



Executive Committee

David Zimmerman - Chairman
Jury Commission Room – McKenzie Building
Wednesday, November 13, 2024
immediately following Risk Management

I. Roll Call

II. Approve minutes of the October 23, 2024 meeting

III. Public Comment

IV. New Business

E-24-130 A. Recommend to approve amendment to the contract with Brian Heller for recording fraud review services

E-24-131 B. Recommend to approve amendment to the contract with Paul Brodersen for recording fraud review services

V. Appointments and Reappointments

E-24-127 A. Recommend to approve reappointment of Dr. Michael Danner, DDS to the Tremont Rescue Squad Board

E-24-128 B. Recommend to approve reappointment of David Kaeb to the Tremont Rescue Squad Board

E-24-129 C. Recommend to approve reappointment of Melissa S. Mallory to the Tremont Rescue Squad Board

VI. Unfinished Business

VII. Reports / Communications

VIII. Recess

Members: Chairman David Zimmerman, Vice Chairman Michael Harris,
 Bill Atkins, Nick Graff, Jay Hall, Kim Joesting, Greg Longfellow,
 Greg Menold, Dave Mingus, Nancy Proehl,
 Tammy Rich-Stimson, Max Schneider

Minutes pending approval

Executive Committee Meeting

Jury Commission Room – McKenzie Building

Wednesday, October 23, 2024 – 4:13 p.m.

Committee Members Present: Chairman David Zimmerman, Vice Chairman Mike Harris, Nick Graff, Kim Joesting, Bill Atkins, Jay Hall, Greg Longfellow, Dave Mingus, Nancy Proehl, Max Schneider, Greg Menold

Committee Members Absent: Tammy Rich-Stimson

Others Attending: Mike Deluhery, County Administrator

MOTION

MOTION BY MEMBER MINGUS, SECOND BY MEMBER HALL to approve the minutes of the August 21, 2024 meeting and September 25, 2024 in-place meeting

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION

E-24-111

MOTION BY MEMBER ATKINS, SECOND BY MEMBER MENOLD to recommend to approve the Annual Appellate Prosecutor resolution

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION

E-24-120

MOTION BY MEMBER GRAFF, SECOND BY MEMBER ATKINS to recommend to approve a supply of electricity vendor

Finance Director Mindy Darcy stated Good Energy has recommended entering into a fixed price agreement for 100% of the electricity supply for 4-5 years.

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION

E-24-121

MOTION BY MEMBER SCHNEIDER, SECOND BY MEMBER PROEHL to recommend to approve 4th quarter 2024 payment to Greater Peoria Economic Development Council

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION
E-24-122

MOTION BY MEMBER MENOLD, SECOND BY MEMBER ATKINS to recommend to approve County Delinquent Tax Sale resolution

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION
E-24-125

MOTION BY MEMBER JOESTING, SECOND BY MEMBER ATKINS to recommend to approve Decommissioning Agreement for Bungalow, LLC

Community Development Administrator Jaclynn Workman stated that this is a standard plan that abides by all regulations.

Member Harris voiced his concerns that the estimated costs seem too low.

Administrator Workman stated that they are required to submit a 10% bond by the first anniversary of the operation of the project, and then the 6th anniversary they are required to submit 50% of what this estimate is. She stated that the County can review and require updated cost estimates. She stated that at or before the 10-year anniversary, they are required to bond 100%. She stated that they are required to submit a review by an Illinois-licensed engineer.

On voice vote, **MOTION CARRIED**

Member Harris voted nay

MOTION
E-24-126

MOTION BY MEMBER ATKINS, SECOND BY MINGUS to recommend to approve Decommissioning Agreement for SolAmerica Energy, LLC

On voice vote, **MOTION CARRIED**

Member Harris voted nay

MOTION
E-24-112

MOTION BY MEMBER JOESTING, SECOND BY MEMBER SCHNEIDER to recommend to approve reappointment of William Atkins to the Tri-County River Valley Development Authority

