

## **Minutes of the Executive Committee Meeting**

The Executive Committee of the McLean County Board met on Tuesday, August 9, 2005, at 4:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Sweeney, Members Gordon, Bass, Segobiano, Bostic, Sorensen. Hoselton, Berglund and Renner

Members Absent: None

Staff Present: Mr. John Zeunik, County Administrator, Mr. Terry Lindberg, Assistant County Administrator, Ms. Jude LaCasse, Assistant to the County Administrator

Other Members  
Present: None

Department Heads/  
Elected Officials  
Present: Mr. Craig Nelson, Director, Information Services Department

Others Present: Mr. Eric Ruud, First Assistant State's Attorney

Chairman Sweeney called the meeting to order at 4:33 p.m.

Chairman Sweeney presented the minutes from the July 12, 2005 Executive Committee meeting for approval.

Motion by Renner/Berglund to approve and place on file the minutes of the July 12, 2005 meeting.  
Motion carried

Chairman Sweeney announced that there are 14 reappointments, three appointments and four resignations.

Motion by Hoselton/Bass to recommend approval of the reappointments, appointments and resignations as recommended by the Chairman.

Mr. Sorensen expressed concern that the Ellsworth Fire Protection District is not a member of MABAS (Mutual Aid Box Alarm System) and the Trustees appear not to be interested in becoming a member. He stated that other districts have been members for several years. Mr. Sorensen indicated that, perhaps, the new Trustee, Mr. John Sutter, should be asked why Ellsworth has not joined MABAS.

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Chairman Sweeney advised that the former Trustee, Mr. Mike Beal, resigned two months ago, noting that it was necessary to fill the vacated position.

Mr. Sorensen indicated that he is looking for guidance on the role of the Board in making these appointments and, if there are concerns that these Boards and Districts are not operating in the best interest of the District's residents and adjoining Fire Protection Districts, what steps should the County Board take. Chairman Sweeney suggested that, as a member of the Executive Committee, Mr. Sorensen should submit his concerns to the District and ask the Ellsworth Fire Protection District to respond to the Board.

Ms. Bostic stated that she is a Trustee on a rural fire district and she suggested that Ellsworth may be restricted on the amount of tax levy that they have available. If the district is not very big, it may have lost assessment dollars over the years. Ms. Bostic indicated that Ellsworth may not feel qualified to buy new equipment such as other districts have. Mr. Sorensen noted that he thought MABAS was a mutual aid response system and would not be an expense. Ms. Bostic agreed and suggested that if the district wanted to participate, MABAS would accommodate them.

Mr. Sorensen stated that other nearby districts, such as Downs, are concerned with liability for themselves. If they should respond to a mutual aid call from Ellsworth and then have an emergency in Downs to which they cannot respond, they could be liable. He noted that MABAS protects the fire districts from liability on slow responses.

Mr. Segobiano suggested that Mr. Sorensen write to Ellsworth to express his concern. Mr. Sorensen offered his appreciation for the dialogue regarding his concern.

Chairman Sorensen asked if there was any further discussion. Seeing none, he asked for a vote.

Motion carried.

Mr. Craig Nelson, Director, Information Services presented a request for approval of an Operating System Software Maintenance Contract with IBM. He explained that this is an IBM Service Contract for support and maintenance of the operating system software associated with the RS6000. Mr. Nelson stated that the funds are available in the Fiscal Year 2005 approved budget. He stated that the amount of \$253.80 extends the support through December of this year. Mr. Nelson advised that Information Services expects to migrate from this operating system to the next higher level within that time frame.

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Motion by Berglund/Renner to approve the Operating System Software Maintenance Contract with IBM – Information Services.  
Motion carried.

Chairman Sweeney asked if there were any questions or comments. Hearing none, he thanked Mr. Nelson.

Chairman Sweeney presented a request for approval of a Resolution calling for a Public Hearing concerning the intent of the County Board to enter into a Lease Agreement with the Public Building Commission of McLean County – County Administrator's Office.

Mr. Zeunik informed the Committee that the County is required, under the Bond Issue Notification Act, to call for two Public Hearings prior to the County being able to do any financing with the Public Building Commission. One Public Hearing is called a Bond Issue Notification Act Public Hearing, the "BINA" Hearing, and the other is a Public Building Commission Public Hearing. Mr. Zeunik stated that the Public Building Commission can act to undertake financing at the request of this Board without benefit of any type of referendum. The Public Hearings and the notice of the Public Hearings, which must be published in a newspaper of general circulation, are to notify the public so they have an opportunity to comment and also to advise the public on the proposed financing. Mr. Zeunik indicated that, in this instance, the purpose is to provide for the financing of the renovation of the Law and Justice Center, which will provide additional space for the Justice Offices, expand the Work Release facility for the Sheriff's Department and convert current Work Release space to additional regular jail space.

