

SHELBY COUNTY BOARD MEETING

February 8, 2024 at 7:00 P.M.

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

The Shelby County Board met on Thursday, February 8, 2024, at 7:00 P.M. in Courtroom A of the Shelby County Courthouse in Shelbyville, Illinois.

Chairman Orman called the meeting to order. All present recited the Pledge of Allegiance, and the prayer was given by board member Tad Mayhall.

County Clerk Jessica Fox called the roll. Amling, Brands, McCormick, and Shuff were absent.

Minutes for the January 11, 2024, board meeting were presented for approval. Nelson made motion to approve the minutes as presented. Firnhaber seconded said motion, which passed by voice vote (17 yes, 0 no).

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

Engineer Michael Tappendorf stated he wanted to begin his report by bragging on his department. The department is now fully staffed. Tappendorf reported in the past month the maintenance team has completed painting the entire front office, fabricated sign posts (savings \$1,600 +/-), fabricated custom hitches for the dump trucks, completed safety trainings (JULIE, flagging and 10 hour OSHA), completed patching on the Findlay road, and many other items throughout the County. The front office team has coordinated and supported the material and excavator bid lettings, digitized records, filed away old 2020 records and coordinated with all township road commissioners in regards to acceptance of last month's lettings, trainings and many other things. Tappendorf stated he has a good team and a good group of guys. Future pending projects include designs for county highway 3, multiple railroad crossing estimates, equipment replacement (have reached out to different dealers), bridge replacement in Herborn, which is anticipated to begin in the Spring of 2024, and 2 bridge projects in Oconee Township that are set for an IDOT State letting in March.

Tappendorf presented for approval a resolution to remove and replace existing structure 087-3236 in Oconee Township. This bridge is currently out of service. This structure must be demolished to make room for the new structure.

Brown made motion to approve the resolution. Williams seconded said motion, which passed by voice vote (17 yes, 0 no).

The next resolution to be approved was IDOT resolution to cover the 2023 costs of the County Engineers salary in the amount of \$45,000 from motor fuel tax.

Brown made motion to approve the resolution. Hardy seconded said motion, which passed by roll call vote (17 yes, 0 no). Ayes: Bennett, Boehm, Brown, Cole, Edwards, Firnhaber, Hardy, Martin, Martz, Mayhall, Morse, Nelson, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

The next resolution presented was for a temporary speed limit sign to be placed on the Findlay Road from the railroad tracks east towards the bridge, and from the bridge (bridge omitted from the speed sign) to the maintenance line with Moultrie County. The temporary speed signage will be in place until the Findlay Road is reconstructed to a suitable condition. Brown made motion to approve the resolution. Bennett seconded said motion. Discussion was held.

Due to the condition of this road, Tappendorf would like to lower the speed limit from 55 mph to 30 mph for safety purposes. Martz amended the motion to allow for the Engineer to use his discretion regarding the posted speed limit signage as he sees fit. Bennett seconded said motion. Amended motion passed by voice vote (17 yes, 0 no). Original motion by Brown, seconded by Bennett, also passed by voice vote (17 yes, 0 no).

At a letting held at the Highway department on February 5th, bids were awarded to Hiler Farms, MCS Trucking, and Corz Enterprises, LLC for the hauling of various materials for the Highway Department. The resolution to approve these low bids was submitted for approval. Brown made motion to approve, seconded by Firnhaber. Tappendorf informed the board, the maintenance crew will do most of the hauling, as this is cheaper than hiring it out.

Brown's motion, seconded by Firnhaber passed by roll call vote (17 yes, 0 no). Ayes: Bennet, Boehm, Brown, Cole, Edwards, Firnhaber, Hardy, Martin, Martz, Mayhall, Morse, Nelson, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

A letting for culverts was also held on February 5th at the Highway department. Low bids were submitted from 2 companies (Contech Engineered Solutions and Metal Culverts) to provide culverts to the Highway Department. Brown made motion to approve the resolution to

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award the low bids for culverts. Tate seconded said motion, which passed by roll call vote (17 yes, 0 no). Ayes: Bennett, Boehm, Brown, Cole, Edwards, Firnhaber, Hardy, Martin, Martz, Mayhall, Morse, Nelson, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