On voice vote, **MOTION CARRIED**

Member Atkins abstained

MOTION
E-24-113

MOTION BY MEMBER JOESTING, SECOND BY MEMBER SCHNEIDER to recommend to approve reappointment of Russell Crawford to the Tri-County Regional Planning Commission

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION
E-24-114

MOTION BY MEMBER JOESTING, SECOND BY MEMBER SCHNEIDER to recommend to approve reappointment of Greg Menold to the Tri-County Regional Planning Commission

On voice vote, **MOTION CARRIED**

Member Menold abstained

MOTION
E-24-115

MOTION BY MEMBER JOESTING, SECOND BY MEMBER SCHNEIDER to recommend to approve reappointment of Nick Graff to the Emergency Telephone System Board

On voice vote, **MOTION CARRIED**

Member Graff abstained

MOTION
E-24-116

MOTION BY MEMBER JOESTING, SECOND BY MEMBER SCHNEIDER to recommend to approve reappointment of Dawn Cook to the Emergency Telephone System Board

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION
E-24-117

MOTION BY MEMBER JOESTING, SECOND BY MEMBER SCHNEIDER to recommend to approve reappointment of Thomas Haas to the Emergency Telephone System Board

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION
E-24-118

MOTION BY MEMBER JOESTING, SECOND BY MEMBER SCHNEIDER to recommend to approve reappointment of Nancy Proehl to the Tazewell County Farm Bureau

On voice vote, **MOTION CARRIED**

Member Proehl abstained

MOTION
E-24-123

MOTION BY MEMBER JOESTING, SECOND BY MEMBER SCHNEIDER to recommend to approve reappointment of Dan Schopp to the Mackinaw Valley Water Authority

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION
E-24-124

MOTION BY MEMBER JOESTING, SECOND BY MEMBER SCHNEIDER to recommend to approve appointment of Marcus Camp to the East Peoria Drainage and Levee District

On voice vote, **MOTION CARRIED UNANIMOUSLY**

Presentation: Broadband Feasibility Study

Kathie Brown, Director of Rural Outreach and Development, Greater Peoria Economic Development Council and Sam Tennant, Manager, Finley Engineering provided a presentation regarding Broadband feasibility in Tazewell County.

Mr. Tennant stated that the goal of the project was to identify the homes and businesses in Tazewell County that do not have sufficient broadband and that should be eligible for grant funding to bring better broadband.

Mr. Tennant provided handouts which included maps which showed the broadband coverage for Tazewell County.

Presiding Chairman Harris recessed the meeting at 4:49 p.m.

(transcribed by S. Gullette)

COMMITTEE REPORT

Mr. Chairman and Members of the Tazewell County Board:

Your Executive Committee has considered the following RESOLUTION and recommends that it be adopted by the Board:

RESOLUTION

WHEREAS, the Executive Committee recommends to the County Board to amend the hearings officer agreement with J. Brian Heller to include serving as an administrative law judge to review deeds and instruments through a fraud referral and review process; and

WHEREAS, Tazewell County is authorized under 55 ILCS 5/5-41005 et seq., to conduct administrative hearings for certain ordinance violations; and

WHEREAS, Tazewell County has previously enacted Chapter 34 of the County Code, which created a Code Hearing Unit and allows for the appointment of a Director and one or more Hearing Officers as part of the Code Hearing Unit; and

WHEREAS, on April 24, 2024, the County Board approved an agreement with J. Brian Heller, as Director of the Code Hearing Unit, for a term of three years; and

WHEREAS, the County Clerk intends to establish a fraud referral and review process as allowed under 55 ILCS 5/3-5010.5; and

WHEREAS, the statute requires the process to include referring documents that are potentially fraudulent, unlawfully altered, or intended to unlawfully cloud or transfer the title of any real property to be referred to an administrative law judge; and

WHEREAS, amendments have been made to the attached agreement to include the administrative law judge responsibilities.

THEREFORE BE IT RESOLVED that the County Board approve this recommendation.

BE IT FURTHER RESOLVED that the County Clerk notifies the County Board Office, J. Brian Heller, P.O. Box 213, Washington, IL, the Auditor and the Payroll Division of this action.

