

The January 9, 2018 meeting of the Honorable Clay County Board was called to order at 6:00 p.m. by Deputy Sheriff Steve Spitzner.

The Pledge to the flag was led by Deputy Spitzner.

The blessing was led by Brad Harris.

The roll was called:

Present: Ted Whitehead, Chairman, Shannon French, Brad Harris, Joe Goodman, Jeremy Wilbur, John Weidner, Chris Rinehart, John Bayler, David Johnson, Joe Gilliland, Mary McCollough and Barb McGrew. Absent: Janice Brooks and Bryan Knapp

Chairman Whitehead acknowledged guests and there were two agenda changes. The Goldenbeg, Geller and Antognoli presentation will be moved up to the follow approval of the minutes and adding the approval of the State's Attorneys Appellate Prosecutor to Item 11, State's Attorney.

Motion by Brad Harris, seconded by Joe Goodman, to approve the agenda as it stands. Motion Carried, Voice Action.

Motion by Jeremy Wildbur, seconded by Shannon French, to approve the County Board minutes of December 12, 2017. Motion Carried, Voice Action.

Motion by Joe Goodman, seconded by Jeremy Wildbur, to go to closed session for the following purpose: \_\_\_\_\_ (8) Litigation, when an action against, affecting on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, with the basis for such finding being: \_\_\_\_\_ (5 ILCS 120/2 (c) (11); Time 6:05 p.m. Motion Carried, Voice Action.

Motion by Brad Harris, seconded by Mary McCollough, to return to open session. Time: 6:45 p.m. Motion Carried, Voice Action.

Chairman Whitehead noted the closed session was for informational purposes only.

Motion by Jeremy Wildbur, seconded by Shannon French, to approve the action of the Claims Committee. Motion Carried. 11-Yes 1-Abstain.

The 911 Report was provided to the County Board in written form.

Motion by Chris Rinehart, seconded by Dave Johnson, to approve the Intergovernmental Agreement with B-O-L MTAD. 10-Yes 2-Abstain

## ***INTERGOVERNMENTAL AGREEMENT***

***WHEREAS***, a vacancy exists in the office of Multi Township Assessor for the Multi Township Tax Assessment District consisting of Larkinsburg, Blair, and Oskaloosa Townships, Clay County, Illinois.

***WHEREAS***, there is no person qualified to perform the duties of Tax Assessor for the Multi Township Tax Assessment District consisting of Larkinsburg, Blair, and Oskaloosa Townships; and

***WHEREAS***, pursuant to 35 ILCS 200/2-60, the Multi Township shall contract with a person qualified to do the assessing at a cost no greater than the maximum salary authorized for the Multi Township Tax Assessment District consisting of Larkinsburg, Blair, and Oskaloosa Townships Assessor; and,

***WHEREAS***, the Clay County Supervisor of Assessments, Kindal Eastin, is qualified to assess property under the provisions of 35 ILCS 200/2-45 and is willing to do so under the terms and conditions set forth herein;

***THEREFORE, IT IS AGREED*** between the Multi Township Tax Assessment District consisting of Larkinsburg, Blair, and Oskaloosa Townships and the County of Clay as follows:

1. The duties of Tax Assessor for Multi Township Tax Assessment District consisting of Larkinsburg, Blair, and Oskaloosa Townships, Clay County, Illinois, shall be performed under the direction of Clay County Supervisor of Assessments Kindal Eastin under the terms and conditions set forth herein.
2. In order to assist the Supervisor of Assessments in performing the additional duties as Multi Township Assessment District of Larkinsburg/Blair/Oskaloosa Assessor, the County of Clay will employ Monte VanDyke on a temporary part-time basis to work under the Supervisor of Assessments for the specific purpose of assisting in the duties of Multi Township Assessor. Monte VanDyke will be paid at entry level and receive those benefits accorded to temporary part-time employees of Clay County.
3. The Board of Trustees of Multi Township Assessment District of Larkinsburg, Blair, and Oskaloosa Townships hereby agree to reimburse the County of Clay for the salary, payroll taxes, and expenses incurred for the additional personnel necessary to perform the duties of Multi Township Assessor. The County of Clay shall submit itemized statements detailing hours worked, payroll and employment taxes and expenses incurred in the performance of the assessor's duties. Reimbursement shall be made within 30 days after submission of the said itemized statements. Maximum compensation shall not exceed the amount levied by the townships for salaries and related expenses for the calendar year 2018.
4. This agreement shall be for a term of one (1) year and may be terminated prior thereto under the following circumstances:
  - a. Upon thirty (30) days written notice of intent to terminate either party;
  - b. Upon the qualification and appointment of an Assessor by the Multi Township of Larkinsburg/Blair/Oskaloosa; or
  - c. Upon failure to timely (within 30 days) cure a default by either party after having been given written notice of failure to perform under the terms of this agreement.

