

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

The Executive Committee of the McLean County Board met on Tuesday, August 14, 2012 at 4:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Sorensen, Members Owens (left at 5:10 p.m.), Bostic, O'Connor, Gordon, Hoselton, Segobiano, Rackauskas, Butler

Members Absent: None

Other Board Members Present: None

Staff Present: Mr. Bill Wasson, County Administrator; Ms. Hannah Eisner, Assistant County Administrator; Ms. Jude LaCasse, Assistant to the County Administrator

Department Heads/  
Elected Officials Present: Mr. Don Everhart, Circuit Clerk

Others Present: Mr. Taylor Anderson, Anderson Legislative Consulting

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

Chairman Sorensen presented the minutes from the July 10, 2012 Executive Committee Meeting. Hearing no objections or corrections, Chairman Sorensen accepted and placed the minutes on file as submitted.

Chairman Sorensen presented the Reappointments, Appointments and Resignations.

Motion by Segobiano/Owens to Recommend Approval of the Reappointments, Appointments and Resignations as Recommended by the Chairman.  
Motion carried.

Chairman Sorensen presented a request for approval of a Resolution of the McLean County Board Proclaiming Monday, September 24, 2012 "*Family Day – A Day to Eat Dinner with Your Children*" in McLean County – County Administrator's Office.

Motion by Rackauskas/Owens to Recommend Approval of Resolution of the McLean County Board Proclaiming Monday, September 24, 2012 "*Family Day – A Day to Eat Dinner with your Children*" in McLean County – County Administrator's Office.  
Motion carried.

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Ms. Bette Rackauskas, Chairman, Justice Committee, presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance Fund 0001, General Fund, Court Services Department 0022 – Court Services Department.

Motion by Rackauskas/O'Connor to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance Fund 0001, General Fund, Court Services Department 0022 – Court Services Department.  
Motion carried.

Ms. Rackauskas presented a request for approval of an Illinois Criminal Justice Information Authority Task Force 6 Grant for expanding Multi-Jurisdictional Narcotics Units – Sheriff's Department.

Motion by Rackauskas/Gordon to Recommend Approval of an Illinois Criminal Justice Information Authority Task Force 6 Grant for Expanding Multi-Jurisdictional Narcotics Units – Sheriff's Department.  
Motion carried.

Ms. Rackauskas advised that representatives from the Illinois Peoples Action group plan to formally request an opportunity to speak to the Justice Committee regarding immigration at the September meeting.

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

Mr. George Gordon, Chairman, Land Use and Development Committee, advised that the Land Use and Development Committee brings no items for action to the Executive Committee.

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

Mr. Stan Hoselton, Chairman, Transportation Committee advised that the Transportation Committee brings no items for action to the Executive Committee.

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

Ms. Diane Bostic, Chairman, Property Committee, advised that the Property Committee had no items for action.

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

Mr. Ben Owens, Chairman, Finance Committee, presented a request for approval of Critical Personnel Hiring Requests – County Administrator's Office.

Motion by Owens/Butler to Recommend Approval of Critical  
Personnel Hiring Requests – County Administrator's Office.  
Motion carried.

Ms. Rackauskas pointed out the large number of turnover at the Nursing Home. Mr. Owens noted that turnover at nursing homes is not unusual.

Mr. Segobiano commented that the McLean County Nursing Home has an outstanding reputation. Other Committee member concurred.

Mr. Wasson advised that the Nursing Home census is currently above 145 residents. The maximum capacity is 150. Mr. Owens added that currently there are names on a waiting list.

Chairman Sorensen asked if there were any additional questions or comments. Hearing none, he thanked Mr. Owens.

Mr. Bill Wasson, County Administrator, reviewed the McLean County Chamber of Commerce Air Transportation Initiative Report. He advised that this report reflects usage for the first full month of air transportation service provided under an incentive agreement between the Chamber of Commerce and Frontier Airlines. He indicated that the percentage of seats filled was at 97% the first month.

Mr. Wasson reported that the Airport will announce this afternoon that they received a grant from the Department of Transportation to attempt to obtain an east coast service to either Washington, D.C. or New York.

Mr. Segobiano noted that Mr. Carl Olson, Director of CIRA, is very active in the community and can often be found working in the concession stand at football games with kids.

Mr. Wasson introduced Mr. Taylor Anderson, Anderson Legislative Consulting who will provide a report of the Legislative Session, pending information in the Veto Session and the Special Pension Session that may be taking place in a couple days.