Mr. Zeunik advised that the action today is to approve the Resolution setting the dates for the Public Hearings, which will be held prior to the September Board meeting and including the two Public Notices, one for the BINA Hearing and one for the Public Building Commission Hearing.

Motion by Renner/Gordon to approve a Resolution calling for a Public Hearing concerning the intent of the County Board to enter into a Lease Agreement with the Public Building Commission of McLean County – County Administrator's Office.  
Motion carried.

Chairman Sweeney presented a request for approval of Amendments to Chapter 31 of the Liquor Control Ordinance.

Mr. Eric Ruud, First Assistant State's Attorney, reviewed the comprehensive amendments which have been made with the collaboration of the State's Attorneys Office, the County Clerk, Building and Zoning Department, the Health Department and the Sheriff's Department. The amendments were disseminated among the staff in March, final changes were made and then they were submitted to the Liquor Control Commission. The McLean County Liquor Control Commission recommended that it be passed on to the Board. Mr. Ruud indicated that, in addition to some housekeeping changes, the document proposes that Outdoor Gardens (aka Beer Gardens) be permitted in McLean County. He noted that Outdoor Gardens are currently permitted in several municipalities in McLean County, such as Bloomington and Normal.

Mr. Ruud stated that this document will provide a procedure by which licensees can, in addition to getting their premises licensed, obtain an Outdoor Garden license. Most County taverns are Class D license holders, paying \$1,200.00 per year to serve alcohol. If they want to have an Outdoor Garden, they must pay an additional \$500.00. Mr. Ruud explained that to get approval for an Outdoor Garden, taverns and restaurants must go through the following steps:

- Approval from the Zoning Board of Appeals (ZBA) for a Special Use Permit
- Approval of the County Board
- Receive permits from the Board of Health
- Apply for Liquor License for the Outside Garden, paying \$500.00

Mr. Ruud commented that the process is complicated but it was deemed necessary by staff and the Liquor Control Commission to make sure that several interests are protected. He stated that it is a good, comprehensive document.

Motion by Bostic/Berglund to approve Amendments to  
Chapter 31 of the Liquor Control Ordinance – Liquor  
Control Commission.

Mr. Segobiano asked what is the penalty for violation of the policies. Mr. Ruud stated that nothing has changed in regard to penalties. If any provision in the Liquor Control Ordinance is violated, the license holder is subject to penalties.

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Mr. Segobiano asked if the amendments were the result of a particular request for an Outdoor Garden. Mr. Ruud replied that, over the years, many different liquor licensees have requested approval for Outdoor Gardens, but that there was no specific request that prompted the changes.

Motion carried.

Chairman Sweeney thanked Mr. Ruud.

Ms. Diane Bostic, Chairman, Property Committee reported that the Property Committee brings no items for action to the Executive Committee.

Chairman Sweeney asked if there were any questions. Hearing none, he thanked Ms. Bostic.

Mr. Duffy Bass, Chairman, Transportation Committee presented one item for action, namely a request for approval of a Jurisdictional Transfer of 1.156 miles of Pipeline Road, County Highway 31 (CH 31), from the County of McLean to the Town of Normal. This is 740 feet south of the Centerline of Northtown Road to the north Right of Way line of Ziebarth Road. Mr. Bass explained that the Jurisdictional Transfer will happen upon completion of the construction of a new three (3)-lane pavement with curb and gutter and storm sewer on the west side. The east side is to have aggregate and dirt shoulders to accept further two (2)-lane construction in the future. The old roadbed is to be removed and graded upon completion of the road.

Mr. Bass informed the Committee that McLean County and the Town of Normal will each pay one-half (1/2) of the construction cost of the project minus the developer's contribution of approximately \$570,000.00 plus the cost of any turn lanes required by the development. Mr. Bass stated that engineering costs will also be split 50-50 between McLean County and the Town of Normal. He noted that the Farnsworth Group will perform the preliminary engineering utilizing the Town of Normal Annual Agreement.

Mr. Bass advised that there continues to be more and more Jurisdictional Transfers from both Bloomington and Normal and into the County due to the growth of the two municipalities.