The final resolution presented was to award the low bid for bituminous materials. Howell paving was the only bidder. Brown made motion to approve the resolution. Martz seconded said motion, which passed by roll call vote (17 yes, 0 no). Ayes: Bennett, Boehm, Brown, Cole, Edwards, Firnhaber, Hardy, Martin, Martz, Mayhall, Morse, Nelson, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

Chairman Orman informed the board that during a budget committee held on January 30, it was discussed that although the use of ARPA funds to pay the sign on bonus for the county engineer had been addressed by the board, no board action had been taken. Williams made motion to approve the use of \$15,000 in ARPA funds to complete the funding of the sign on bonus for the Highway Engineer. Brown seconded said motion, which passed by roll call vote (17 yes, 0 no). Ayes: Bennett, Boehm, Brown, Cole, Edwards, Firnhaber, Hardy, Martin, Martz, Mayhall, Morse, Nelson, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

Bids were recently submitted for the sale of surplus vehicles and reviewed by the public safety committee. Edwards made motion to accept the bids submitted and award the sale of the surplus vehicles. Ross seconded said motion. Sheriff McReynolds informed those in attendance of the bids submitted for the respective vehicles.

A bid of \$4,100 for the 2004 F150 (used by a former Sheriff before being used by the Dive Team) was submitted than retracted, the next bid was \$3,510 by Zach Ballinger.

Angela Moore submitted a bid of \$5,265 for the 2009 Chevy Impala.

Tim Baumgartan submitted a bid of \$2,952 for the 2010 Ford Explorer

Clayton Carpenter submitted a bid of \$1,000 for the 2000 Van previously used by Probation.

Firnhaber amended the motion to accept the bid of \$3,510 as for the 2003 F150. Bennett seconded said motion, which passed by roll call vote (17 yes, 0 no). Ayes: Bennett, Boehm, Brown, Cole, Edwards, Firnhaber, Hardy, Martin, Martz, Mayhall, Morse, Nelson, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

Original motion by Edwards, seconded by Ross for the sale of the vehicles passed by roll call vote (17 yes, 0 no). Ayes: Bennett, Boehm, Brown, Cole, Edwards, Firnhaber, Hardy, Martin, Martz, Mayhall, Morse, Nelson, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

Upon recommendation by the Public Safety Committee, Edwards made motion to approve the Dive Team resolution update. Brown seconded said motion. The draft of this resolution had been emailed to the full board for review at 8:10 AM on February 8th. Mayhall made a motion to table this update to allow for further review. Boehm seconded said motion, which failed by voice vote (5 yes – Boehm, Cole, Hardy, Mayhall, and Morse; 12 no). Discussion was held. Mayhall requested going through the draft line by line since the board had not received the document sooner and since the county has been 7 months without a dive team. Mayhall stated the objective was to clean this document up and get something workable moving forward

Mayhall requested the board begin with Paragraph 9 (page 2 paragraph 2) which states -

BE IT FURTHER RESOLVED, that the Shelby County Dive Team Commander and the Assistant Commander(s) be duly appointed by the Shelby County Board Chairman, using consideration of the members of the Shelby County Dive Team in addition to recommendations from the Public Safety Committee, with advice and consent of the Shelby County Board.

Mayhall feels the Commander should appoint his own assistant commander and that this should not be a single unilateral appointment by the Board Chairman. Boehm asked who on the board had the experience to appoint a Dive Team Commander. Ross stated he previously served on the Dive Team. The language is written in the document for the future. There must be a path moving forward to appoint a commander of the dive team.

Page 2, paragraph 2 (aka paragraph 9) draft reads -

BE IT FURTHER RESOLVED, that the Shelby County Dive Team Commander shall create and coordinate training exercises and standards congruent to Emergency Response Diving International (ERDI) standards. The Shelby County Dive Team Commander shall ensure team

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members are current on such training standards and is responsible for maintaining such records that are to be reported, at minimum, semi-annually to the Public Safety Committee for review.

After discussion regarding the state standards, Ross made motion to amend this paragraph to include all acronyms that fall under the state standards to read -

BE IT FURTHER RESOLVED, that the Shelby County Dive Team Commander shall create and coordinator training exercises and standards congruent to Emergency Response Diving International (ERDI) standards or equivalent, SDI, TDI, Rescue International, and AUI, PADI, SSI, TMCA, IDEA, LACO and others as approved by Recreational SCUBA Training Council. The Shelby County Dive Team Commander shall ensure team members are current on such training standards and is responsible for maintaining such records that are to be reported, at a minimum, semi-annually to the Public Safety Committee for review.