5. All correspondence related to this Agreement and performance hereunder shall be sent by first class mail, to the following persons at the addressed listed below:

**Multi Township Assessment District Larkinsburg/Blair/Oskaloosa**  
Attn: Brad Clark  
2154 Blair Twp. Ln  
Louisville, IL 62858

**Clay County Supervisor of Assessments**  
Kindal Eastin, Supervisor  
Clay County Courthouse  
P.O. Box 178  
Louisville, IL 62858

6. This agreement shall become effective upon its passage and approval by the Board of Trustees of the Multi Township Assessment District of Larkinsburg, Blair, and Oskaloosa, and the Clay County Board.

Dated this 9th of January, 2018

Multi Township Assessment District  
Larkinsburg/Blair/Oskaloosa

By: \_\_\_\_\_  
                    ,Chairman

Clay County

By: Ted Whitehead  
Ted Whitehead, Chairman

Motion by Chris Rinehart, seconded by Brad Harris, to approve the Resolution of Identity Protection Policy.  
Motion Carried, Voice Action.

CLAY COUNTY  
ILLINOIS

Date: 1/9/18

I. Identity and Privacy Protection Policy

A. Generally

It is the policy of Clay County and its local government agencies (hereinafter referred to as "County") to protect the identity and privacy of all elected and appointed officials, officers, staff, agents, current and past employees, and residents and members of the public. The County shall comply with the Illinois Identity Protection Act ("IPA") (5 ILCS 179/1, *et seq.*) through the implementation of this policy as required under 5 ILCS 179/35.

Except where required or authorized by law or regulation, the County and its personnel shall not collect, use, or disclose a person's Social Security Number ("SSN"). The County shall not request SSNs except when it falls under a delineated exception permitted under the IPA. Non-administrative County employees shall generally have no access to documents or information containing individuals' SSNs. Any more restrictive law, rule, or regulation regarding the collection, use or disclosure of a SSN shall control over County policies set forth herein. 5 ILCS 179/55.

B. Identity and Privacy Protections

1. Pursuant to the IPA, the County's Freedom of Information Officer(s) shall redact SSNs and private information from documents, including all or any portion of an individual's SSN requested for public inspection and copying of information pursuant to federal or state law, such as the Freedom of Information Act. 5 ILCS 179/15, 5 ILCS 140/2(c-5). The County shall provide a means to ensure that SSNs collected on County documents may be readily redacted in the event of a FOIA request.
2. Except where expressly permitted, the following actions are prohibited by the County, and its elected and appointed officials, officers, staff, agents and employees as set forth in 5 ILCS 179/10:

- a. To publicly post or publicly display in any manner an individual's SSN.
- b. To print an individual's SSN on any card required for the individual to access products or services provided by the County, unless otherwise required by law. This limitation includes encoding or embedding a SSN in any identification scheme, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of the SSN.
- c. To require an individual to transmit his or her SSN over the Internet, unless the connection is secure or the SSN is encrypted.
- d. To print an individual's SSN on any materials that are mailed to the individual through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless state or federal law requires the SSN to be on the document to be mailed.

However, SSNs may be included in applications and forms sent by mail including, but not limited to, the following:

- i. Any material mailed in connection with the administration of the Unemployment Insurance Act;
- ii. Any material mailed in connection with any tax administered by the Illinois Department of Revenue; and
- iii. Documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the SSN.

A SSN that may permissibly be mailed as set forth in this subsection may not printed, in whole or in part, on a postcard or other mailer that does not require an envelope or otherwise be visible on an envelope without the envelope having been opened.

