

Minutes of the Finance Committee

The Finance Committee of the McLean County Board met on Tuesday, September 5, 2006 at 4:00 p.m. in Room 400 of the Government Center, 115 East Washington Street, Bloomington, IL.

Members Present: Chairman Sorensen; Members Berglund, Nuckolls, Owens, Moss and Selzer

Members Absent: None

Staff Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator; Ms. Jude LaCasse, Assistant to the County; Mr. Eric Ruud, First Assistant State's Attorney

Department Heads/
Elected Officials

Present: Mr. Don Lee, Director, Nursing Home

Others Present: Ms. Sally Scornavacco, Tax Administrator, County Clerk's Office; Ms. Maria Pascua, Chief Deputy Clerk, County Clerk's Office

Chairman Sorensen called the meeting to order at 4:00 p.m.

Chairman Sorensen presented the minutes from the August 1, 2006 Finance Committee Meeting and the July 18, 2006 Stand-up Committee Meeting for approval. Hearing no corrections to those minutes, Chairman Sorensen advised that the minutes would stand approved as presented.

Mr. Don Lee, Director, Nursing Home, presented a request for approval of a Resolution authorizing the Nursing Home Administrator to offer a salary above the starting maximum salary under the McLean County Personnel Ordinance. Mr. Lee stated that he has been recruiting and interviewing candidates for the position of Facilities Maintenance Foreman. He has been unable to fill this critical position at the present pay grade and within the starting maximum salary limits set forth in the County's Personnel Policy Ordinance. Mr. Lee stated that the individual he would like to hire would need to be hired in at Step 70. He asked that the Finance Committee allow him to offer a salary above the starting maximum salary in order to employ an experienced candidate for this position.

Ms. Berglund asked what is the minimum salary. Mr. Lee responded that the minimum salary is approximately \$19.00 per hour and he is asking that the salary be \$25.75 per hour.

Mr. Selzer noted that Mr. Lee did a good job hiring someone for this position three years ago and he is confident that he will do so again with this new hire.

Motion by Selzer/Berglund to recommend approval of a Resolution Authorizing the Nursing Home Administrator to offer a Salary above the starting maximum Salary under the McLean County Personnel Ordinance (for a Facilities Maintenance Foreman).

Motion carried.

Mr. Lee reviewed the Nursing Home Monthly Report. He noted that the month of July was a positive month. The current census is 143 residents, which is almost identical to July's census and should also end on a positive note.

Chairman Sorensen asked if there were any questions. Hearing none, he thanked Mr. Lee for his report.

Chairman Sorensen presented the Monthly Financial Reports for July, 2006, as submitted by Mr. Lee Newcom, County Recorder. There were no questions regarding the report.

Chairman Sorensen indicated that Ms. Becky McNeil, County Treasurer, was unable to attend the meeting as the second installment of the Property Tax Distribution was due today. He stated that the County Treasurer's Monthly Financial Reports for August 31, 2006 will be considered at a Stand-up Committee meeting prior to the Board Meeting on Tuesday, September 19th.

Ms. Sally Scornavacco, Tax Administrator, County Clerk's Office, presented the Second Quarter Activity Report for the County Clerk. She noted that the increase or decrease in number of Birth, Marriage and Death requests may not be consistent with the increase or decrease in the dollar amount generated each month, which is a result of the difference in fees for the number of original copy requests (prior to December 20, 2005, Birth and Marriage Certificates were \$8.00 each and \$6.00 each for Death Certificates, and, after December 20, 2005, the cost went to \$10.00 each for Birth and Marriage Certificates and \$8.00 for Death Certificates) and additional copy requests (\$2.00 each). In February 2006, the additional copy of Birth and Marriage Licenses increased to \$4.00.

Chairman Sorensen asked if there were any questions or comments. Hearing none, he thanked Ms Scornavacco.

Chairman Sorensen presented a request for Approval of the proposal for an Actuarial Analysis of the County's Self-funded Casualty Reserves for Workers Compensation and Liability Lines of Coverage as submitted by Ms. Jennifer Ho, Risk Manager.

Motion by Selzer/Nuckolls to recommend Approval of the Proposal for an Actuarial Analysis of the County's Self-funded Casualty Reserves for Workers Compensation and Liability Lines of Coverage.