Page 2, paragraph 3 draft reads -

BE IT FURTHER RESOLVED, all training activities of the Shelby County Dive Team shall be documented in such fashion as to establish the following:

- 1. The training objective.*
- 2. The public purpose associated with the training.*
- 3. The procedure used to objectively assess the effectiveness of the training.*

Shelby County Dive Team Commander shall submit to the Public Safety Committee the proposed annual training schedule at least 1(one) week prior to conducting any/all training. This annual training schedule only needs to be presented at the beginning of each year. Shelby County Dive Team Commander shall maintain written report of any/all training activity, articulating, at a minimum; those members of the Shelby County Dive Team present at training, summary of the training activity along with beginning and end times of the training. If conditions arise that require a change in the training schedule, or conditions arise that indicate a change in the training schedule would be more beneficial to the Shelby County Dive Team, the commander will communicate those needs and request the change with the Public Safety Committee chairman, if the Public Safety Chairman is unavailable, the needs and request for a training change can be made directly to the County Board Chairman. No training shall take place without prior approval.

Mayhall expressed concerns that changes in training schedules being required to come before the County Board could be problematic for the dive team commander and is restrictive. Ross stated there has to be some structure to the training regimen. A change in training can be made to either the County Board Chairman or the Public Safety Chairman, if one or the other is unavailable. There was much discussion related to training, topics discussed were training plans, training plan substitutions and training schedules that allowed for flexibility in case of weather or other issues, making sure the training and exercises pertain to state standard guidelines, and make sure the trainings meet a public purpose.

Page 3 paragraph 1 draft reads -

BE IT FURTHER RESOLVED, each member of the Shelby County Dive Team will receive a reimbursement payment to assist the member in covering some of their expenses incurred while acting in their role as a member of the Shelby County Dive Team. The amount of this payment reimbursement for expenses is set at \$20.00(Twenty Dollars) per member, per call out where aide or services by the team, are rendered. Training exercises, whether member attendance is mandatory, optional or volunteer, will have no reimbursement for expenses paid to the individual members.

Mayhall stated he had spoken with Chris Smith, from Gallagher Insurance today to discuss work compensation/reimbursement of the dive team volunteers. Mayhall stated removing reimbursement and calling it payment would eliminate any potential conflict with reimbursement voiding workmen's comp. Once again there was a lot of discussion held amongst the board members regarding the payment/reimbursement of the dive team volunteers to make sure they would be covered under the county work comp insurance. It was discussed that a payment per call could lead to a budget crunch for a department that already doesn't have a lot of money to work with. Ross stated he had spoken with Rich Stokluska, who is also with Gallagher Insurance, they had decided on \$20.00 per call. Ross stated the language for reimbursement of expenses was what Ross had derived from Stokluska, but Ross had no issue with removing the word reimbursement. Ross stated if they are an unpaid volunteer, they are considered an independent contractor and are only covered by their own liability insurance. This brought up the discussion of taxable income if payment is considered as a reimbursement. The estimated reimbursement is not a large sum of money and should equate to approximately \$3,000 annually for the entire dive team. Ross stated he had no issue removing the word reimbursement and calling it payment, and also to include training in the payment structure, but would object to removing the payment for call outs, which is the services they are rendering.

Ross made motion the board recess for 10 minutes. Williams seconded said motion, at which time Chairman Orman stated the board would recess until 8:40 PM.

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Chairman Orman resumed the recessed meeting at 8:40 PM.

Discussion continued regarding terms of reimbursement. Mayhall and Ross spoke with Stokluska during the break. Ross made motion to remove the word reimbursement and to include a payment of \$10.00 for the training exercises. Nelson seconded said motion, which passed by voice vote (17 yes, 0 no).

Paragraph 1 on page 3 will now read –

BE IT FURTHER RESOLVED, each member of the Shelby County Dive Team will receive a payment to assist the member in covering some of their expenses incurred while acting in their role as a member of the Shelby County Dive Team. The amount of this payment is set at \$20.00(Twenty Dollars) per member, per call out where aide or services by the team, are rendered. Training exercises, whether member attendance is mandatory, optional, or volunteer, will have a payment of \$10.00(Ten Dollars) paid to the individual members.