Motion by Bass/Hoselton to approve a Jurisdictional Transfer of 1.156 Miles of Pipeline Road, County Highway 31, from the County of McLean to the Town of Normal.

Motion carried.

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Chairman Sweeney asked if there were any questions or comments. Hearing none, Chairman Sweeney asked Mr. Sorensen, Chairman of the Finance Committee, to present the Committee's report.

Mr. Matt Sorensen, Chairman, Finance Committee stated that the Finance Committee brings one item for action to the Executive Committee, namely a request for approval of an Ordinance of the McLean County Board Amending the 2005 Combined Appropriation and Budget Ordinance for Fund 0107 – Bioterrorism Grant – Health Department. He noted that this is for Bioterrorism grant money in the amount of \$69,000.00.

Motion by Sorensen/Hoselton to Recommend Approval of an Ordinance of the McLean County Board Amending the 2005 Combined Appropriation and Budget Ordinance for Fund 0107 – Bioterrorism Grant – Health Department.  
Motion carried.

Mr. Sorensen announced that a second request for an Emergency Appropriation Ordinance for the purchase of a scanner/printer for the Recorder's Office was incorrect and will be presented at a Stand-up Committee Meeting on Tuesday, August 16<sup>th</sup>. He explained that the Recorder's Office requested \$18,699.00 for the purchase of a microfilm reader/scanner/printer, which the Finance Committee deemed appropriate. Mr. Sorensen advised that the Recorder's Office had also asked for two part-time staff positions to work on a data integrity project, which the Finance Committee did not approve.

Chairman Sweeney asked if there were any questions. Hearing none, he thanked Mr. Sorensen.

Mr. Tari Renner, Chairman, Justice Committee stated that the Justice Committee brings five items for action to the Executive Committee. He requested approval of the Illinois Criminal Justice Information Authority Agreement for Purchase of a Livescan Machine – Sheriff's Department.

Motion by Renner/Bostic to Recommend Approval of the Illinois Justice Information Authority Agreement for the Purchase of a Livescan Machine – Sheriff's Department.

Mr. Renner asked Mr. Zeunik to clarify the 75%-25% match. Mr. Zeunik explained that the Illinois Criminal Justice Information Authority has approved a grant to replace the current Livescan fingerprint machine in the Sheriff's

Department. He noted that the current machine will be obsolete as of December 31<sup>st</sup> because the manufacturer will no longer make replacement parts for the machine due to the age of the machine. Mr. Zeunik advised that this grant is a 75%-25% split, noting that the 25% local match will come from within the Sheriff's Fiscal Year 2005 adopted budget. He stated that this Agreement provides for the purchase of the equipment. The equipment will be under warranty for the first 12 months and, thereafter, there will be a maintenance contract incorporated in the annual budget process.

Mr. Segobiano indicated that he recognizes that McLean County is mandated to accept all prisoners from Bloomington and Normal. He asked if Bloomington and Normal assist with the cost of equipment. Mr. Zeunik replied that both the City of Bloomington and the Town of Normal, through an Intergovernmental Agreement, pay the County a certain amount of money every year to defer the cost of centralized booking. He stated that these funds go into the General Fund. Every year, the Intergovernmental Agreements are renewed. Mr. Zeunik indicated that these funds are used to defray the cost of the staff that handles the booking process, as well as any of the consumables used during the booking process. He stated that there is a similar Agreement with Illinois State University.

Motion carried.

Mr. Renner presented the next three requests as a group. The are: a request for approval of a local Agency Grant Award from the Edward Byrne Justice Assistance Grant, Application #2005-F5121-IL-DJ – Sheriff's Department; a request for approval of the Interlocal Agreement between the County of McLean, Illinois and the Town of Normal for the 2005 Byrne Justice Assistance (JAG) Program Award – Sheriff's Department and a request for approval of the Interlocal Agreement between the County of McLean, Illinois and the City of Bloomington for the 2005 Byrne Justice Assistance (JAG) Program Award – Sheriff's Department.

Motion by Renner/Berglund to Recommend Approval of a Local Agency Grant Award from the Edward Byrne Justice Assistance Grant, Application #2005-F5121-IL-DJ – Sheriff's Department; Approval of the Interlocal Agreement between the County of McLean, Illinois and the Town of Normal for the 2005 Byrne Justice Assistance (JAG) Program Award – Sheriff's Department and Approval of the Interlocal Agreement between the County of McLean, Illinois and the City of Bloomington for the 2005 Byrne Justice Assistance (JAG) Program Award – Sheriff's Department.

Motion carried.