Mr. Zeunik explained that the County is required, under Generally Accepted Governmental Accounting Standards, to have an actuarial study completed. He noted that the last actuarial review was conducted in May 1995. Mr. Zeunik stated that the recommendation is to award a contract to the local actuarial firm, Pinnacle Actuarial Resources, Inc., which did the study ten years ago. He indicated that this firm has expanded and is now one of the top five firms in the country. The purpose of the study is to provide the Risk Management Office, the Finance Committee and the outside Auditor an indication of what kind of trends the County is experiencing in terms of its self-insured program and to make certain that the County is setting aside the necessary reserves in accordance with generally accepted accounting principles.

Mr. Zeunik stated that there is money budgeted in Risk Management for this contract. He noted that the budget amount is higher than the actual cost of the study, which will be \$9,000.00.

Mr. Owens recommended that this Study be conducted every five years. Mr. Zeunik concurred that it should be done every five years. He noted, however, that the County does not generally see wide fluctuations in its self-insured liability.

Chairman Sorensen suggested that Ms. Ho discuss the County's loss reserve part of the business during the actuarial review to learn how to identify the early warning signs that the County's practices may be becoming outdated.

Chairman Sorensen called for a vote on the motion to approve the Agreement as submitted by Risk Management.

Motion carried.

Mr. John Zeunik reported that it will not be necessary for the Committee to go into Executive Session to discuss collective bargaining. He stated that a contract was voted upon by the unit that represents the Correctional Officers, Control Operators and Cooks in the Jail. Mr. Zeunik indicated that he understands that the contract has been approved, but the signed contract document has not yet been received from the Union. Chairman Sorensen asked if it would be received in time to be included in a Stand-up Meeting. Mr. Lindberg replied that he does not have any indication that it will be received by that time. Mr. Zeunik explained that there has been a change in the individual who is responsible for negotiating the contracts for the Union. He noted that usually, when a bargaining unit ratifies a contract, they are quick to forward the signed contract to the Board for approval.

Chairman Sorensen advised that a "draft" of the Smoking Ordinance was included in the Committee Packet for discussion today, including three specific topics: enforcement, a possible rule on smoking within 15-feet from an entrance to a building and scheduling Public Hearings.

Mr. Selzer asked what is Bloomington's rule on smoking within 15 feet of an entrance and will the County include that rule. Mr. Eric Ruud, First Assistant State's Attorney, reviewed the law under which the County is operating. Public Act 940-917 states: "*Any non-home rule County may, within the unincorporated territory of the County, regulate smoking in any enclosed indoor area used by the public or serving as a place of work.*" Mr. Ruud stated that this law does not regulate smoking outside. He noted that Bloomington's Ordinance, Section 14, indicates that "smoking is prohibited within 15 feet of any public entrance to an area where smoking is prohibited." Mr. Ruud suggested that there is some question, under Illinois Law, as to the extent that non-home rule Counties have authority to regulate outdoor smoking. He stated that currently this issue is not addressed in the County's proposed Ordinance. Mr. Ruud stated that, as an employer, the County can regulate smoking on County property.

Chairman Sorensen noted that Sheriff Owens was unable to attend the meeting to discuss enforcement.

Mr. Zeunik extended the Sheriff's apology for not being able to attend the meeting. He advised that the Sheriff views this as any other Ordinance and it will be treated as any other Ordinance violation unless the Board wants to increase the number of full-time deputies to provide increased enforcement of this Ordinance violation. Mr. Zeunik indicated that an Ordinance violation is not at the top of the list of issues to which the Sheriff's Department will respond. In

addition, there is very specific language in the Ordinance for filing a complaint. This Ordinance violation could result in a fine of \$25.00 to \$500.00.

Mr. Ruud explained that this Ordinance violation is similar to other Ordinance violations, such as someone operating an illegal junk yard, a failed septic system, or someone selling hot dogs without a license. A citizen can complain to the authorities, an investigation will be conducted by the Sheriff's Department and the findings will then be forwarded to the State's Attorneys Office for possible prosecution.

Ms. Berglund asked what is the authority and responsibility of the owner of an establishment. Mr. Ruud explained that if a bar owner does nothing when someone complains of another patron smoking, the bar owner can be convicted of an Ordinance violation for allowing someone to smoke in a public place. The proposed County Ordinance provides an affirmative defense. If the bar owner goes to the patron who is smoking and tells them there is no smoking allowed, but the patron ignores the owner and the owner calls the Sheriff, that provides an affirmative defense for the owner and the owner cannot be held liable.

The Finance Committee discussed, at length, varying aspects of the proposed Ordinance. The following points/suggestions were brought up regarding Enforcement of the proposed Ordinance:

- The Ordinance should be enforced as stringently as possible;
- "No Smoking" signs should be made available for anyone who requests them.

