



**Minutes of the Perry County Board of Commissioners  
Regular Meeting  
6:00 p.m. - Thursday, February 4, 2016  
County Board Room – Perry County Government Building**

A regular meeting of the Perry County Board of Commissioners was convened at 6:00 p.m. on Thursday, February 4th, 2016 in the County Board Room at the Perry County Government Building in the City of Pinckneyville.

**OPENING**

County Chairman Pro-Temp Sam Robb called the meeting to order at 6:00 p.m. The Pledge of Allegiance to the Flag of the United States of America was recited by those in attendance.

County Clerk Josh Gross called the roll. The following members answered the call of the roll: Chairman Pro-Temp Sam Robb, and Commissioner James Epplin. Chairman Kelly was absent. The following department heads were also present: County Clerk Josh Gross, Sheriff Steve Bareis, Supervisor of Assessments John Batteau, Health Department Administrator Barb Taylor, County Engineer Brian Otten, and State's Attorney David Stanton.

**APPROVAL OF MINUTES**

Chairman Pro-Temp Robb asked for the minutes of the January 21, 2016 regular Board of Commissioners meeting, be approved.

Commissioner Epplin moved the minutes of the January 21, 2016 regular Board of Commissioners meeting be approved. Chairman Pro-Temp Robb seconded the motion. On voice vote, the motion was approved.

**APPROVAL OF AGENDA**

Chairman Pro-Temp Robb called for additions or deletions to the meeting agenda. Four people were added under the discussion topics Julie Lunneman, David Stanton, Jeff Egbert, and Barb Taylor. The agenda was approved as amended.

Commissioner Epplin moved the agenda for the meeting be approved. Commissioner Robb seconded the motion. On voice vote, the motion was approved.

**RESOLUTION – APPROVE CALLING FOR AN EQUITABLE SOLUTION TO ISSUES RELATED TO INCREASED JUROR COMPENSATION**

Commissioner Robb informed those in attendance that at a recent UCCI meeting it was stressed to those in attendance to address this potential large unfunded mandate. This allows the UCCI lobbyist team will be working on behalf of all member counties to get this bill adjusted and these fees changed into a more manageable level. The resolution will be added to the growing group of counties working on modifying this bill.

Commissioner Epplin moved that Resolution 2016-18, a resolution calling for an Equitable Solution to issues related to increased Juror compensation, be approved. Chairman Pro-Temp Robb seconded the motion. Chairman Pro-Temp Robb requested a roll call vote. Upon call of the roll, the following members voted aye: Chairman Pro-Temp Robb, and Commissioner Epplin. The motion carried on a vote of 2-0 and the resolution adopted.

**RESOLUTION – RAFFLE LICENSE APPLICATION**

A raffle license application was presented for approval. Application and fees are in order and approval is recommended for applications, as follows:

- Perry County Sportsman's Club (2016-RL-03)

Commissioner Epplin moved that Resolution 2016-19, resolution approving raffle license application and issuing the license as indicated above, be approved. Chairman Pro-

Temp Robb seconded the motion. Chairman Pro-Temp Robb requested a roll call vote. Upon call of the roll, the following members voted aye: Commissioner Epplin, and Chairman Pro-Temp Robb. The motion passed on a vote of 2-0 and the resolution adopted.

#### **RESOLUTION – APPROVE SALE OF COUNTY OWNED SURPLUS PROPERTIES (1)**

The Perry County Agent forwarded resolutions to the Board authorizing the sale of trustee-owned surplus properties. The resolutions indicate conveyance from the County Agent to the new owners.

- Loretta Hill (2-61-1440-200)

Commissioner Epplin moved that Resolution 2016-20, resolution approving the sale of County Trustee owned surplus property be approved. Chairman Pro-Temp Robb seconded the motion. Chairman Pro-Temp Robb requested a roll call vote. Upon call of the roll, the following members voted aye: Chairman Pro-Temp Robb, and Commissioner Epplin. The motion was approved on a vote of 2-0 and the resolution adopted.

#### **DISCUSSION**

1. **Barb Taylor/Nicole Marlow** – Mrs. Marlow addressed the board asking for them to look at the possibilities of adding additional requirements to the non-smoking policies in Perry County. In addition to the Illinois Smoke Free Act they are asking for Perry County Government to possibly increase their smoking restrictions on all government campuses. This will assist the Health Department in receiving grant funds and grant usage. Ideas like expanding on the 15' smoke free zone and making it a larger distance are the types of changes they are interested in.
2. **David Stanton** – States Attorney Stanton released a statement in reference to the recent decision from the Attorney General's Office in response to a request from Mr. Egbert editor of the Pinckneyville Press that the board had violated the Open Meetings Act. Mr. Stanton stated that he had received a strong request from the AGO to release 13 minutes of our executive session to Mr. Egbert for review. The opinion of the Assistant Attorney General concluded that 48 minutes of the Executive session was completely approved under Open Meeting Act requirements but that there was a 13 minute stretch where the board overstepped their executive authority. Mr. Stanton wanted to take some time to review the recording again and to allow for each board member to review the recording before deciding how to proceed and if they should in fact release the executive session tapes. He hoped to have a final decision on how to proceed ready for next meeting.
3. **Julie Lunneman** – Mrs. Lunneman addressed the board with her concerns stemming from the most recent 911 Board meeting. Per Mrs. Lunneman, the board attempted to limit public comment and possibly exclude it all. She states they took action to limit the amount of time allotted to speak to 3 minutes per individual and a total time of 30 minutes. She also expressed questions on how the job description for the 911-coordinator was being created and who would have input on the hiring of Mr. DeMent's replacement. Sheriff Bareis spoke up stating that he and DuQuoin Police Chief Jamie Ellermeyer would be the ones creating the job description and that he expects to have it complete sometime over the next few weeks.

