

# BRENDA BRITTON

COUNTY CLERK/RECORDER  
CLAY COUNTY  
P.O. BOX 160  
LOUISVILLE, ILLINOIS 62858

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## CLAY COUNTY BOARD MEETING

MAY 12, 2020 AT 6:00 P.M.

### AGENDA

1. CALL TO ORDER by *TED WHITEHEAD*, CHAIRMAN
2. PLEDGE TO THE FLAG
3. INVOCATION
4. ROLL CALL, by *BRENDA BRITTON*
5. ACKNOWLEDGE GUESTS, AGENDA CHANGES AND APPROVAL
6. APPROVAL OF MARCH 10, 2020 COUNTY BOARD MINUTES
7. CLAIMS COMMITTEE REPORT
  - A. Discuss and/or Approve Paid and Unpaid Claims
8. ILLINOIS STATE REPRESENTATIVE, *DARREN BAILEY*
  - A. Presentation Regarding COVID 19 Reopening
9. CLAY COUNTY HEALTH DEPARTMENT, *JEFF WORKMAN*
  - A. Board of Health Report
  - B. Discuss and/or Approve Resolution Supporting "Back to Business" Phased Reopening Proposal for South Central Illinois
10. SUPERVISOR OF ASSESSMENTS, *KINDEL EASTIN*
  - A. Consider the Re-Appointment of Davetta Dunigan to the Board of Review for a Two Year Term
  - B. Consider the Re-Appointment of Jack Hastings to the Board of Review for a Two Year Term
  - C. Office Update
11. SHERIFF, *ANDY MYERS*
  - A. Sheriff's Report

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- 12. COUNTY ENGINEER, *DARIN KOELM*
  - A. MFT Letting
  - B. Discuss and/or Approve as needed Contract with Rhutasel and Associates, Inc. Construction Observation and Testing Services
  - C. Engineer's Report
- 13. HOSPITAL REPORT, *BOB SELLERS*
  - A. Medical Staff Credentials
  - B. Hospital Report
- 14. EXECUTIVE FINANCE, *CHRIS RINEHART*
  - A. ESDA – *Steve Lewis* Regarding COVID 19 Reimbursement Plan
  - B. Discuss and/or Approve Setting Salaries for Elected Officials
- 15. CHAIRMAN'S REPORT, *TED WHITEHEAD*
  - A. Discussion/Action on the West Side Central TIF Extension
  - B. Consider the Appointment of Alan Griffy to the North Clay FPD, Term ending May 2023
  - C. Consider the Appointment of Andrew Bangert to the Clay City FPD, Term ending May 2023
  - D. Consider the Appointment of Timothy Hostettler to the Clay City FPD, Term ending May 2023
  - E. Open Discussion
- 16. NEW BUSINESS
- 17. UNFINISHED BUSINESS
  - A. Open Discussion
- 18. ADJOURN

For the Chairman

*Brenda Britton*

Brenda Britton  
Clay County Clerk

Agenda Subject to Change

Posted: May 06, 2020



The May 12, 2020 meeting of the Honorable Clay County Board was called to order at 6:00 p.m. by Sheriff Andy Myers.

The Pledge to the flag was led by Sheriff Myers.

The blessing was led by Chairman Whitehead.

Chairman Whitehead Welcomed IL State Representative Darren Bailey and members of the community. There were no agenda changes.

The roll was called:

Present: Ted Whitehead, Chairman, Shannon French, Brad Harris (By Zoom), Joe Goodman, Janice Brooks, Jeremy Wildbur, John Weidner (By Zoom), Chris Rinehart, Terry Hronec, John Bayler, David Johnson, Joe Gilliland, Mary McCollough and Barb McGrew. Absent: None

Motion by Barb McGrew, seconded by Terry Hronec, to approve the County Board minutes of March 10, 2020. Motion Carried, Voice Action

Motion by Jeremy Wildbur, seconded by Joe Goodman, to approve the action of the Claims Committee. Motion Carried.

IL State Representative Darren Bailey addressed the board regarding COVID 19 and reopening businesses. Bailey had prepared various handouts for businesses and their rights. Bailey spoke regarding the "Back to Business" plan that he had worked with the Health Department Officials to craft. Bailey asserted that the Governor's Executive Orders are not law.

Jeff Workman, CCHD, reported to board members that the Board of Health Bulletin will be forthcoming.