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Mr. Renner presented the final action item, namely a request for approval of a contract extension for Logan County's bed space at the Juvenile Detention Center – Court Services.

Motion by Renner/Bass to Recommend Approval of a  
Contract Extension for Logan County's Bed Space at  
the Juvenile Detention Center – Court Services.

Member Hoselton asked if the fee of \$80.00 per day, for a total annual charge of \$12,000.00, covers the County's expenses for that operation. Mr. Zeunik responded that there are three daily rate charges at the Juvenile Detention Center. For the Counties that are part of the 11<sup>th</sup> Circuit, which includes Logan County, the County is willing to enter into a Contract where they pay whether they use the bed or not, the fee is \$80.00 per day. There is a second fee for Counties in the 11<sup>th</sup> Circuit who are unwilling to enter into a contract. If a bed is not already being used by McLean County or a County under Contract, the fee is \$95.00 per day. For any County outside of the 11th Judicial Circuit, the fee is \$110.00 per day.

Chairman Sweeney asked if there were any other questions. Hearing none, he asked for a vote.

Motion carried.

Chairman Sweeney asked if there were any questions. Hearing none, he thanked Mr. Renner.

Mr. George Gordon, Chairman, Land Use and Development Committee reported that the Land Use and Development Committee brings one item for action to the Executive Committee, namely a request by the McLean County Regional Planning Commission to approve the Regional Planning Service Agreement for their Fiscal Year July 1, 2005 through June 30, 2006 – Regional Planning Commission.

Motion by Gordon/Bostic to Recommend Approval of  
the Regional Planning Service Agreement for their  
Fiscal Year July 1, 2005 through June 30, 2006 –  
Regional Planning Commission  
Motion carried.

Chairman Sweeney asked if there were any questions. Hearing none, he thanked Mr. Gordon.

Mr. Michael Sweeney, Chairman, Pollution Control Site Hearing Committee referred the information items to Mr. Zeunik.

Mr. Zeunik reported that the Pollution Control Site Hearing Committee brings no items for action to the Executive Committee, but will forward two requests to the County Board for approval. The first is a request for approval of First Amendment to the Host County Agreement. He stated that, prior to the Pollution Control Site Hearing Committee conducting the review of the application for the expansion at the landfill, the Board approved a Host Fee Agreement. This first action establishes the effective date of that Host Fee Agreement. Mr. Zeunik acknowledged that there was a delay in bringing this to the Pollution Control Site Hearing Committee because, once the County Board acted on recommending approval of the landfill expansion application, that recommendation was filed with the Illinois EPA and there is a period of time during which anyone who wished to object to the Board's decision would have an opportunity to file an objection. He advised that no one filed an objection and, as a result, American Disposal, the landfill operator, met with Eric Ruud and the County Administrator and suggested that the amendment be enacted, which establishes the effective date of the Host Fee. Mr. Zeunik stated that currently the Host Fee payment to the County is \$5,000.00 per month or \$2.54 per ton, whichever is great. At this time, the \$5,000.00 per month would be greater because the landfill operator has cut back on the amount of municipal waste going onto the landfill.

Mr. Zeunik reported that the second item is a request for approval of a Resolution Repealing the Resolution Amending the Solid Waste Disposal Fee, which simply repeals the Tipping Fee. The Tipping Fee is \$1.27 per ton, which was in place prior to the adoption of the Host Fee Agreement.

Mr. Hoselton asked if the \$2.54 fee is still in place. Mr. Zeunik replied that it is in place and, once the expansion is permitted and they begin accepting a full stream of municipal waste, the County can anticipate receiving \$320,000.00-\$350,000.00 per year.

Mr. Sorensen asked what would happen, after the Tipping Fee is repealed, should this company decided to stop putting waste in the Landfill and just use it as a transfer station. He asked if the Host Fee would still collect fees associated with transfer stations as the Tipping Fee would. Mr. Zeunik said the Host Fee would not. Mr. Sorensen expressed concern that they may decide to just use the Landfill as a transfer station. Mr. Zeunik responded that American Disposal already has a transfer station on West Washington Street that they use. He stated that a Tipping Fee can only be assessed at the point that it arrives at the Landfill. The Host Fee is based on the tonnage that goes into the Landfill and is only assessed based on what is going into the Landfill. If they were to slow down the amount of waste going into the Landfill, that could reduce the Host Fee.

Mr. Zeunik explained that the advantage of the Host Fee is that it sets \$5,000.00 per month as the minimum, so regardless of how much they slow down the municipal waste going into the Landfill, they have guaranteed the County \$5,000.00 per month for the duration of the Host Fee Agreement.