Mr. Anderson reviewed the Spring Session of the General Assembly, noting that some actions were positive for counties and some were negative. He indicated that what happened during Spring Session will set the stage when the General Assembly convenes for the Special Session this Friday. Mr. Anderson noted that the House will be dealing with two issues, the first being the expulsion of Representative Derrick Smith who is under some serious charges, and the second issue that will be discussed at the Special Session is the pension situation. Mr. Anderson reiterated that what happened in the Spring Session will set the stage for the Special Session and the Veto Session.

Mr. Anderson advised that he and Mr. Wasson talk quite often over the course of the Session regarding finances and bills that are attacking vital revenue to counties.

Mr. Anderson provided the following summary on bills that were either defeated or were positive for local government:

➤ House Bill 1293

This is a bill that has come up over the last couple of years. This bill would take away Sheriff's sales on foreclosures. This bill passed the House and the Senate last year, but because of technicalities it failed. This bill will likely be reintroduced again next year.

➤ Senate Bill 4602

This bill was not defeated, but it was possible to work with the proponent of the bill, which was the Attorney General, and dramatically scale back what he was attempting to do. Originally, the Attorney General was seeking to have all the court fees that the courts collect be pro-rated between the different funds that those fees go to. Changing the current systems to provide for pro-ration like that would be very costly. It would also have taken money away from running the courts.

The Attorney General's office has offered to meet with county clerks and some of the judges across the state to talk about these issues. The genesis behind this bill is that a particular fund that the Attorney General oversees, the Violent Crime and Victim's Assistance Fund, had received fewer funds the past couple of years than it had received the previous five. Fees collections, in general, are down and the Attorney General's Office was unaware of this situation. Once they were apprised of the situation, they modified on their original intent.

➤ House Bill 3637

This bill, put forward by Speaker Madigan, had three amendments to divert money from Corporate Personal Property Replacement Tax (CPPRT). The first amendment of this bill sought to remove about \$536 million from the CPPRT that was allocated to the schools. The second amendment would have taken about \$982 million from all taxing districts and shift the money towards the TRS pension fund. The last amendment would have shifted the entire CPPRT fund, which is approximately \$1.4 billion, to the TRS pension fund. This would mean that no CPPRT would be given to units of local government. This would have set a bad precedent of the state government unilaterally cutting off a stream of revenue that goes to units of local government and keeping it for itself. This bill did not go anywhere.

➤ Senate Bill 2492

This bill was successful and provides that a juror may elect to waive any fees paid for service, transportation, or day care, or any combination thereof, as well as the fees paid for attending an inquest.

➤ Senate Bill 2643

This bill proposed to amend the Illinois Prevailing Wage Act to impose the “responsible bidder” requirements found within the Illinois Procurement Code. SB 2643 required bidders to: 1) comply with responsible bidder requirements to qualify for public works projects at the local level; and 2) include in each bid the total number of straight time work hours, identified as “journeyman” or “apprentice” for each craft or type of worker or mechanic needed to execute the contract.

Having fewer bidders on projects results in less competition and consequently increases the cost of projects for communities and their taxpayers. Having fewer bidders also makes it more difficult for units of local government to procure local contractors and use local labor.

This bill passed the senate, but it was possible to slow down the momentum enough to where they did not have enough votes in the house to even call the bill for a vote. In essence, it failed. This bill will likely be seen again.

➤ Senate Bill 3271

SB 3271 would have created the Wind Energy Facilities Construction, Deconstruction, and Siting Act. This bill was introduced on behalf of the Illinois Farm Bureau. This bill was an attempt by the Farm Bureau to address zoning and wind farms, but it was drafted in such a way that it limited what counties and units of local government can do.

The Farm Bureau has an opportunity to receive some assistance from some of the counties who have gained some expertise and knowledge in this area and could potentially help shape some type of legislation to this effect. The sponsor of the bill agreed to not move the bill, and the Farm Bureau agreed to have more conversations about this issue in the future.

➤ House Bill 5814

HB 5814 would have amended the Illinois Municipal Code. It provides that a municipality may prohibit any electric generating wind device from locating less than 1,400 feet from a residence within its corporate limits, rather than from a residential area. Further provides that a Section concerning wind energy systems shall apply only to devices permitted after the effective date of the amendatory. HB 5814 would have allowed municipalities that currently do not have zoning take control over 1,400 foot setback from the corporate limits.