Workman provided an update on the "Back to Business" plan, noting it had been submitted to IDPH and also the Governor's Office for approval. He is doing all he can to push this along. Workman encourages the Board's approval of a Resolution supporting the "Back to Business" plan.

Workman noted that the County could incur substantial liability & risk to proceed with business openings without the Governor's approval. Workman noted the huge disparity with COVID 19 cases throughout the state and it makes sense to open by regions. Workman is hoping the various counties support of the "Back to Business" Resolution will have enough momentum to push the plan through.

Although an early attempt for a motion and second was made to approve the Resolution Chairman Whitehead noted the board needed to hear from members of the public.

Several members of the public addressed the board, including: Bill Atwood, Tara Bangert, Bryan West, Sonja Harrison, Jonathan Piperakis, John Riley, Tina Winka, Steve Stortzum, Jennifer Billingsley, Stacey Earleywine, Scott Neff, Nancy Thompson & Jenny Hemrich. All comments supported respectively encouraged and pled for efforts to allow businesses to reopen. Questions were put forth to the board and State's Attorney Andrew Koester regarding the Governor's authority (constitutionality) to dictate when businesses are allowed to reopen and when churches can meet again, liability issues ceases and desist orders for violation, and the County's stance on enforcement/prosecution. Koester noted most of his time the last few weeks had been spent researching what the County can and cannot do, what the Executive Orders mean and consulting for legal opinions on liability issues. Koester's position is that the Governor's Executive Orders are law until either an Il Appellate or Supreme Court rules that they are unconstitutional and the orders are overturned. He did not advise that the County Board has the power to enact less restrictive measures than outlined in the Governor's Executive Orders.

Koester noted the County Insurance carrier will exclude claims representation for intentional acts and violations of IL law. Workman mirrors the States Attorney's comments that the Health Department & County have no authority to disregard the Governor's Executive order.

St. Attorney Koester was not willing to offer any broad statement regarding violations/prosecution but stated common sense will be the guiding star, with the best course of action addressing issues case by case. Additionally, Koester suggested business owners check with their liability insurer before going against Executive Order directives, noting the county has no control over professional llcenses.

St. Rep Bailey reiterated his belief the Executive Orders are not law, insisting the local Health Department are in charge of the re-opening plan, not needing IDPH or Governor's approval.

Additional public comments emailed to the County Clerk were read into record from: Jane Blanchette, J.R. Simmons, Ronda Cooper, Jason Leib, Janice Schofield, Erin Norris, Jerry & Vicky Middleton, Mike Hockgeiger, Leslie Leib, and Crystal Luttrell. All comments supported Clay County opening businesses, churches, and schools, as soon as possible.

Chairman Whitehead directed the discussion to the agenda item to approve a Resolution supporting "Back to Business" phased reopening proposal. It was noted that the county's authority is for unincorporated areas of the county. Voting could be a moot point because professional licenses are not issued by the county.

As discussion continued, Board Member Joe Goodman suggested tabling action to support the Resolution for the Back to Business plan, and forming a subcommittee to explore other options and also what other counties have approved.

Board Member Brad Harris did put forward a motion to approve the Resolution as presented, but the motion died for lack of a second.

There was no vote on the Resolution. County Business moved on to the other motion items.

Motion by Dave Johnson, seconded by Shannon French, to approve the Chairman's appointment of Davetta Dunigan to the Board of Review for a two year term. Motion Carried, Voice Action.

Motion by Chris Rinehart, seconded by Joe Goodman, to approve the Chairman's Appointment of Jack Hastings to the Board of Review for a two year term. Motion Carried, Voice Action.

Supervisor of Assessments Kindal Eastin notified the Board that the Board that Clay County received the 2019 Final Multiplier of 1. Additionally, Eastin noted a vacancy on the Farmland Assessment Review Committee.

Sheriff Andy Myers presented the April 2020 Activity Report. Sheriff Myers also extended condolences to the family of retired Correction Officer Stephan Wood.

County Highway Engineer Darin Koelm reported the MFT letting for county and township rock & oil. (for review in his office.)

Motion by John Bayler, which was seconded by Jeremy Wildbur, to approve the Construction Related Services agreement with Rhutasel and Associated Inc. for the bridge on Sailor Springs Road (CH 3) over Littler Wabash River. Motion Carried.

