the farm agreement signed in September of 2022 said the County could terminate any time. Compton did not have any material losses due to the breach of the farm agreement.

Boehm made motion to approve the \$3,500 payment to Compton. Cole seconded said motion, which failed by roll call vote (9 yes, 11 no). Ayes: Boehm, Coles, Edwards, Hardy,

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Mayhall, McCormick, Morse, Ogden and Shuff. Nay: Bennett, Brands, Brown, Firnhaber, Kessler, Nelson, Orman, Ross, Tate, Wallace, and Williams.

Next Cole stated the committee felt that an Ordinance was needed to keep people from riding ATVs on the county farm ground, which could potentially be a liability issue if someone would get hurt, since this is county property. Cole said she had spoken with State's Attorney Hanlon regarding this issue. Sheriff McReynolds referenced a statute 625 ILCS 5/11-1427 (H) which states it is unlawful for a person to operate a motorcycle or all-terrain vehicle on publicly owned lands unless such lands are designated for such use.

Upon recommendation by the Legislative committee, Williams made motion to approve the whistle blower policy. Edwards seconded said motion. This policy was drafted based off the whistle blower act. Concerns were expressed that employees could only submit these to the State's Attorney. Ross made motion to amend the policy to allow for submitting to either the SA or the Sheriff. Morse seconded said motion, which passed by voice vote (15 yes, 5 nays – Brands, Brown, Firnhaber, McCormick, and Nelson).

Original motion, as amended, by Williams seconded by Edwards passed by voice vote (20 yes, 0 no).

A 3-month contract extension submitted by Mytec Solutions was presented for approval. Ogden made motion to approve the extension. Firnhaber seconded said motion. Discussion was held. David Woods, from Mytec, stated this was just to coincide with the change in the fiscal year and there were no financial changes to the contract. Woods was asked if his services were all on county courthouse computers to which Woods replied to no. The question was asked if this could possibly negate our Cyber security insurance. It was suggested the Legislative committee address the issue related to insurance and lack of Mytec services on certain computers.

Ogden's motion, seconded by Firnhaber passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Brown, Cole, Edwards, Firnhaber, Hardy, Kessler, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nay: none.

An estimate for upgrades to the firewall for \$8,935.50 was also presented by Mytec. Firnhaber made motion to approve payment of the estimate for firewall upgrades. Kessler seconded said motion, which passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Brown, Cole, Edwards, Firnhaber, Hardy, Kessler, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nay: none.

At this time, Firnhaber removed from the table allowing Public Safety Chair Tate to work with SA Hanlon to hire an architect to obtain bid specs for the Courthouse windows.

Firnhaber made motion to allow Tate to pursue the steps to get bid specs. Brands seconded said motion. Discussion was held. Recently, Tate, Ross and Orman met with Utz and Associates who had given the County specs prior to the roof replacement which also, at the time included windows. While the prices for windows have changed the dimensions previously provided are still the same. It was suggested that the county could use the \$250,000 in DECO grant funds to repair the stucco. Tate said he needed to know which direction the board wanted to go with the windows, repair or replace? Orman made motion to strike repair and focus on replacing the courthouse windows. Ross seconded said motion, which passed by voice vote (20 yes, 0 no).

Firnhaber's motion, seconded by Brands to have Tate work with SA Hanlon on pursuing the window replacement project passed by voice vote (20 yes, 0 no).

Resolutions to transfer the following parcels from the County as trustee to the new owners were presented for approval.

0918-07-20-401-006 to Kenneth Langston for \$2,000
0723-16-15-405-003 to James Carlock for \$3,500
0723-16-17-303-004 to Steve Seaton for \$3,000
1614-35-13-312-002 to Tucker Teubel for \$900
2013-07-18-303-008 to Decatur Industrial Reuse Limited, Nathan Czuba, for \$2,879
2072-00-00-000-014 to Gary Purcell for \$828.01

Nelson made motion to approve the resolutions. Firnhaber seconded said motion, which passed by voice vote (20 yes, 0 no).