- e. To collect, use or disclose an individual's SSN unless:
  - i. required under federal or state law, rules or regulations;
  - ii. the need and purpose is documented prior to the collection of the SSN; and
  - iii. the SSN collected is relevant to the documented need and purpose.

- f. To require an individual to use his or her SSN to access an Internet website.
- g. To use the SSN for any other purpose other than the purpose for which it was collected.

C. Exceptions

1. A SSN may be collected and/or disclosed under the following circumstances:

- a. When the disclosure of SSNs to the County's agents, employees, contractors, or subcontractors of the County is necessary in order for the County to perform its duties and responsibilities. However, if disclosure is to a contractor or subcontractor, the County must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how SSNs will be protected pursuant to requirements of the IPA.
- b. When the disclosure of SSNs to another governmental entity or its agents, employees, contractors, or subcontractors is necessary in order for the County to perform its duties and responsibilities.
- c. When the disclosure is made pursuant to court order, warrant or subpoena.
- d. When collection, use or disclosure is required to ensure the safety of state and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the state; and all persons working in or visiting a state or local government agency facility.
- e. When collection, use or disclosure is required for internal verification or administrative purposes.
- f. When the disclosure of SSNs is done to facilitate the collection of delinquent child support or of any debt owed to the State of Illinois.
- g. When used to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a

lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

**D. Violations**

Anyone violating this policy may be subject to disciplinary action up to termination and/or criminal prosecution as provided by the IPA and law. 5 ILCS 179/45.

**E. Training**

All employees and officials who have access to SSNs in the course of their employment with the County shall undergo approved training on the proper handling of information that contains SSNs from the time of collection through the destruction of the information.

LEGAL REF.: 5 ILCS 179/1, *et seq.*

ADOPTED: January 9, 2018

Motion by Jeremy Wildbur, second by Brad Harris, to approve the Resolution for the State's Attorney Appellate Prosecutor. Motion Carried.

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 Clay County Board, in regular session, this 9<sup>th</sup> 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 Attorney 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 Attorneys Appellate Prosecutor will offer Continuing Legal Education training programs to the State's Attorneys and Assistant State's Attorneys.

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 Attorney's 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 a Special Prosecutor in this county by a court having jurisdiction, this county will provide reasonable and necessary clerical and administrative support on an as-needed basis.

BE IT FURTHER RESOLVED that the Clay County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2018, commencing December 1, 2017 and ending November 30, 2018, by hereby appropriating the sum of \$5,000.00 as consideration for the express purpose of providing a portion of the funds required for financing the operation of the Office of the 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 Clay County, Illinois, this 9<sup>th</sup> day of January, 2018.

ATTEST: Brenda Britton  
County Clerk

Chairman Jeremy Wildbur

Jeff Workman, CCHD presented the Board of Health Bulletin in written form.

Deputy Steve Spitzner presented the Sheriff's Activity Report in written form.

Treasurer Jana Tolliver presented the financial reports in written form.

County Engineer Darin Koelm presented the Highway Department in written form.

Clay County Hospital Chris Hunt presented the Hospital Report in written form.

Motion by Dave Johnson, seconded by John Weidner, to approve mileage rates for 2018 at the IRS rate of 54.5 per mile. Motion Carried, Voice Action.

Motion by John Bayler, seconded by Shannon French, to approve the reappointment of Ted Whitehead to the 911 Board. Motion Carried, Voice Action.

Chairman Whitehead presented the ROE Draft Financial Statement and Quarterly Report of Activities.

Motion by Jeremy Wildbur, seconded by Brad Harris, to adjourn. 7:05 p.m. Motion Carried, Voice Action.

Mr. Chairman and Gentlemen of the County Board:

Your Committee on Paid Claims would beg leave to report that they have examined all claims presented to them, and recommend the payment of the following, and that the Clerk be directed to issue orders on the County Treasurer to the Claimants for the several amounts allowed, as follows, to wit:

