

## Minutes of the Executive Committee Meeting

The Executive Committee of the McLean County Board met on Tuesday, January 8, 2002 at 4:30 p.m. in Room 700, Law and Justice Center, 104 West Front Street, Bloomington, Illinois.

Members Present: Chairman Sweeney, Members Pokorney, Sorensen, Salch, Bass, Gordon, Segobiano and Berglund

Members Absent: Member Sommer

Other County Board Members Present: Member Renner

Staff Present: Mr. John M. Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator; Mrs. Carmen I. Zielinski, County Administrator's Office

Department Heads/Elected Officials Present: Ms. Peggy Ann Milton, County Clerk

Chairman Sweeney called the meeting to order at 4:31 p.m. Chairman Sweeney presented the minutes of the December 11, 2001 meeting for approval.

Motion by Pokorney/Berglund to approve and place on file the minutes of the December 11, 2001 meeting. Motion carried.

Chairman Sweeney, Chairman of the Executive Committee, stated that there is one reappointment and one appointment upon which the Committee's advice and consent is sought.

Motion by Gordon/Berglund to recommend approval of the Reappointment and Appointment as presented by the Chairman. Motion carried.

Chairman Sweeney presented a request for approval of an Intergovernmental Agreement between the Village of Downs and McLean County to Implement and Support an Integrated Justice Information System, Information Systems Department.

Motion by Bass/Pokorney to recommend approval of an Intergovernmental Agreement between the Village of Downs and McLean County to Implement and Support an Integrated Justice Information System. Motion carried.

Chairman Sweeney presented a request for Approval of an Agreement for Engineering Services for a Long Range Regional Water Resource Plan, Intergovernmental Long Range Regional Water Study.

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Motion by Berglund/Salch to recommend approval of an Agreement for Engineering Services for a Long Range Regional Water Resource Plan.

Mr. Gordon asked if the Farnsworth Group, Inc. had been the engineering consultant on the Long Range Regional Water Study since the beginning of the study. Chairman Sweeney replied that the Farnsworth Group, Inc. has worked on this plan from day one.

Motion carried.

Chairman Sweeney presented the Proclamation of Congratulations for the Normal Community High School Varsity Football Team, Bloomington High School Varsity Football Team, Central Catholic High School Varsity Football Team, LeRoy Junior-Senior High School Varsity Football Team and Lexington High School Varsity Football Team.

Motion by Berglund/Bass to recommend Approval of a Proclamation of Congratulations for the Normal Community High School Varsity Football Team, Bloomington High School Varsity Football Team, Central Catholic High School Varsity Football Team, LeRoy Junior-Senior High School Varsity Football Team and Lexington High School Varsity Football Team.

Mr. Bass expressed some concern as to how the Chairman intends to present this proclamation to the large number of team members involved. Chairman Sweeney stated that the presentations will be made by individual Board members to each school, as has been past practice. Mr. Segobiano commented that the Boardroom will be filled if all of these players, coaches and families attend the presentation. Perhaps, the individual schools could send a representative group of coaches, captains and players. Mr. Gordon stated that the participation should provide excellent attendance for a 9:00 a.m. County Board Meeting.

Motion carried.

Chairman Sweeney presented the Proposed Legislative Issues for the 2002 Illinois General Assembly.

Ms. Berglund noted that the proposed Legislative Issues for 2002 are documented a pages 17 through 19 of the Executive Committee Agenda packet. The following topics need to be considered by the Executive Committee; 1) Circuit Clerk's Fees: During the last session, HB 1829 established minimum and maximum fee ranges for many filing fees and other court costs

in the Circuit Clerk's Office. This bill was limited to counties between 500,000 and 3,000,000 in population, so it only benefited four counties. Instead of a specific statutory fee amount, this bill permitted County Boards to set a fee within the new minimum-maximum range. McLean