Chairman Sweeney asked if there were any further questions.

Mr. Gordon asked if, until the expanded landfill is permanent, is the County still guaranteed the \$5,000 per month minimum and are they still dumping municipal waste in the existing Landfill. Mr. Zeunik replied that the County is still guaranteed the \$5,000.00 and they are currently dumping at a severely reduced level of tonnage. He indicated that they have diverted most of the municipal waste to other landfills. Mr. Gordon asked if the County's revenue is adversely affected by their reduction in waste stream. Mr. Zeunik replied that, assuming the Board approves both of these items, the County's revenue will not be adversely affected.

Chairman Sweeney asked if there was any other discussion. Seeing none, he asked Mr. Zeunik for the County Administrator's report.

Mr. John Zeunik, County Administrator reported that this is the time of year when the budget is being prepared for presentation to the Board in September. He shared information from the County Treasurer's Report to the Finance Committee, noting that year-to-date the General Fund is doing well in terms of Sales Tax, State Income Tax, and Personal Property Replacement Tax. Revenues and expenses are tracking where they should be.

Mr. Zeunik pointed out that the biggest hole in the General Fund, through the end of July -- and an issue the County continues to deal with in terms of looking at the budget -- is Probation Officer Salary reimbursement. He stated that it was also an issue last year when the State significantly reduced the funding. Through the end of July, Probation Officer Salary reimbursement was at 18% of budget. Mr. Zeunik advised that it will pick up again as the State has approved their budget for FY '2006. The State will now begin reimbursing the County for July through the end of the year. However, the reduction in State funding in this area will continue to be an issue -- an issue for the County in terms of the 2006 budget and an issue for Probation Services and the Circuit Court.

Mr. Segobiano expressed his concern that this issue repeats itself every year, but nothing is done about it and the burden is placed upon the local property taxpayers. He suggested that drastic action be taken to get assistance from our legislators.

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Mr. Hoselton asked if Metro Counties would be a good place to begin addressing this issue. Chairman Sweeney replied that McLean County joined Metro Counties in 2005 and he has attended only one meeting as they meet on a quarterly basis. He noted that there are only 13 Counties involved in the group out of the 102 Counties in Illinois.

Chairman Sweeney stated that the problem with going to the area Legislators is that they were not even asked to participate in the budget process in the House or the Senate. A decision was made without their input. Mr. Segobiano replied that the legislators have the floor where they can speak their minds and it is their responsibility to represent their district at that time.

Chairman Sweeney asked for the opportunity to get better acquainted with Metro Counties before he tries to address these issues with the group.

Mr. Segobiano stated that he didn't believe benefits are included in the Probation Officer Salary reimbursement from the State. Mr. Sorensen noted that, at 18%, they are already over by \$1 million this year.

Chairman Sweeney asked if there was any further discussion on this topic. Seeing none, he asked if there was any other Business and Communications.

Mr. Renner asked why Illinois State University was not included in the Interlocal Agreements between the County, the Town of Normal and the City of Bloomington for the 2005 Byrne Justice Assistance (JAG) Program Award. Mr. Zeunik replied that the Edward Byrne Justice Assistance Grant is funding which goes directly to Bloomington and Normal because Bloomington and Normal comprise the largest population base in McLean County and together are responsible for most of the activity that occurs in the Justice system. The County has an opportunity to file a letter with the Illinois Attorney General's Office indicating that the County is adversely affected because of the additional workload placed on the Justice system by Bloomington and Normal, and therefore, should receive consideration for this grant money. The Illinois Attorney General then certifies that, in fact, McLean County should receive the grant. Once that happens, the \$30,000+ in grant money is negotiated with Bloomington and Normal as to how that money will be divided. When an agreement is reached on the split, the County does an Interlocal Agreement with Bloomington and Normal confirming the amount of the shares and how they will be used.

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Chairman Sweeney asked if there was any further discussion. Hearing none, Chairman Sweeney presented the July 31, 2005 bills as recommended and transmitted by the County Auditor for payment. The fund total for the month is \$208,881.95 with the prepaid total the same.

Motion by Gordon/Bostic to approve the Executive Committee bills for July 31, 2005 as presented to the Committee by the County Auditor.  
Motion carried.

There being no further business to come before the Committee, the meeting was adjourned at 5:15 p.m.

Respectfully Submitted,

Judith A. LaCasse  
Recording Secretary