PASSED THIS 20th DAY OF NOVEMBER, 2024.

ATTEST:

Tazewell County Clerk

Tazewell County Board Chairman

AGREEMENT FOR THE COUNTY OF TAZEWELL
For
Director of the Tazewell County Code Hearing Unit

THIS AGREEMENT entered into by and between the County of Tazewell, Illinois, a body politic and corporate, hereinafter referred to as “County”, and J. Brian Heller, hereinafter referred to as “Director,” this ___ day of _____, 2024.

WHEREAS, previous heretofore J. Brian Heller was appointed as Director of the Tazewell County Code Hearing Unit, subject to approval of a written agreement concerning the duties to be performed and compensation to be paid for such position; and

WHEREAS, the position of Director of the Tazewell County Code Hearing Unit is not contemplated to involve sufficient time to justify the hiring of a full-time employee; and

NOW, THEREFORE, in consideration of the herein stated mutual covenants, promises and undertakings by the parties to this Agreement, it is agreed by and between the parties as follows:

1. The contract documents consist of this Agreement, any applicable requirements of 55 ILCS 5/5-41 et. seq., and any applicable requirements of Chapter 34 of the Tazewell County Code of Ordinances, the Tazewell County Ordinance Authorizing Administrative Adjudication of Ordinance Violations. These form the contract and are fully a part of this contract as if attached to this agreement or repeated herein.

2. The Director shall perform all of the duties required by the contract documents as above described in the above referenced documents and in accordance with the said documents, as well as acting as an Administrative Law Judge for any matter referred to him pursuant to 55 ILCS 5/3-5010.5.

3. Unless or until a Hearing Officer is appointed, the Director of the Code Hearing Unit shall perform all of the duties of a Hearing Officer specified in the above referenced documents, in addition to the duties of the Director of the Code Hearing Unit specified in those documents.

4. The County shall pay the Director for the performance of the duties contemplated at a rate of One Hundred Fifty-Five Dollars (\$155.00) per hour the director performs such duties. Prior to payment, the Director shall present the Tazewell County Auditor invoices specifying the work performed.

4a. The term of this agreement shall be for thirty-six (36) months commencing on May 28, 2024. The County shall have the option to reappoint J. Brian Heller or another individual upon expiration of the initial thirty-six (36) month period. Either party may terminate this agreement upon 90 days notice.

5. The Director understands, and agrees, that this thirty-six (36) month appointment does not create an employer-employee relationship between the County and the Director.

6. The Director is and shall be an independent contractor for all purposes, solely responsible for the results to be obtained and not subject to the control or supervision of the County insofar as the manner and means of performing the services and obligations of this contract, except to the extent that specifications are clearly stated in this contract or the documents incorporated by reference.

7. The Director shall determine the hours for hearings to be conducted with the expectation that the dates and times available for hearing will be communicated to the County approximately sixty (60) days prior to the hearings.

8. The Director has the power under this contract to amend the Regulations for the Conduct of Administrative Hearings pursuant to Section 34.04 Tazewell County Code of Ordinance, so long as any amendments continue to be consistent with the documents incorporated by reference in this contract. The Regulations for the Conduct of Administrative Hearings previously promulgated by the Tazewell County Board shall continue in force until such time as the Director formally amends the Regulations.

9. The Director shall be indemnified by the County for all lawsuits arising out of the duties herein contemplated unless such lawsuits arise out of willful and wanton conduct on the part of the Director beyond what is necessary to comply with the terms of this contract.

10. This contract shall be governed by and interpreted in accordance with the laws of the State of Illinois. All relevant provisions of the laws of the State of Illinois applicable hereto and required to be reflected or set forth herein are incorporated herein by reference.

11. This contract may not be assigned or subcontracted by the Director to any other person or entity without written consent of the County.

12. This contract shall not be amended unless in writing expressly stated that it constitutes an amendment to this contract, signed by the parties hereto.

13. The parties agree that the foregoing document herein referenced constitute all the agreement between the parties and in witness thereof the parties have affixed their respective signatures on the date first noted.