#### **COMMENTS & ANNOUNCEMENTS**

Chairman Pro-Temp Robb. called for comments from the public or announcements from department heads. There were none.

#### **EXECUTIVE SESSION**

Commissioner Epplin moved the Board recess to executive session,

- To discuss "collective negotiating matters" per 5 ILCS 120 2(c)(2)
- To Act On "collective negotiating matters" per 5 ILCS 120 2(c)(2)

Chairman Pro-Temp Robb seconded the motion. Chairman Pro-Temp Robb requested a roll call vote. Upon call of the roll, the following members voted aye: Chairman Pro-Temp Robb, and Commissioner Epplin. The motion passed on a vote of 2-0 and the board entered executive session at 6:19 p.m.

Commissioner Epplin moved the Board close the executive session meeting and re-enter regular session. Chairman Pro-Temp Robb seconded the motion. On voice vote, the motion was approved and the Board re-entered regular session at 6:34 p.m.

**RESOLUTION – APPROVE NONBINDING AGREEMENT FOR SHERIFF BAREIS AND ATTORNEY BARKEY TO BEGIN THE PROCESS OF CREATING AN EMPLOYEE 457 RETIREMENT PLAN**

States Attorney Stanton explained that Sheriff Bareis and Attorney Barkey have the ability to create an investment 457 retirement plan for all county employees. They are allocating no more than \$3,000 to create this account and once it is created will require more board action to complete. This will allow all county employees to transfer up to 4% of the current banked vacation/compensation/sick or personal time on the book into this account each year. This allows the county to remove portions of its unfunded liability in accrued time and also allows for a benefit of return of investment to the employees who take advantage of this new program. This appears to be a win for all parties involved.

Commissioner Epplin moved that Resolution 2016-21, resolution approving Sheriff Bareis and Attorney Barkey to create a 457 retirement plan for all county employees, be approved. Chairman Pro-Temp Robb seconded the motion. Chairman Pro-Temp Robb requested a roll call vote. Upon call of the roll, the following members voted aye: Chairman Pro-Temp Robb, and Commissioner Epplin. The motion was approved on a vote of 2-0 and the resolution adopted.

**EXECUTIVE SESSION**

Commissioner Epplin moved the Board recess to executive session,

- To discuss “collective negotiating matters” per 5 ILCS 120 2(c)(2)

Chairman Pro-Temp Robb seconded the motion. Chairman Pro-Temp Robb requested a roll call vote. Upon call of the roll, the following members voted aye: Chairman Pro-Temp Robb, and Commissioner Epplin. The motion passed on a vote of 2-0 and the board entered executive session at 6:35 p.m.

Commissioner Epplin moved the Board close the executive session meeting and re-enter regular session. Chairman Pro-Temp Robb seconded the motion. On voice vote, the motion was approved and the Board re-entered regular session at 6:52 p.m.

**PAYMENT OF CLAIMS**

Board members examined claims presented for payment. Board agreed to pay all bills as presented.

Commissioner Epplin moved that all claims against the General Corporate Fund and all claims against special purpose funds, be approved (see attached), with General Corporate Fund expenses to be prioritized according to policy. Chairman Pro-Temp Robb seconded the motion. Chairman Pro Temp Robb requested a roll call vote. Upon call of the roll, the following members voted aye: Commissioner Epplin, and Chairman Pro-Temp Robb. The motion was approved on a vote of 2-0 and payment warrants granted.

**ADJOURNMENT**

There being no further business to come before the Board, the Chairman Pro-Temp said he would entertain a motion to adjourn the Winter Quarter Meeting and re-convene the Winter Quarter meeting at 2 p.m. on Thursday, February 18, 2016.

Commissioner Epplin moved the Board adjourn the Winter Quarter Meeting and re-convene the Winter Quarter meeting at 2 p.m. on Thursday, February 18, 2016. Chairman Pro-Temp Robb seconded the motion. On voice vote, the motion was approved and the Board stood adjourned at 6:55 p.m.

Submitted:

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**JOSH GROSS, County Clerk**  
Clerk of the Board of Commissioners  
County of Perry, State of Illinois

Approved: February 18<sup>th</sup> 2016