Motion by Dave Johnson, seconded by Mary McCollough, to approve the following March Medical staff credentials:

**Appointment:**

- Michael Friedman, MD, Courtesy Radiology
- Bryan Belikoff, MD, Courtesy Radiology

**Provisional Appointment:**

- Rodrigo Lopez-Costa, MD, Courtesy Radiology
- John Irish, MD, Courtesy Radiology

**Reappointment:**

- Richard Katholi, MD, Courtesy Cardiology
  - Debra Harris, NP, Specified Professional Affiliate
  - Heath Laughlin, MD, Courtesy Radiology
- Motion Carried, Voice Action

Motion by Joe Goodman, seconded by Jeremy Wildbur, to approve the following April Medical staff credentials.

**Appointment:**

- Anderanik Tomasian, MD, Courtesy Radiology
- Michael Fazio, DO, Courtesy Radiology

**Provisional Appointment**

- Julko Fullop, MD, Courtesy Orthopedics
- David Lees, CRNA, Specified Professional Affiliate

**Reappointment**

- Ronald Hidalgo, MD, Courtesy Radiology

- Michael Jennewein, MD, Courtesy Radiology
  - Aaron Settler, MD, Courtesy Radiology
  - Brandon Snyder, MD, Courtesy Radiology
  - Robert Talbert, MD, Courtesy Radiology
  - April Cox, DO, Courtesy Radiology
  - Naga Sirikonda, MD, Courtesy Pulmonology
- Motion Carried, Voice Action.

CCH President Bob Sellers noted no COVID 19 patients in the hospital. The hospital is implementing "Safe Space" to encourage continued care of traditional patients.

ESDA Coordinator Steve Lewis presented information COVID 19 purchases. He noted that the State will be reimbursing 75% of COVID 19 expenses, so receipt for purchase and overtime need to be documented.

Motion by Barb McGrew, seconded by Jeremy Wildbur, to set salaried for the next election cycle officials ( Circuit Clerk & Coroner) at 3%/year ( States Atty set by state.) Motion Carried.

Discussion on the approval of the West Side Central TIF Extension was met with a request for a map of the area. Action was tabled to a future meeting.

Motion by Chris Rinehart, seconded by Terry Hronec, to ratify the Chairman's appointment of Alan Griffy to the North Clay FPD, term ending May 2023. Motion Carried, Voice Action.

Motion by Brad Harris, seconded by Jeremy Wildbur, to approve the Chairman's appointment of Andrew Bangert to the Clay City FPD, term ending May 2023. Motion Carried, Voice action.

Motion by Shannon French, seconded by Mary McCollough, to approve the Chairman's appointment of Timothy Hostelttler to the Clay City FPD, term ending May 2023. Motion Carried, Voice Action.

In previous discussion a suggestion was made for a subcommittee to be formed to explore options for businesses to reopen in Clay County. Joe Goodman, Chris Rinehart and Jeremy Wildbur volunteered to serve in that capacity. Chairman Whitehead ask St. Atty Koester to serve on the subcommittee as well.

Motion by Jeremy Wildbur, seconded by Barb McGrew, to adjourn. Time: 8:55 p.m. Motion Carried, Voice Action.

PAIDS

1. ACE	COURTHOUSE REPAIRS	163.96
2. ALLEN STACEY	PHONE REIMB.	25.00
3. AMEREN CIPS	PROB, HWY, CH & JAIL-UTILITIES	1435.21
4. AYERS JAMIE	SHERIFF-OVERTIME	82.53
5. BRITTON BRENDA	PHONE REIMB.	40.00
6. CIT	DEBT RETIREMENT	167.48
7. CLAY COUNTY DEBIT	PROBATION TRAVEL	155.33
8. CLAY COUNTY HEALTH DEPT	JAIL-MEDICAL SERVICES	84.97
9. CLAY COUNTY REPUBLICAN	CIRCUIT CLERK & S OF A-PUBLICATION	573.65
10. DEPUTIES	DEPUTIES-PHONE REIMB.	560.00
11. ES&S	ELECTION-COMPUTER SERVICES	940.55
12. FLORA BATTERY & ALTERNATOR	COURTHOUSE-REPAIRS	262.50
13. GFI	TREAS.-MISC.	18.07
14. GREENWOOD PAT	JAIL-TRAINING	7.00
15. HAGEN DENA	S OF A-CLERICAL HIRE	588.00
16. HEUERMAN CORY	SHERIFF-OVERTIME	134.60
17. HONEST WATER	PROB, CH & JAIL-WATER	208.50
18. INDOFF	CIRCUIT CLERK, STATE'S ATTY & S OF A-SUPPLIES	799.71
19. KEMPER CPA	CIRCUIT CLERK, HWY, TREAS.-AUDIT	1800.00
20. KLINGLER JOESPH	JAIL-PART TIME CORECTIONAL OFFICERS	1614.00
21. KNAPP OIL	SHERIFF-AUTO MAINT.	1788.18
22. LINDA'S CLEANING	HWY-CLEANING	65.00
23. LORENZ	COURTHOUSE-SUPPLIES	364.86
24. MILLER WES	RENT	100.00