COUNTY OF TAZEWELL

BY: _____

DATE: _____

ATTEST:

DATE: _____

DIRECTOR:

BY: _____

DATE: _____

J. Brian Heller

COMMITTEE REPORT

Mr. Chairman and Members of the Tazewell County Board:

Your Executive Committee has considered the following RESOLUTION and recommends that it be adopted by the Board:

RESOLUTION

WHEREAS, the Executive Committee recommends to the County Board to amend the hearings officer agreement with Paul Brodersen to include serving as an administrative law judge to review deeds and instruments through a fraud referral and review process; and

WHEREAS, Tazewell County is authorized under 55 ILCS 5/5-41005 et seq., to conduct administrative hearings for certain ordinance violations; and

WHEREAS, Tazewell County has previously enacted Chapter 34 of the County Code, which created a Code Hearing Unit and allows for the appointment of a Director and one or more Hearing Officers as part of the Code Hearing Unit; and

WHEREAS, on April 24, 2024, the County Board approved an agreement with Paul Brodersen, as a Hearing Officer who can act as a substitute when Director J. Brian Heller is unable to act, for a term of three years; and

WHEREAS, the County Clerk intends to establish a fraud referral and review process as allowed under 55 ILCS 5/3-5010.5; and

WHEREAS, the statute requires the process to include referring documents that are potentially fraudulent, unlawfully altered, or intended to unlawfully cloud or transfer the title of any real property to be referred to an administrative law judge; and

WHEREAS, amendments have been made to the attached agreement to include the administrative law judge responsibilities.

THEREFORE BE IT RESOLVED that the County Board approve this recommendation.

BE IT FURTHER RESOLVED that the County Clerk notifies the County Board Office, the Administrator of Community Development, Attorney J. Brian Heller, P.O. Box 213, Washington, IL, the Auditor and the Payroll Division of this action.

PASSED THIS 20th DAY OF NOVEMBER, 2024.

ATTEST:

Tazewell County Clerk

Tazewell County Board Chairman

AGREEMENT FOR THE COUNTY OF TAZEWELL
For
Hearing Officer of the Tazewell County Code Hearing Unit

THIS AGREEMENT entered into by and between the County of Tazewell, Illinois, a body politic and corporate, hereinafter referred to as “County”, and Paul Brodersen, hereinafter referred to as “Hearing Officer,” this _____ day of _____, 2024.

WHEREAS, previous heretofore J. Brian Heller was appointed as Director of the Tazewell County Code Hearing Unit. It is reasonable and necessary to have another Hearing Officer who can act as a substitute when J. Brian Heller is unable to act; and

WHEREAS, the position of substitute Hearing Officer of the Tazewell County Code Hearing Unit is not contemplated to involve sufficient time to justify the hiring of a full-time employee; and

NOW, THEREFORE, in consideration of the herein stated mutual covenants, promises and undertakings by the parties to this Agreement, it is agreed by and between the parties as follows:

1. The contract documents consist of this Agreement, any applicable requirements of 55 ILCS 5/5-41 et. seq., and any applicable requirements of Chapter 34 of the Tazewell County Code of Ordinances, the Tazewell County Ordinance Authorizing Administrative Adjudication of Ordinance Violations. These form the contract and are fully a part of this contract as if attached to this agreement or repeated herein.

2. The Hearing Officer shall perform all of the duties required by the contract documents as above described in the above referenced documents and in accordance with

the said documents, as well as acting as an Administrative Law Judge for any matter referred to him pursuant to 55 ILCS 5/3-5010.5, and as directed by the Director of the Tazewell County Code Hearing Unit.

3. The County shall pay the Hearing Officer for the performance of the duties contemplated at a rate of One Hundred Fifty-Five Dollars (\$155.00) per hour the Hearing Officer performs such duties. Prior to payment, the Hearing Officer shall present the Tazewell County Auditor invoices specifying the work performed.

3a. The term of this agreement shall be for thirty-six (36) months commencing on May 28, 2024. The County shall have the option to reappoint Paul Brodersen or another individual upon expiration of the initial thirty-six (36) month period. Either party may terminate this agreement upon 90 days notice.

