

White County Board Meeting

January 9, 2018

7:00 p.m.

A special meeting of the White County Board begun and holden this 9th day of January 2018 in the Courtroom of the White County Courthouse in the City of Carmi.

Chairman Doshier called the meeting to order at 7:00 p.m.

Chairman Doshier led the Board in the Pledge of Allegiance.

Clerk Dozier called the roll with McAnulty, Usery, Puckett, Trout and Doshier all present.

Chairman Doshier asked the Board if they had received the minutes of the previous meeting and were there any additions changes or deletions. Mr. McAnulty made a motion to waive the reading of the minutes of the previous meeting and approve the minutes of the previous meeting as proposed in writing. Motion seconded by Usery. Motion passed 5-0 on roll call vote.

Chairman Doshier asked the Board to approve the payment of all current bills. Mr. Usery made a motion to pay all the current bills, seconded by McAnulty. Motion carried 5-0 on roll call vote.

Mr. Brian Ray, County Engineer, stated he would like to thank the Circuit Clerk for coming to their rescue by loaning them a typewriter. Mr. Ray stated that Motor Fuel Tax for 2018 will be \$339,000.00 which is around the same amounts received in the 70's. He also stated that this is getting very serious, there are currently roads in White County that are impassable by automobile. Chairman Doshier stated that he and Mr. Ray have had a meeting with a liaison from the Governor's Office and hopefully the State will start addressing some of the problems in rural Illinois.

Mr. Adam Allen, Director of the White County Ambulance Service, stated that the ambulance service had a net profit of \$11,850.99 for the month of December.

Chairman Doshier stated that the Treasurer, State's Attorney and Sheriff were unable to attend the meeting this evening.

Mr. Puckett stated that the next 9-1-1 meeting will be held on January 15th at 6:00 p.m. Mr. Puckett stated that there is not much for the agenda and Mrs. Irwin is considering just meeting in February but that decision has not been made.

Mr. Chris Marsh, Coroner, submitted his report in writing.

Chairman Doshier stated that there are some problems out at the dog pound. Mr. Usery explained that the dog pound has no insulation and that during this cold snap the furnace could not keep up. Mr. Usery stated that he went out and measured and the insulation will cost around \$1,236.00 with labor running about another \$1,000.00 and that is for the County side only. Mr. Doshier stated that this would be put on next months meeting.

Chairman Doshier asked the Board to consider the adoption of the following resolution.

ORDINANCE NO. 01-09-2018

AN ORDINANCE/RESOLUTION ADOPTING A POLICY PROHIBITING
SEXUAL HARASSMENT FOR WHITE COUNTY

WHEREAS, the Illinois General Assembly has enacted Public Act 100-0554, an Act concerning government, which became effective November 16, 2017;

WHEREAS, pursuant to the Act, each governmental unit shall adopt an ordinance or resolution establishing a policy to prohibit sexual harassment;

WHEREAS, all prior existing sexual harassment policies of White County shall be superseded by the Policy Prohibiting Sexual harassment adopted by this Ordinance/Resolution; and

WHEREAS, should any section or provision of this Ordinance/Resolution or the adopted Policy Prohibiting Sexual Harassment be declared to be invalid, that decision shall not affect the validity of this Ordinance/Resolution or adopted Policy Prohibiting Sexual Harassment as a whole or any part thereof, other than the part so declared to be invalid;

NOW, THEREFORE, be it resolved by White County the following;

Section 1. The Policy Prohibiting Sexual Harassment, included as Exhibit A to this Ordinance/Resolution is hereby adopted.

Section 2. This Ordinance/Resolution shall be in full force and effect after its passage and publication as provided by law.

APPROVED and ADOPTED at a regular meeting of the White County Board this 9th day of January 2018.

David D. Doshier

White County Board Chairman

Attest:

Paula Dozier
White County Clerk

WORKPLACE HARASSMENT INCLUDING SEXUAL HARASSMENT POLICY

It is the policy of the County of White to provide all employees and volunteers with a workplace that is safe, comfortable and free of harassment. It is our policy to prohibit all forms of harassment at work, including, but not limited to harassment based on age, race, color, religion, sex, sexual orientation, national origin, disability or veteran status. All employees are responsible for complying with the policy against Workplace Harassment.