Chairman Sorensen referred to the final topic, namely scheduling Public Hearings. He indicated that he supports having Public Hearings at various County locations. Chairman Sorensen stated that Mr. Zeunik talked with several Board members who represent the rural districts looking for possible locations. Mr. Zeunik indicated that possible locations for the meetings include District #1, District #2 and District #3.

Ms. Berglund expressed her frustration that the process is very slow and she recommended that, if Public Hearings need to be held, that they be held immediately. She noted that a large percentage of the people with whom she has spoken have expressed their support of the Ordinance. Mr. Selzer responded that the County constituents should have the same opportunity to express their feelings as the citizens in Normal and Bloomington. Public Hearings provide an opportunity for those individuals in support of the Ordinance and those who oppose the Ordinance to address the Committee.

The Finance Committee discussed the schedule and location of Public Hearings. The following points were made/suggested regarding the Public Hearings:

- Public Hearings should be held in several Districts, including a meeting in Bloomington;
- Everyone should have a right to come to a meeting to express their opinions;
- Effective date, should the Ordinance pass, will be the same as Bloomington and Normal, namely January 1, 2007;
- Complete the Public Hearings in time for the Ordinance to be voted on by the Board at their November meeting.

Chairman Sorensen reported that, by the September Stand-up meeting, informational packets that will be mailed out with the Public Hearing schedule will be available for the Committee to review.

Chairman Sorensen indicated that some of the Board members have expressed concern over the lack of interest from the public on either side of this issue. He stated that he hopes the meetings will provide an opportunity for people to express their feelings about the Ordinance.

Mr. Moss pointed out that the State Law allowing Counties to pass a Smoking Ordinance only went into effect in late June. He stated that the Committee has an obligation to the people in the County to hold informative Hearings. Mr. Moss also suggested that members of the Board attend the Hearings.

Mr. Selzer reminded the Committee that the Public Hearings will provide an opportunity for people on both sides of the issue to share their points of view.

Chairman Sorensen asked if there were any additional comments or questions. Hearing none, he asked Mr. Zeunik to investigate possible dates for the Public Hearings.

There was some discussion regarding the Finance Committee's budget meeting. Mr. Zeunik reminded the Committee that, in the past, the Finance Committee has set aside a block of time for the budget meeting. If that format is followed this year, there will be one special budget meeting in October. The Hearings for the Smoking Ordinance will likely be held in the evening. Mr. Zeunik suggested that one Hearing could be held the last week in September, one in the middle of October and one or two towards the end of October.

Mr. Selzer indicated that he will be unavailable for meetings from October 4th through October 11th.

Mr. Ruud reminded the Committee that there will actually be three Ordinances to consider, namely:

- the Smoking Ordinance,
- an amendment to the Liquor Code, which will incorporate the Smoking Ban into the Liquor Code; and
- an amendment to the Personnel Policies and Procedures that would ban smoking in County facilities and vehicles.

Mr. Owens asked that the proposed Smoking Ordinance be placed on the County Website, with its own icon.

Ms. Berglund asked if a copy of the Ordinance has been sent to the business owners who will be affected by the Ordinance. Chairman Sorensen replied that Mr. Zeunik and he intend to bring to a Finance Committee Stand-up meeting a schedule for the hearings and a communication piece that will go out to the media as well as the 263 businesses that will be affected, including a copy of the Ordinance. Mr. Moss advised that any communication or website notice should specifically state that this is a "proposed" Ordinance.

Mr. Zeunik reviewed the wishes of the Committee, noting:

- Jude will contact Committee members regarding possible dates for the Public Hearings;
- Hearings will need to be held in the evening.

Chairman Sorensen recapped the potential items for a Stand-up Committee Meeting:

- Approval of the County Treasurer's Monthly Reports;
- Recertification of First-Time Home Buyer Program;
- Scheduling Public Hearings/Communication Plan;
- Collective Bargaining issue.

Mr. Selzer recommended that information regarding the First-Time Home Buyer Program be published so that people know it is available.

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Chairman Sorensen presented the August 31, 2006 Finance Committee bills for review and approval as transmitted by the County Auditor. The Nursing Home Fund Total is \$401,300.11 with a Prepaid Total the same and the Finance Committee bills include a Fund Total of \$881,008.36 with a Prepaid Total the same.

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Motion by Moss/Owens to recommend approval of the
Finance Committee bills as of August 31, 2006.
Motion carried.

There being nothing further to come before the Committee at this time,
Chairman Sorensen adjourned the meeting at 5:10 p.m.

Respectfully Submitted,

Judith A. LaCasse
Recording Secretary

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