Orman, as Liquor Commissioner presented the 2023-2024 County Liquor licenses for approval. These licenses will run from 9/1/23-11/30/2024 to line up with the county's

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change in fiscal year. The costs for these 15 months licenses were increased from \$600 to \$750 this year. Licenses were issued to the following locations:

OAK TERRACE RESORT, VAHLING VINEYARDS, TWILIGHT DISTILLERY, CASTAWAYS AT COON CREEK, WILLOW RIDGE WINERY, JACKI'S GAMING, RODEMS GOLF MANAGEMENT, AND GREGORY'S LODGING AND GENERAL STORE.

Williams made motion to approve the liquor licenses as presented. Bennett seconded said motion, which passed by voice vote (20 yes, 0 no).

The county approved an electronic time keeping estimate last month from Computer Information Concepts in the amount of \$ 23,895. Williams made motion to approve payment for installation, setup, and training to be paid from ARPA. McCormick seconded said motion, which passed by voice vote (20 yes, 0 no).

At this time Chairman Orman called for committee reports. No reports were given.

Under Chairman updates, Orman reported he had spoken recently with Zach from Prairie Power, the archeological survey conducted at the County Farm was good and they are in the process of drafting easements.

Chairman Orman requested approval to appoint Linda McBee as trustee for the Herrick Fire Protection District to replace Katie Miller who moved out of district. Williams made motion to approve the appointment. Wallace seconded said motion, which passed by voice vote (20 yes, 0 no).

Orman requested approval to appoint Jeremy Williams and Heath McCormick to the Farm Committee. Bennett made motion to approve the appointment, Tate seconded said motion, which passed by voice vote (20 yes, 0 no).

There was no correspondence.

Under old business, Ogden presented figures to the board showing the revenue the county could make from the sale of the farm.

Mayhall informed the board there may be a path forward regarding the dive team, as stakeholders and the City of Shelbyville have worked together to allow the dive team to serve under the City of Shelbyville.

Tate made motion to approve the claims as reviewed by the committees. Bennett seconded said motion. Orman made motion to amend the claims to exclude taxes on the county farm ground from payment. Williams seconded said motion, which passed by roll call vote (15 yes, 5 no). Ayes: Bennett, Brands, Brown, Edwards, Firnhaber, Kessler, McCormick, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nays: Boehm, Cole, Hardy, Mayhall and Morse.

Firnhaber made motion to also pull a \$4.42 late fee from the State's Attorney copier bill. Williams seconded said motion, which passed by voice vote (20 yes, 0 no).

Tate's motion to pay claims, seconded by Bennett passed by roll call vote (20 yes, 0 no). Ayes: Bennett, Boehm, Brands, Brown, Cole, Edwards, Firnhaber, Hardy, Kessler, Mayhall, McCormick, Morse, Nelson, Ogden, Orman, Ross, Shuff, Tate, Wallace, and Williams. Nay: none.

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

Public body comments/opinions expressed are summarized as follows:

The board was encouraged to pass an Ordinance like Christian or Cumberland counties requiring the burial of DC power lines.

The board was thanked for adding an alternate source for submission of the whistle blower policy.

Concerns were expressed about allowing dogs in the Courthouse, there is currently no policy regarding animals in the building.

Support was expressed for animal control warden Brad Hudson.

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Several comments were made regarding the county farm and support for the continued farming of that farm. Frustrations were expressed the board wouldn't approve the payment of the real estate taxes. It was also stated the county should hold a referendum to let voters decide what the county should do with the county farm ground.

Questions were made about public body comment being at the end meeting, when previously it has been at the beginning. The Public might have comments to make prior to the county business regarding agenda items. It was suggested members of the public could reach out to their board members with agenda item concern. The Legislative committee will review the current public body comment policy and present any changes at the next board meeting.

There was no further business to come before the Shelby County Board.

Ross made motion to adjourn until the next regular meeting to be held on September 14, 2023. Nelson seconded said motion, which passed by voice vote (20 yes, 0 no) and the meeting was adjourned at 10:40 P.M.

Jessica Fox
Shelby County Clerk and Recorder