Any employee who engages in harassment on the basis of race, sex, gender, religion, color, age, disability, national origin or sexual orientation; who permits employees under his/her supervision to engage in such harassment; or who retaliates or permits retaliation against an employee who reports such harassment is guilty of misconduct and shall be subject to remedial action which may include the imposition of discipline or termination of employment.

Sexual harassment is prohibited and includes any unwelcome sexual advance, requests for sexual favor and other verbal or physical conduct of a sexual nature when:

Submission to such conduct is made, either explicitly or implicitly, as a term or condition of employment

Submission to or rejection of such conduct is used as a factor in any employment decision affecting any individual; or

Such conduct has the purpose or effect of unreasonably interfering with any employee's work performance or creating an intimidating, hostile or offensive working environment.

Harassment, on the basis of protected classifications other sexual harassment, includes slurs and other verbal or physical conduct relating to an individual's race, color, religion, sex, gender, age, disability, national origin, or being a member of another protected classification. Harassment is defined as behavior which has the purpose or effect of creating an intimidating, hostile, or offensive working environment, or has the purpose or effect of unreasonably interfering with an individual's work performance, or otherwise adversely affects an individual's employment opportunities.

1. This policy prohibits sexual advances, requests for sex (with or without related threats and promises of favors or other benefits), or other verbal or physical sexual conduct, which could have a harmful effect on any employee's work performance or create a hostile or offensive work environment.

Examples of "sexual harassment" include, but are not limited to:

- obscene or sexually suggestive comments about a person's body;
- "off color" language or "dirty" jokes of a sexual nature;
- slurs, threats, repeated commands or other offensive verbal or physical conduct relating to a person's sex or sexual orientation;
- offensive or unwelcome sexual flirtations, advances or propositions communicated verbally, by touch, or in writing;
- use of sexually degrading words to describe a person or a group of people;
- any display of sexually explicit photographs, drawings, greeting cards, articles, books, magazines, or other printed items; or
- repeated unwelcome or unnecessary touching of any part of another's body.

2. Sexual and other forms of harassment at work are strictly prohibited, whether committed by employees (management or non-management), vendors, citizens, or volunteers. Under this policy, managers or supervisors cannot threaten or imply that giving into or rejecting sexual advances will influence any decision regarding your employment.
3. Sexual and other forms of harassment by an employee will result in disciplinary action up to and including dismissal, and may lead to personal legal and financial liability. You are encouraged to report your complaint if you believe you have been subjected to any form of harassment at work or during a work related activity.
4. Complaints of sexual and other forms of harassment at work will be promptly and carefully investigated. Under this policy, your manager or supervisor cannot retaliate or try to harm you in any way if you choose to file a harassment complaint.
5. If you have concerns about harassment at work by anyone, including managers, supervisors, co-employees, guests, citizens, volunteers or visitors, you should immediately bring those concerns to your manager's attention or you may contact ANY manager or supervisor with whom you feel comfortable discussing the situation.
6. If possible, you should bring your concerns to the attention of your immediate manager or supervisor. However, if unwelcome behavior involves a manager or supervisor to whom you directly or indirectly report, you can also seek help from any other manager, your human resources representative, or any other management member of the organization's administrative group.
7. The investigation may include interviews with all persons having direct knowledge of the unwelcome behavior, including the person who made the complaint, the person accused of sexual or other harassment, and other potential witnesses.
8. Your privacy and the privacy of the person accused of sexual other harassment will, to the extent possible, be kept strictly confidential.
9. At the conclusion of the investigation, the investigator will review the findings with the person(s) who made the complaint. If the investigation reveals that the complaint is factual, appropriate corrective action will be taken to prevent the harassment from occurring again, up to and including discharge of any employees believed to be guilty of sexual harassment. In any case, particularly in situations where the facts uncovered during the investigation are inconclusive or unclear, management will ensure that all parties are reacquainted with the policy prohibiting sexual or other harassment at work.

Mr. Puckett made a motion to adopt the Sexual Harassment Ordinance, seconded by Trout. Motion carried 5-0 on roll call vote.

Chairman Doshier asked the Board to move the Deaconess presentation to #17 on the agenda. Mr. Usery made a motion to move the Deaconess Illinois presentation to #17 on the agenda, seconded by McAnulty. Motion passed 5-0 on roll call vote.

