

County Commissioner's Record No. 32

State of Illinois)
 SS August 23rd, 2019
County of Union)

I. Call Meeting to Order

The Union County Board of Commissioners met for a regular meeting in the Union County Courthouse Community Room at 08:30am. County Chairman Max Miller called the meeting to order.

II. Roll Call

Commissioners in attendance are Kent Pitts, Bobby Toler Jr., Dale Foster and Max Miller. David Gould was absent.

III. Approval of Minutes

None

IV. Public Comments

Union County Treasurer, Leigh Burns, stated that the tax disbursements we sent out to the levying entities on August 22nd and the bank checks are being processed on August 23rd.

Pete Houseman informed the board that RAVE Inc. has now been in business for 46 years.

V. Committee Reports

Mr. Miller had an update on the land and building for the new Animal Control building. They are in the process of getting a survey done and are close to getting an intergovernmental agreement in place with the City of Anna for the property.

VI. Building Permits

- 1. 02-29-01-139-A 6850 Hwy 146 E., Anna for Brandy Whitney
- 2. 06-24-04-717-B6 425 Country Ln., Dongola for Cory Zinn

Mr. Pitts made the motion to approve the building permit and Mr. Foster seconded the motion.

Kent Pitts YES
Bobby Toler Jr. YES

Dale Foster YES
Max Miller YES
David Gould ABSENT
Motion Passed

VII. County Finances
None

VIII. Old Business

- A. Resolution Filling Vacancy in Office of State’s Attorney until such Office is Filled at the 2020 General Election.**
Mr. Miller tabled the Resolution until the Tuesday, August 27th at 8:30am when the meeting will be continued to so that all board members will be present for the vote on a new State’s Attorney.

IX. New Business

- A. Approve Payment of Bills**
Mr. Foster made the motion to approve the bills and Mr. Pitts seconded the motion.

Kent Pitts YES
Bobby Toler Jr. YES
Dale Foster YES
Max Miller YES
David Gould ABSENT
Motion Passed

- B. Discussion on Consumer Fraud and Identity Theft – Marsha Griffin**
Mrs. Griffin introduced herself and she is working with the Illinois Attorney General’s Office as the Community Outreach Liaison for the southern third of the state. She asked if she could set up a table to inform the public on the services she helps provides about consumer fraud. Mr. Miller stated that he is in an important topic and all the board agreed to let her provide this service.

- C. Presentation of New Electricity Rates for County Facilities – Bruce Wallace, AGE**
Mr. Wallace handed out the new prices for the energy purchasing. AGE is current company that county has contracted. Mr. Wallace went over 4 different bids from suppliers. Mr. Wallace highlighted that right now was a good time to lock in a longer term because of the slight not to increase in price for up to four years.

- D. AEP Electricity Agreement**
Mr. Miller made the motion to go with the 36 month agreement with AEP and Mr. Pitts seconded the motion.

Kent Pitts **YES**
Bobby Toler Jr. **YES**
Dale Foster **YES**
Max Miller **YES**
David Gould **ABSENT**
Motion Passed

E. Resolution Appointing Commissioners of the Union County Housing Authority Board

Martha Ann Webb for a term expiring November 7, 2021

Chris Clark for a term expiring November 7, 2021

Danny Hartline for a term expiring November 7, 2022

Nancy Watkins for a term expiring November 7, 2022

Neil Poole for a term expiring November 7, 2023

Paula Stairs for a term expiring November 7, 2023

Mr. Miller made a motion to approve the resolution for these terms and Mr. Foster seconded the motion.

Kent Pitts **YES**
Bobby Toler Jr. **YES**
Dale Foster **YES**
Max Miller **YES**
David Gould **ABSENT**
Motion Passed

F. Resolution Appointing Commissioner of the Clear Creek Levee and Drainage District – Matt Follis

Matt Follis for a term expiring on the first Tuesday of September 2022

Mr. Miller made the motion to approve the resolution for this term and Mr. Pitts seconded the motion.

Kent Pitts **YES**
Bobby Toler Jr. **YES**
Dale Foster **YES**
Max Miller **YES**
David Gould **ABSENT**
Motion Passed

G. Resolution Appointing Commissioner of the Preston Levee and Drainage District – David McMahan

David McMahan for a term expiring on the first Tuesday of September of 2022

Mr. Miller made the motion to approve the resolution for this term and Mr. Pitts seconded the motion.