1.	ADP	PAYROLL FEES	243.80
2.	ALLEN STACEY	CLERK-PHONE REIMBURSEMENT	25.00
3.	AMEREN	PROBATION-UTILITIES	147.78
4.	AMERICAN STAMP	TREASURER-SUPPLIES	125.30
5.	AXIS TOXICOLOGY	CORONOR-TOXICOLOGY	500.00
6.	BARBEE DARREN	COURTHOUSE SECURITY	187.93
7.	BG DISTRIBUTORS	ELECTION-MISC	68.63
8.	BLAIR STACEY	CLERICAL OVERTIME	106.40
9.	BRITTON BRENDA	CLERK-PHONE REIMBURSEMENT	40.00
10.	BROWN JENNIFER	ESDA -MISC	373.97
11.	CARTRIGHT ADAM	SHERIFF-TRAINING	82.41
12.	CASEY GENERAL STORE	PROBATION INCIDENTAL EXPENSE	29.98
13.	CLAY COUNTY CIRCUIT CLERK	CLERICAL HIRE-REFUND CHRISTMAS BONUS	1800.00
14.	CLAY CTY HEALTH DEPART.	JAIL-MEDICAL SUPPLIES	124.79
15.	CLAY CO REPUBLICAN	SHERIFF-INCIDENTAL EXPENSE, JAIL & CIRCUIT CLERK-SUPPLIES	983.80
16.	CLERK OF THE CIRCUIT CLERK	CIRCUIT CLERK-DUES	25.00
17.	COLLINS MARY BETH	ATTY FEES FOR INDIGENTS	362.50
18.	COUNTY BOARD MEMBERS	BOARD MEMBERS-MILEAGES/MEETINGS	1916.77
19.	DEPUTIES PHONES	DEPUTIES-PHONE REIMBURSEMENT	440.00
20.	FAYETTE COUNTY	COURTS-COUNTY SHARE CHIEF JUDGE OFFICE	218.52
21.	FELDHAKA MARK	SHERIFF-OVERTIME & ILEAS	1565.66

22.	FLORA PRINTING COMPANY	PROBATION INCIDENTAL EXP.	86.24
23.	FRITSCHLE LOGAN	JAIL-OVERTIME	110.88
24.	GFI	TREASURER-SUPPLIES	19.88
25.	GLOBAL TECHNICAL	SHERIFF-AUTO MAINT.	99.50
26.	GROSS WILLIAM	COURTHOUSE SECURITY	706.72
27.	HEALY MITCHELL	PART TIME CORECTIONAL SALARY	624.00
28.	HEUERMAN CORY	SHERIFF-TRAINING	9.86
29.	HOLKY PLUMBING	COURTHOUSE-REPAIRS	502.28
30.	H2ONEST WATER	COURTHOUSE-SUPPLIES	97.50
31.	INDOFF	CIRCUIT CLERK & STATE'S ATTY-SUPPLIES	473.18
32.	IL ASSOCIATION	CIRCUIT CLERK-DUES	205.00
33.	IL CORONER	CORONER-DUES	300.00
34.	IL COUNTIES RISK MGMT	GENERAL LIABILITY INSURANCE	27,436.85
35.	JACOBI JAMES	CORONER AUTOPSY	1806.00
36.	JOHNSON'S CUSTOM PHOTO	CIRCUIT CLERK-SUPPLIES	182.13
37.	KEMPER CPA	TREAS. COMPUTER EQUIPMENT	1303.50
38.	LEE'S PC DEPOT	CIRCUIT CLERK-SUPPLIES	135.00
39.	LEONARD AARON	ATTORNEY FEES FOR INDIGENTS	1650.00
40.	LEWIS ELAM	COURTHOUSE SECURITY	175.20
41.	LINDA'S CLEANING	HWY-CLEANING	65.00
42.	M. KATHY BEYERS	CIRCUIT CLERK-OPERATION OF JUDGE OFFICE	135.50
43.	MASTER NIKI	CLERICAL HIRE	351.40
44.	MIDWEST	PROBATION INCIDENTAL EXP	113.98
45.	MILLER WES	CORONER-RENT	100.00
46.	MILNER CHAD	SHERIFF-OVERTIME	497.52
47.	MUNICIPAL	PROB., JAIL, CH & HWY-UTILITIES	2359.48
48.	MURPHY DARLA	COUNTY BOARD MEMBERS-PER DIEM & EXP	11.85
49.	MYERS ANDY	SHERIFF-TRAINING & INCIDENTAL EXP	90.17
50.	NAPA	SHERIFF-AUTO MAINT	44.48
51.	POWLESS JOEL	CIRCUIT CLERK-DUES	393.47
52.	POWLESS SHAWNA	VICTIM/WITNESS COORDINATOR SALARY	4475.00
53.	QUILL	COUNTY CLERK-SUPPLIES	45.96
54.	RAY O'HERRON	SHERIFF-PURCHASE & LEASE OF AUTO & JAIL-SUPPLIES	594.99
55.	ROE #12	CLAY COUNTY ROE #12 SHARE	7940.62
56.	SECRETARY OF STATE	SHERIFF-AUTO MAINT.	95.00
57.	SUBWAY	SHERIFF-TRAINING	112.09
58.	TRAUB TAMMY	CLERICAL OVERTIME	136.33
59.	THOMSON REUTERS	STATE'S ATTY DUES	190.00
60.	TOLLIVER JANA	TREAS. COMPUTER SOFTWARE	2992.00
61.	TWO SISTERS	SHERIFF INCIDENTAL EXP	560.00
62.	VERIZON	JAIL-TELEPHONE	342.09
63.	WABASH	CH, JAIL, & HWY-PHONE	2459.36
64.	WALMART	JAIL-DIET & CARE OF PRISONERS, SUPPLIES & MEDICAL SERVICES	1455.21