25. MUNICIPAL UTILITIES	HWY, JAIL, CH & PROBATION	1930.26
26. OKALOOSA COUNTY	STATE'S ATTY-SUPPLIES	40.00
27. OK AUTOMOTIVE	SHERIFF-AUTO MAINT	229.03
28. PERSONAL MOBILITY	COURTHOUSE-EQUIPMENT MAINT	284.14
29. QUILL	COUNTY CLERK-SUPPLIES	114.83
30. RAY OHERRON	SHERIFF & JAIL-UNIFORMS	1750.59
31. RELX	STATE'S ATTY-DUES	152.44
32. SACHAU VICKIE	PROB-INCIDENTAL EXP	25.00
33. SALT & STRINGS	DIET & CARE OF PRISONERS	1101.88
34. SCANSTAT	STATE'S ATTY-EXP	45.07
35. SECRETARY OF STATE	CIRCUIT CLERK-SUPPLIES	20.00
36. SIMS LORI	TRANS. FEES	80.00
37. SMITH TREVIN	SHERIFF-OVERTIME	258.84
38. STEPHEN BARBER	JAIL-MEDICAL SERVICES	640.00
39. TECHNOLOGY MANG.	JAIL-PHONE	633.40
40. THE OIL CAN	SHERIFF-AUTO MAINT	68.00
41. THOMSON REUTERS	PROBATION-INCIDENTAL EXP	184.88
42. T W HARRISON	CIRCUIT CLERK-SUPPLIES	60.00
43. TWO GLITZY GIRLS	COUNTY CLERK-SUPPLIES	53.62
44. VERIZON	JAIL-PHONE	454.12
45. WABASH	ADM, ELECTION, JAIL & HWY-PHONE	3065.50
46. WALMART	JAIL-DIET & CARE OF PRISONERS & PROBATION-EXP	2198.75
47. WELLS	SHERIFF-SUPPLIES	125.76
48. WEX	PROBATION-TRAVEL	31.86
49. ZIMDARS	COURTHOUSE REPAIRS	14777.00
50. ZINKS	COURTHOUSE-SUPPLIES	1304.36

**TOTAL 41,608.43**

UNPAIDS

1. ADP	PAYROLL FEES	28.60
2. DBS	JAIL & CH-UTILITIES	120.00
3. DEVNET	S OF A-COMPUTER TAX SERVICES	4722.00
4. EFFINGHAM TELCOM	JAIL-TELEPHONE	103.00
5. GFI	TREAS-SUPPLIES	15.50
6. GOODIN ASSOCIATES	CIRCUIT CLERK-SUPPLIES	255.36
7. HOLKY'S PLUMBING	COURTHOUSE REPAIRS	302.28
8. INDOFF	STATE'S ATTY & CIRCUIT CLERK-SUPPLIES	523.93
9. JASPER COUNTY SHERIFF	JAIL-HOUSING OF ADULTS	720.00
10. KRISTA WEIDNER	PROBATION-TRAVEL	274.59
11. LINDA'S CLEANING	HWY-CLEANING	65.00
12. LORENZ SUPPLY	PROBATION-INCIDENTAL EXP	60.18
13. LORI SIMS	TRANSCRIPT FEES	198.00
14. LOUISIVLLE AUTO	SHERIFF-TRAINING	6.29
15. MILLER OFFICE	COUNTY CLERK-SUPPLIES	89.95
16. ORR LAW	CIRCUIT CLERK-MISC.	28.75
17. RAY OHERRON	JAIL/SHERIFF-UNIFORMS	276.64
18. SAV-MOR	JAIL-MEDICAL SERVICES	204.38
19. TECHNOLOGY MANAGEMENT	JAIL-PHONE	316.70
20. THE OIL CAN	SHERIFF-AUTO MAINT	34.00
21. WES MILLER	CORONER-TRAVEL	63.25
22. ZIMDARS	JAIL-SUPPLIES	81.00
23. ZINKS	COURTHOUSE-SUPPLIES	119.41

**TOTAL 8609.71**