Kent Pitts **YES**
Bobby Toler Jr. **YES**
Dale Foster **YES**
Max Miller **YES**

David Gould ABSENT
Motion Passed

H. Resolution Affirming Support for the Second Amendment of the United States Constitution and Section 22 of Article 1 of the Illinois Constitution

Mr. Miller read, whereas, the right of the People to keep and bear arms is protected as the individual right under the Second Amendment to the United States Constitution as interpreted by the United States Supreme Court and incorporated against the States through the Fourteenth Amendment of the United States Constitution as interpreted by the United States Supreme Court; and now, therefore, be it resolved the Board of Commissioners of the County of Union, Illinois do hereby oppose the enactment of any legislation by the Illinois General Assembly that would violate the Second Amendment to the United States Constitution and Section 22 of Article 1 of the Constitution of the State of Illinois. Mr. Miller then made the motion to approve the resolution and Mr. Pitts seconded the motion.

Kent Pitts YES
Bobby Toler Jr. YES
Dale Foster YES
Max Miller YES
David Gould ABSENT
Motion Passed

X. Executive Session

Mr. Pitts made the motion to go into executive session to discuss employees and Mr. Foster seconded the motion.

Kent Pitts YES
Bobby Toler Jr. YES
Dale Foster YES
Max Miller YES
David Gould ABSENT
Motion Passed at 8:58am

Regular session continued at 09:40am and Mr. Miller stated that the board is going to continue the meeting to Monday, August 27th 2019 at 8:30am. Mr. Foster made a motion to continue the meeting till then and Mr. Toler seconded the motion.

Kent Pitts YES
Bobby Toler Jr. YES
Dale Foster YES
Max Miller YES
David Gould ABSENT
Motion Passed

The meeting was continued at 8:30am on August 27th, 2019.

Mr. Miller asked for a roll call and all five commissioners were back in attendance.

Mr. Miller called for earlier tabled item under the Old Business.

VIII. Old Business

A. Resolution Filling Vacancy in Office of State's Attorney until such Office is Filled at the 2020 General Election.

Mr. Miller then read a prepared statement:

Before I make a motion to appoint our new State's Attorney, I have prepared a statement I would like to read. We commissioners have not taken this responsibility lightly. This is a very important job within our County government. We feel it is in the best interest of the County to appoint someone who is experienced in the Courtroom and can be ready to assume the duties with minimal training. As part of the our process of selecting the right candidate, we accepted resumes and interviewed the top two candidates in addition to the Democratic Party's recommendation. I also personally spoke with the County Sheriff and former State's Attorney. I was also contacted by several other law enforcement personnel and employees within our State's Attorney's office. All of which have been in support of my recommendation. The statute reads the office must be replaced with a person of the same party as the outgoing State's Attorney. Despite having not voted in a primary, this gentleman has indicated he is a democrat eligible for the office appointment. From the information provide to me, there is nothing that indicates this is not accurate. The State Board of Elections legal counsel was contacted and he indicated there is no case law or attorney general's opinion that clarifies this issue. There are no specifics defining membership of a party in the statute that covers the State's Attorney's office. In the past few months, we have lost a judge to the appellate court, a judge to retirement and four public defenders. With all these changes our court system has been disrupted. We are experiencing a backlog of court cases and an increasing jail bill. Our new judges have been working diligently to get organized and our county needs the most experienced State's Attorney. I have never made a political motion of vote in my seven years and I sure as hell am not starting now, this is about what is best for the citizens of Union County and Union County Government. The gentleman has worked in the office under Mr. Edmonds, knows the staff, judges and office system in place. The county is in need of someone that can take control of the office immediately and no other candidate can do that. He has participated in trials, very experienced with juvenile cases and was the lead on mental health cases. Taking all of this under consideration, I make the motion to appoint Daniel Klingemann to the position of State's Attorney effective September 16, 2019 for the remainder of the unexpired term. Mr. Pitts seconded the motion.

Kent Pitts

YES

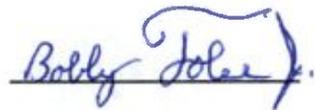
Bobby Toler Jr. NO
Dale Foster NO
Max Miller YES
David Gould YES
Motion Passed 3 Yes, 2 No

XI. Other Business
None

XII. Adjournment

Mr. Gould made the motion to adjourn the meeting and Mr. Pitts seconded the motion.

Kent Pitts YES
Bobby Toler Jr. YES
Dale Foster YES
Max Miller YES
David Gould YES
Motion Passed 8:36am



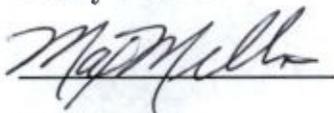
Bobby Toler Jr



David Gould



Kent Pitts



Max Miller



Dale Foster



Lance Meisenheimer