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County proposes to introduce legislation that would amend the population limit from 500,000 to 150,000. Upon successful passage, collaborative work will be conducted with the Circuit Clerk's Office to develop a revised fee ordinance for the Board's review; 2) County/Municipal Zoning Cooperation issue: HB 1101, from the last session, provides that Counties can enter into intergovernmental agreements with municipalities to allow municipalities to exercise their zoning powers beyond their territorial limits. This bill was amended so that it only applied to Peoria County and the City of Peoria, and to exclude agricultural land from city zoning control. A similar bill that would apply to McLean County and the City of Bloomington and the Town of Normal would enable the County to enter into agreements with the respective municipalities when development proposals within 1 1/2 miles of the city limits would be contrary to the municipality's zoning requirements. Current law does not allow the County to enter into an intergovernmental agreement for zoning purposes. There have been several recent matters where the County was compelled to issue a building permit for a project within the 1 1/2 mile buffer zone that was in conflict with the municipality's zoning. McLean County proposes to introduce a bill similar to HB 1011 that would give McLean County the tools to prevent these types of conflicts; 3) Public Defender Salaries: HB 549 provides that the State of Illinois shall reimburse Counties for 2/3 of the Public Defender's salary, providing that the Public Defender's salary is not less than 90% of the State's Attorney's salary. The Governor amended this bill to be effective July 1, 2002. It is now up to the General Assembly to include funding in the 2002-2003 State budget to cover this bill. If HB 549 is funded, McLean County's cost for the Public Defender's salary would decline by over \$40,000.00; 4) Public Defender Defense of Sexually Violent Offenders issue: State law requires that sexually violent offenders receive a competency hearing after being released from prison to determine whether they can be released into society or whether another placement setting would be more suitable. Although these proceedings are civil court cases, the Public Defender's Office is required to provide defense counsel for the offender. Staff of the Public Defender's Office are trained as criminal defense counsel, and should not be required to handle these competency hearings. A special division of the Attorney General's Office was created to handle the prosecution responsibilities for these cases, and a similar mechanism should be created for the defense side of these cases. McLean County proposes to introduce legislation that would assign responsibility for defending sexually violent offenders in their competency hearings to the Appellate Public Defender's Office; 5) Cost for Care of Dependent Children: The State is not funding the cost for placement of juvenile offenders in special treatment facilities, even though there is no argument that this expense is a State obligation. McLean County's costs for court ordered juvenile placements will exceed \$5000,000.00 for Fiscal Year 2001. It is recommended that the General Assembly and the Governor support inclusion of funds for the Care of Dependent Children in the 2002-2003 State Budget, and 6) Bicycle Liability Issue: There is a need to assure that the bicycle lobby doesn't attempt any end runs that would increase the County's risk exposure or increase the County's

road maintenance costs. McLean County will monitor any attempts to amend the Bicycle Liability language that was adopted last year.

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The House deadline for introducing new bills is Friday, January 18<sup>th</sup>. The deadline for introducing prior year bills that did not make it out of the Committees is February 22<sup>nd</sup>. The Governor is scheduled to deliver his budget message on February 20<sup>th</sup>.

Mr. Gordon made notice of a possible typographical error regarding HB 1101. Mr. Lindberg clarified that HB 1101 should read HB 1011.

Chairman Sweeney asked if there were any other questions. Hearing none, Chairman Sweeney accepted and placed on file the Legislative Program for the Spring 2002 Session Draft by consensus and recommended that it be presented to the County Board.

Mr. Matt Sorensen, Chairman of the Finance Committee, presented a request for Approval of an Ordinance amending Fees to be charged by the McLean County Clerk. The proposed request is for fees charged by the County Clerk for Copies of Records, Fireworks Permits, Liquor Licenses, marriage Licenses and Certificates of Redemption. Mr. Sorensen stated that he is proposing an amendment to the proposed ordinance. The changes involve the withdrawal of (a) Fee charged for the first Copy of Birth and Marriage Records, and (a)(1) Fee charged for the first Copy of a Death Record. The reason for the withdrawal was due to a Finance Committee oversight regarding the Health Department and the County Clerk's Office and each office's respective duties with Vital Records. Mr. Sorensen stated that in discussions with the Administrator, the County Clerk and the Health Department it was agreed that the issue regarding the responsibilities shared by the two departments should be re-visited.