Chairman Doshier stated that the next item on the agenda was to consider the contract between the FOP and White County. Chairman Doshier asked the Board to table until the next Board meeting because we have not received a copy of the contract at this time. Mr. Usery made a motion to table the approval of the FOP contract, seconded by McAnulty. Motion carried 5-0 on roll call vote.

Chairman Doshier asked the Board to approve a resolution for White County to continue to participate in the State's Attorney Appellate Prosecutor Service. The resolution is as follows:

RESOLUTION

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Counties containing less than 3,000,000 inhabitants; and,

WHEREAS, the powers and duties of the Office of the State's Attorneys Appellate Prosecutor are defined and enumerated in the "State's Attorneys Appellate Prosecutor's Act", 725 ILCS 210/1 et. seq., as amended; and,

WHEREAS, the Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives approval and support from the respective Counties eligible to apply; and,

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor shall administer the operation of the appellate offices so as to insure that all participating State's Attorneys continue to have final authority in preparation, filing, and arguing of all appellate briefs and any trial assistance; and,

NOW THEREFORE, BE IT RESOLVED that the White County Board, in regular session, this 9th day of January 2018 does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorneys of this County in the appeal of all cases, when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney prepare, file, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the State's Attorney's duties under the Illinois Public Labor Relations Act, including negotiations thereunder, as well as in the trial and appeal of tax objections.

BE IT FURTHER RESOLVED that the office of the State's Attorney Appellate Prosecutor will offer continuing legal education training programs to the State's Attorneys and Assistant State's Attorney.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist the State's Attorney of this County in the discharge of the State's Attorneys duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

BE IT FURTHER RESOLVED that if the Office of the State's Attorneys Appellate Prosecutor is duly appointed to act as Special Prosecutor in this County by a Court having jurisdiction, this County provide reasonable and necessary clerical and administrative support on an as needed basis

BE IT FURTHER RESOLVED that the White County Board agrees to participate in the service program of the Office of State's Attorney Appellate Prosecutor for Fiscal Year 2018, commencing December 1, 2017 and ending November 30, 2018, by hereby appropriating the sum of \$7,000.00 as consideration for the express purpose of providing a portion of the funds required for financing the operation of the Office of State's Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the Fiscal Year 2018.

Passed and adopted by the County Board of White County, Illinois, this 9th^h day of January 2018.

David Doshier, Chairman

Attest:

Paula Dozier, White County Clerk

Mr. Trout made a motion to approve the resolution for continued participation in the State's Attorney's Appellate Prosecutors Service. Motion seconded by Puckett. Motion passed 5-0 on roll call vote.

Chairman Doshier stated that the next item was to consider approval of resolutions for the sale of real estate through the Trustee's Program. The resolutions will be selling parcel #'s 02-19-154-003, 02-19-154-006, 13-14-277-011, 17-28-129-008, 19-01-210-011, 19-01-210-012, 19-01-230-016, 19-01-280-006 and 19-01-280-007. Mr. Trout made a motion to adopt the resolutions for sale of real estate through the Trustee's Program. Motion seconded by Usery. Motion passed 5-0 on roll call vote.

Chairman Doshier asked the Board to table discussion on the zoning for solar energy. He stated that Clerk Dozier had been invited to a meeting in Hamilton County and that he would be contacting the gentleman to see if everyone could attend. Mr. Usery made a motion to table the solar energy discussion and zoning. Motion seconded by McAnulty. Motion passed 5-0 on roll call vote.

Chairman Doshier explained that the County had received the last jail inspection report and it would be placed on file in the County Clerk's Office. Mr. Puckett stated that it was a good report and the only finding was that one cell contained 1 to many prisoners.

Chairman Doshier stated that the next item on the agenda was to consider the approval of a resolution for the annual maintenance from Motor Fuel Funds. The resolution is as follows:

RESOLUTION FOR MAINTENANCE
UNDER THE ILLINOIS HIGHWAY CODE

SECTION 18-00000-00-GM

BE IT RESOLVED, by the Board of County of White Illinois that there is and hereby appropriated the sum of three hundred thousand and 00/100 (\$300,000.00) of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of Illinois Highway Code from 1/1/2018 to 12/31/18.