4. The Hearing Officer understands, and agrees, that this thirty-six (36) month appointment does not create an employer-employee relationship between the County and the Hearing Officer.

5. The Hearing Officer is and shall be an independent contractor for all purposes, solely responsible for the results to be obtained and not subject to the control or supervision of the County insofar as the manner and means of performing the services and obligations of this contract, except to the extent that specifications are clearly stated in this contract or the documents incorporated by reference.

6. The Hearing Officer shall be indemnified by the County for all lawsuits arising out of the duties herein contemplated unless such lawsuits arise out of willful and wanton conduct on the part of the Hearing Officer beyond what is necessary to comply with the terms of this contract.

7. This contract may not be assigned or subcontracted by the Director to any other person or entity without written consent of the County.

8. This contract shall not be amended unless in writing expressly stated that it constitutes an amendment to this contract, signed by the parties hereto.

9. The parties agree that the foregoing document herein referenced constitute all the agreement between the parties and in witness thereof the parties have affixed their respective signatures on the date first noted.

COUNTY OF TAZEWELL

BY: _____

DATE: _____

ATTEST:

DATE: _____

HEARING OFFICER:

BY: _____

DATE: _____

Paul M. Brodersen

REAPPOINTMENT

I, David Zimmerman, Chairman of the Tazewell County (Illinois) Board, hereby reappoint Dr. Michael Danner, DDS of 24842 Emanuel Lane, Tremont, IL to the Tremont Rescue Squad Board for a term commencing January 01, 2025 and expiring December 31, 2028.

COMMITTEE REPORT

TO: Tazewell County Board
FROM: Executive Committee

This Committee has reviewed the reappointment of Dr. Michael Danner, DDS to the Tremont Rescue Squad Board and we recommend said reappointment be approved.

RESOLUTION OF APPROVAL

The Tazewell County Board hereby approves the reappointment of Dr. Michael Danner, DDS to the Tremont Rescue Squad Board.

The County Clerk shall notify the County Board Office and the County Board Office will notify the Tremont Rescue Squad Board.

PASSED THIS 20th DAY OF NOVEMBER, 2024.

ATTEST:

Tazewell County Clerk

Tazewell County Board Chairman

REAPPOINTMENT

I, David Zimmerman, Chairman of the Tazewell County (Illinois) Board, hereby reappoint David E. Kaeb of 21384 Franklin Street, Tremont, IL to the Tremont Rescue Squad Board for a term commencing January 01, 2025 and expiring December 31, 2028.

COMMITTEE REPORT

TO: Tazewell County Board
FROM: Executive Committee

This Committee has reviewed the reappointment of David E. Kaeb to the Tremont Rescue Squad Board and we recommend said reappointment be approved.

RESOLUTION OF APPROVAL

The Tazewell County Board hereby approves the reappointment of David E. Kaeb to the Tremont Rescue Squad Board.

The County Clerk shall notify the County Board Office and the County Board Office will notify the Tremont Rescue Squad Board.

PASSED THIS 20th DAY OF NOVEMBER, 2024.

ATTEST:

Tazewell County Clerk

Tazewell County Board Chairman

REAPPOINTMENT

I, David Zimmerman, Chairman of the Tazewell County (Illinois) Board, hereby reappoint Melissa S. Mallory of 15777 Schmidgall Road, Tremont, IL to the Tremont Rescue Squad Board for a term commencing January 01, 2025 and expiring December 31, 2028.

COMMITTEE REPORT

TO: Tazewell County Board
FROM: Executive Committee

This Committee has reviewed the reappointment of Melissa S. Mallory to the Tremont Rescue Squad Board and we recommend said reappointment be approved.

RESOLUTION OF APPROVAL

The Tazewell County Board hereby approves the reappointment of Melissa S. Mallory to the Tremont Rescue Squad Board.

The County Clerk shall notify the County Board Office and the County Board Office will notify the Tremont Rescue Squad Board.

PASSED THIS 20th DAY OF NOVEMBER, 2024.

ATTEST:

Tazewell County Clerk

Tazewell County Board Chairman