Motion by Sorensen/Salch to recommend approval of  
an Ordinance Amending Fees to be Charged by the McLean  
Count Clerk, as amended.

Mr. Segobiano stated that it is evident that the County Clerk agrees with the suggestion Mr. Sorensen has proposed. Mr. Segobiano commented that this appears to be a Committee action that is being decided by the Chairman of the Committee. Mr. Segobiano stated that the Committee should be the one recommending the changes. Mr. Segobiano suggested that this amended Ordinance be presented for action as a Stand-Up before the County Board meeting.

Mr. Sorensen moved to change the motion on the table to reflect changes in Item A and A-1 to \$14.00 a piece and asked that the motion be addressed with the amendment.

Chairman Sweeney clarified that the first motion is now being withdrawn. Mr. Sorensen stated that he is asking for the first motion to be withdrawn and be replaced by a new motion, as

presented, inserting \$14.00 next to the dollar sign of Item A and A-1, replacing the \$12.00 and \$10.00 amount, which is Committee action.

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Motion by Sorensen/Salch to recommend approval of  
an Ordinance Amending Fees to be Charged by the McLean  
Count Clerk.

Mr. Segobiano stated that there seems to be a disagreement with the fee being charged. Chairman Sweeney answered that the problem seems to be with the fact that the County Clerk is not the only department involved with this procedure. The Finance Committee was not aware of this fact and did not take into consideration the outcome to the Health Department when they made this recommendation.

Mr. Sorensen noted that this is a complicated issue dealing with statutory requirements from two different departments and it needs to be reviewed further. A Stand-Up meeting would not provide sufficient time to properly discuss this issue. Ms. Peggy Ann Milton, County Clerk, noted that she failed to indicate the involvement of the Health Department's duties in this issue to the Finance Committee.

Chairman Sweeney commented that even though there is a motion on the table, it may be more appropriate not to deal with this request tonight but present it as a Stand-up and then discuss it in the County Board meeting. Mr. Sorensen is concerned that a Stand-up Committee would not be able to deal with this issue in such a small period of time.

Motion by Sorensen/ to make an amendment to the Ordinance Setting  
Fees to be Charged by the McLean County Clerk for Copies of Records,  
Fireworks Permits, Liquor Licenses, Marriage Licenses and Certificates  
of Redemption, indicating that Items A and A-1 will remain at \$5.00.

Chairman Sweeney noted that Mr. Sorensen, being the Chairman of the Finance Committee, cannot amend the motion. Mr. Sorensen then asked for someone to make the motion.

Mr. Gordon wondered if the need for coordination is a matter of both a statutory basis and the fact that different fees have been charged. Ms. Milton explained that statutorily the County Clerk is obligated to provide services for certified copies of vital records to the public. Ms. Milton explained that there is also a Registrar in McLean County that happens to be the Health Department. The Health Department responsibility is for the first ten years of a record. Ms. Milton noted that the County Clerk has to have the first ten years included in the services provided by the Clerk's Office. The Health Department, because they are the Registrar, also has to maintain the first ten years. After some discussion with Mr. Bob Keller, Director, Health

Department, it was clear that 30% of the individuals that request certified copies of vital records are on public aid. Mr. Keller performed a study in the year 2000, that the cost to produce the records is \$10.41. Mr. Keller indicated that he would be comfortable charging \$10.00 for duplication of records. Ms. Milton stated that she is comfortable with charging \$10.00 for duplication of records. Ms. Milton explained that the County Clerk is allowed to

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charge a \$2.00 automation fee to the records. A new law was passed allows for an additional \$2.00 fee to be charged with regards to copies of death certificates.