BE IT FURTHER RESOLVED, that only those operations as listed and described on the approved Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that County of White shall submit within three months after the end of the maintenance period as stated above, to the Department of Transportation, on forms available from the Department, a certified statement showing expenditures and the balances remaining in the funds authorized for expenditure by the Department under this appropriation, and

BE IT FURTHER RESOLVED, that the Clerk is Hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

RESOLVED, that the County Engineer/County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

I, PAULA DOZIER County Clerk, in and for said County of White in the State of Illinois, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Board of White at meeting held on 01/09/18.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 9th day January, A.D. 2018.

Paula Dozier
County Clerk

Mr. Puckett made a motion to approve the annual maintenance resolution, seconded by Usery. Motion carried 5-0 on roll call vote.

Chairman Doshier stated the next item of business was the approval of the annual weight limit resolution. The resolution is as follows:

RESOLUTION

BE IT RESOLVED, by the County Board of White County, Illinois, in a special meeting held in the Court House in the City of Carmi on January 9, 2018, that a load limit be imposed on County Roads in White County, Illinois, for a period of ninety (90) days. This resolution becomes effective upon publication of same as road conditions warrant. The load limit shall be as follows:

5 TONS PER AXLE

CALL for Aye and/or Nay vote:

Dosher:	Aye	Puckett:	Aye
McAnulty:	Aye	Trout:	Aye
Usery:	Aye		

State of Illinois)

) ss

White County)

I, PAULA DOZIER, Clerk of the County Court and Ex-Officio Clerk of the County Board within and for the County and State aforesaid, do hereby certify that the within and foregoing is a true and correct copy of the Resolution passed by the County Board of White County Illinois, at Carmi, held on the 9th day of January, A.D., 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 9th day of January, 2018.

Paula Dozier

County Clerk and Ex-Officio Clerk
of the County Board of White County.

Mr. Trout made a motion to approve the resolution to set the load limits, seconded by Puckett. Motion carried 5-0 on roll call vote.

Ms. Amy Susott, Director of Business Development for Deaconess of Illinois, and Angela Webb EMS Coordinator presented a management proposal and/or a wholly owned and operated by Deaconess of Illinois/TransCare EMS acquisition proposal for the White County Ambulance Service.

The management proposal would consist of: Hiring a full time director, biller and mechanic. The County would retain all assets and assumes all financial risk of revenue, expense, and capital. They would assist in billing and collections, some training and mutual aid agreements, and provide backup ambulance service from Deaconess Illinois EMS. The charge would be \$19,000.00 a month.

The wholly owned and operated would consist of: Integrating White county EMS with Deaconess Illinois EMS. Deaconess Illinois assumes a 7% operating margin. In the event the margin is higher than 7% excess income would be paid back to White County. They would employ all staff and offer benefits. County would continue to provide dispatch services. 14/7 ALS truck, 12 hour BLS truck would be provided each day. Deaconess Illinois would use all existing equipment of the Ambulance Service (they would be responsible for replacement all assets in the future) plus an annual subsidy of \$260,000.00. An option would be to utilize only one ALS truck for \$110,000.00. Deaconess Illinois would be responsible for all future capital investments.

Chairman Doshier asked the Board for a motion on the management proposal. Mr. Usery made a motion that White County would not consider the management proposal. Motion seconded by Trout. Motion carried 5-0 on roll call vote.

Chairman Doshier asked the Board to table the acquisition of the ambulance service until the February meeting. Chairman Doshier stated that the more discussion, the more questions everyone has and we need time to hammer out some of the questions. Mr. Usery made a motion to table the acquisition of the ambulance service, seconded by Trout. Motion passed 5-0 on roll call vote.

Chairman Doshier stated that he was going to appoint Mr. McAnulty, Mr. Trout, Mr. Aud and Mr. Allen to a negotiating committee and they would bring back their final recommendations to the Board.

Chairman Doshier stated that there is a need for an Executive Session for the purpose of discussion of personnel. Mr. Puckett made a motion to go into Executive Session for the purpose of discussing personnel, seconded by Usery. Motion passed 5-0 on roll call vote.

Mr. Trout made a motion to come out of Executive Session, seconded by McAnulty. Motion passed 5-0 on roll call vote.

Chairman Doshier asked for a motion to adjourn. Mr. Puckett made a motion to adjourn, seconded by McAnulty. Motion passed 5-0 on roll call vote.