Paragraph 2 on page 3 reads as follows:

BE IT FURTHER RESOLVED, in case of emergency regarding the Shelby County Dive Team, said emergencies shall be communicated with the Shelby County Dive Commander, the Public Safety Chairman, as well as the County Board Chairman. Advice from the County's legal advisor will dictate the appropriate actions to properly handle the emergency. The power to suspend operations of the Shelby County Dive Team to ensure the health, safety, and welfare of the citizens of Shelby County as well as the health, safety, and welfare of the members of the Shelby County Dive Team, shall lie in the hands of the Shelby County Board and require a majority vote from the same to suspend operations.

Firnhaber made motion to amend the word power to authority. Martz seconded said motion, which passed by voice vote (17 yes, 0 no).

The wording of paragraph 2 on page 2 will read –

BE IT FURTHER RESOLVED, in case of emergency regarding the Shelby County Dive Team, said emergencies shall be communicated with the Shelby County Dive Commander, the Public Safety Chairman, as well as the County Board Chairman. Advice from the County's legal advisor will dictate the appropriate actions to properly handle the emergency. The authority to suspend operations of the Shelby County Dive Team to ensure the health, safety, and welfare of the citizens of Shelby County as well as the health, safety, and welfare of the members of the Shelby County Dive Team, shall lie in the hands of the Shelby County Board and require a majority vote from the same to suspend operations.

It was requested to call the vote on the main motion as amended. Edwards original motion, as seconded by Ross passed by voice vote (13 yes, 4 no – Boehm, Cole, Mayhall, and Morse).

Chairman Orman called for committee reports.

Health board member Edwards stated she had received a text message from Health Administrator Melega with a building update on the health department construction project. The metal roof is going on and the project is on track to be completed at the end of March and they are planning an open house at the end of March to coincide with Health week.

Boehm reported Animal Control bills were not all paid, as neither the public safety committee nor the finance committee had reviewed the bills.

Continuing with Chairman Appointments Orman appointed the following:

Clark Amling to the Budget Committee to replace Lori Nelson

Shawne Martz to the Public Safety Committee

There was no correspondence.

Under old business, legislative member Firnhaber thanked those members of the Sheriff's office staff, and the Highway Engineer for attending a meeting to review loss runs. Firnhaber stated it is important the county be able to stay with CIRMA from a cost standpoint for liability and work comp insurance.

Firnhaber made motion to approve the paying of the monthly bills as reviewed by committees. Tate seconded said motion. Discussion was held as the claims for Animal Control and Rescue had not been reviewed by either Finance or Public Safety. Bennett made motion to amend the payment of claims to include the following Animal Control claims as signed and

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submitted by Administrator Miller. Firnhaber seconded said motion, which passed by voice vote (17 yes, 0 no).

FESSI - \$50.00 (fire extinguisher inspection)
City of Shelbyville - \$42.13 – Warden cell phone
LRS - \$87.00 – 3-month trash service
Ace - \$47.92 – cleaning supplies for facility
Sheriff - \$118.07 fuel

Bennett made motion to amend the payment of claims to include the following claims submitted by the Rescue squad. Ross seconded said motion, which passed by voice vote (17 yes, 0 no).

Sheriff - \$28.71 November 2023 fuel
Sheriff - \$40.61 December 2023 fuel
Craig's Antenna - \$1,718 (4 handheld radios)

Firnhaber's motion, with Tate's seconded to approve payment of the claims passed by roll call vote (17 yes, 0 no). Ayes: Bennett, Boehm, Brown, Cole, Edwards, Firnhaber, Hardy, Martin, Martz, Mayhall, Morse, Nelson, Orman, Ross, Tate, Wallace, and Williams. Nay: none.

At this time Chairman Orman called for Public Body Comment.

Public comments/opinions expressed covered the following topics.

Dive Team/Rescue Squad Insurance
Dive Team shed lease agreement
Work Comp coverage for volunteer organizations
Mutual respect between board members and community members

Ross made motion to adjourn until the next meeting to be held on March 14, 2024. Nelson seconded said motion, which passed by voice vote (17 yes, 0 no) and the meeting was adjourned at 9:48 P.M.

Jessica Fox
Shelby County Clerk and Recorder