Motion by Berglund/Pokorney to recommend approval of an amended Ordinance Setting Fees to be charged by the McLean County Clerk for Copies of Records, Fireworks Permits, Liquor Licenses, Marriage Licenses and Certificates of Redemption, Omitting Items A and A-1.

Mr. Sorensen noted that State law gives similar, if not identical, responsibilities to two departments. Mr. Sorensen feels that there is an obligation to research this matter and see if there is some cost savings to discover. Mr. Sorensen agrees that Items A and A-1 should be deleted from the motion and revisited by the Finance Committee.

Mr. Pokorney had some concerns with Item E, Fee for Cancellation of a Tax Sale, Issuance of a Certificate of Redemption. The increase from \$3.00 to \$70.00 seems extreme. Mr. Zeunik explained that under state law, in the Clerk's Office, the Board has the ability to change fees being charged for certain services after an independent firm performs a cost accounting study. Mr. Zeunik noted that in the agenda packet, a few pages from the Maximus Cost Study were included that provides information on the cost study done for the County Clerk. Mr. Zeunik stated that the report documents that the actual cost to provide this service is \$72.25. This amount includes the information that pertains exclusively to the documentation of the labor cost and the non-salary expenses in the County Clerk's Office. What is not included, which is the largest part of the report, is the tab on County over head expenses. The \$72.25, that is reflected as actual cost, is a combination of: 1) Direct Labor cost for the Clerk's Office; 2) Operation cost and 3) Over head cost. Mr. Zeunik stated that more than likely, the \$3.00 fee presently charged is a statutory fee that may date back forty or fifty years and has never been changed.

Mr. Renner noted that five of the six members of the Finance Committee agreed to have the fees increased so they would more closely represent the actual expense incurred, and thereby general property tax revenues would not in effect be subsidizing this service.

Motion carried.

Mr. George Gordon, Chairman of the Land Use and Development Committee, stated that there are no items for action at this time.

Mr. Gene Salch, Chairman of the Property Committee, presented a request for Approval of an Emergency Appropriation Ordinance to Pay 2000 Property Taxes for the Government Center Building, 115 East Washington Street Building.

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Motion by Salch/Pokorney to recommend approval of an Emergency Appropriation Ordinance to Pay 2000 Property Taxes for the Government Center Building located at 115 East Washington Street. Motion carried.

Mr. Salch presented a request for Approval of Attachment Number 11 to the Amendment to Lease and Operation and Maintenance Agreement for the Law and Justice Center.

Motion by Salch/Bass to recommend approval of Attachment Number 11 to the Amendment to Lease and Operation and Maintenance Agreement for the Law and Justice Center. Motion carried.

Mr. Salch presented a request for Approval of a Contract for Operation and Maintenance of the City/County Office Building, Government Center, between the Public Building Commission and McLean County.

Motion by Salch/Berglund to recommend approval of a Contract for Operation and Maintenance of the City/County Office Building, Government Center, between the Public Building Commission and McLean County. Motion carried.

Mr. "Duffy" Bass, Chairman of the Transportation Committee, stated that there are no items for action at this time.

Mr. Pokorney, Vice Chairman of the Justice Committee, stated that the Justice Committee did not meet on January 7<sup>th</sup>, so there are no items for action at this time. County business will be conducted at a Stand-up meeting before the County Board meeting.

Mr. John Zeunik, McLean County Administrator, stated that he had no items to present to the Executive Committee at this time.

Chairman Sweeney presented the bills and transfers as recommended by the Auditor's Office for approval.

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Motion by Gordon/Berglund to recommend approval of the bills and transfers as recommended by the Auditor's Office.  
Motion carried.

There being no further business to come before the Committee, the meeting was adjourned at 5:07 p.m.

Respectfully submitted,

Carmen I. Zielinski  
Recording Secretary

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