65.	WELLS FARGO	SHERIFF-SUPPLIES	184.63
66.	WOOD STEPHAN	COURTHOUSE SECURITY	423.40
67.	YOUNG'S PIT STOP	SHERIFF AUTO MAINT.	48.00
68.	ZIMDARS A/C	COURTHOUSE REPAIRS	2289.00
69.	ZINKS	PROBATION INCIDENTATL EXP & CH-SUPPLIES	53.27
		<b>TOTAL</b>	<b>\$73,851.76</b>

UNPAIDS

1.	ADP	PAYROLL FEES	517.40
2.	ALL AMERICAN TOWING	SHERIFF INCIDENTAL EXPENSES	125.00
3.	AMERENCIPS	CH & JAIL-UTILITIES	1279.37
4.	ANDREW KOESTER	STATE'S ATTY-TRAINING	477.57
5.	ANDY MYERS	SHERIFF INCIDENTAL EXPENSES	628.94
6.	BIBERO SYSTEMS	PROBATION INCIDENTAL EXPENSES	74.19
7.	BYERS PRINTING COMPANY	CIRCUIT CLERK & RECORDER'S-SUPPLIES	1902.95
8.	DBS DISPOSAL	JAIL & CH-UTILITIES	120.00
9.	FRANKLIN COUNTY DETENTION	JAIL-HOUSING OF JUVENILES	10039.19
10.	GFI DIGITAL	CH-DEBT RETIREMENT	38.43
11.	HEYL ROYSTER	MISC.	5678.18
12.	HONEST WATER	PROBATION-INCIDENTAL EXPENSES	19.70
13.	INDOFF	TREASURER, JAIL & CIRCUIT CLERK-SUPPLIES	822.63
14.	KEMPER CPA	CIRCUIT CLERK & ADMINISTRATION-AUDIT	17180.00
15.	KEMPER TECHNOLOGY	TREASURER-COMPUTER EQUIPMENT	1083.75
16.	KRISTA WEIDNER	PROBATION-TRAVEL	36.38
17.	LEE'S PC DEPOT	ESDA-GRANT	4178.88
18.	LORENZ SUPPLY	CH-SUPPLIES	154.37
19.	MEAGHER SIGN & GRAPHICS	JAIL-SUPPLIES	280.00
20.	MILLER OFFICE	S OF A-COMPUTER TAX SERVICES	59.00
21.	QUILL	CLERK-SUPPLIES	88.45
22.	RAY O'HERRON	SHERIFF-PURCHASE & LEASE OF AUTO	2243.65
23.	ROBBINS SCHWARTZ	MISC.	50.00
24.	SECURE PROCESSORS	CH-SUPPLIES	36.15
25.	TECHNOLOGY MANG	JAIL-PHONE	483.60
26.	TERA CONKLIN	PROBATION-PHONE	587.43
27.	WES MILLER	CORONER-TRAVEL	99.51
28.	WEX BANK	PROBATION-TRAVEL	93.15
29.	YOUNG'S PIT STOP	SHERIFF-AUTO MAINT.	136.00
		<b>TOTAL</b>	<b>\$48,513.87</b>