HB 5814 was defeated in the Senate. This bill has been seen in the past and there has been success with having dialogues and conversations with Legislators about this and slowing down the initiative.

Ms. Rackauskas asked who would want this legislation. Mr. Anderson replied that there has been a lot of conversation in Senator Sullivan's district in Southwestern Illinois. He pointed out that it only takes one bad decision for the state to consider setting the standards on the rest of the state based on this one instance. Mr. Anderson noted that originally the bill was only at 1,000 feet and then it was changed to 1,400 feet. He stated that Senator Sullivan voted against this bill because he did not believe 1,400 feet was enough.

Mr. Anderson advised that if you look at the situation that the state is in currently, sometimes what is best for us is beating bad bills. He noted that 6,671 bills were introduced and, of those bills, a host of them are bad for county government. Mr. Anderson indicated that there are probably over 400 bills that affect counties, mostly adversely.

Mr. Anderson advised that counties weren't 100% successful in defeating every negative bill. He noted that using CPPRT to pay for ROE's is not only wrong, but if a way isn't found to stop it, it will keep happening again and again, because that is \$12 million that the state doesn't have to find in their budget. When the state's budget is in the condition that it is in, that \$12 million can be the difference between passing a budget and not passing a budget.

Mr. Anderson indicated that two years ago the state was able to sweep some stipends into the CPPRT. Mr. Anderson noted that a couple other groups have been trying to stick their stipends into the CPPRT, and when this budget bill was originally introduced, there was talk that they would include the State's Attorneys' salaries and the Public Defenders' salaries out of CPPRT as well. However, only the ROE's salaries were included again which is \$12-\$14 million. Mr. Anderson stated that compared to Speaker Madigan removing all \$1.4 billion of CPPRT away from us, \$12-\$13 million doesn't see quite as bad.

Mr. Anderson advised that another item that was slipped into one of the budget implementation bills was the Estate Tax diversion. Mr. Wasson noted that McLean County budgets \$50,000 for the Estate Tax revenue, which can range from a low of \$50,000 to \$200,000-\$300,000 in revenue some years. Mr. Anderson indicated that the state will now keep that money. Normally, the County receives 12% of that. Mr. Anderson stated that the figure can change from year to year.

Mr. Anderson stated that anytime the state keeps revenue that should be going to units of local government, it is worrisome.

Mr. Anderson noted that another issue of concern is the local government distributive fund. He pointed out that there was a lot of talk at Session about doing something to the local government distributive, such as capping it at last year's level or shaving off another percentage. No changes were made to this fund.

Mr. Anderson stated that there are two items of which to be cognizant. First, when the income tax increase was passed in a Lame Duck Session two years ago, they changed the funding mechanism. He indicated that the County normally would receive 10% of what the state collected, but when they raised the income tax, they reduced that 10% down to 6%, which makes the County 4% behind over what it should receive from the state. Any change that the state makes further is a double cut. Mr. Anderson noted that he reminds state legislators of that cut. He advised that, as we get closer to the income tax increase sun-setting, which he does not believe it will, there will need to be a vote to extend the income tax increase. Mr. Anderson indicated that, at that time, we really need to have laid some groundwork to make sure that we go up from the 6% back to the 10%. He expressed concern that otherwise we will never get back to the 10% threshold, which was the deal that was struck in the 1970s when the Constitution was

redone so that units of local government wouldn't impose their own income tax upon their constituents across the state.

Mr. Anderson advised that in the Special Session there will probably be some procedural maneuvering to get a bill ready to deal with two of the five state systems. The bill that the Governor has been talking about all year dealt with four of the five state systems. Mr. Anderson indicated that the Senate managed to pass a bill that only dealt with two of the five state systems.

Mr. Gordon indicated that there is some interest in Senate Bill 3280, which deals with adopting rules and regulations regarding hydraulic fracturing. He stated that there are some concerns about hydraulic fracturing in McLean County, and asked Mr. Anderson to provide an update.

Mr. Anderson reported that when Senate Bill 3280 was introduced, with the Senate Democrats working with the Senate Republicans, the Senate thought they had a pretty good solution to what they saw as a potential problem in the future.

Mr. Anderson stated that the Republicans pointed out that there are a lot of businesses interested in doing this in Illinois and something needed to be put on the books to let corporations know that Illinois is friendly to this idea. However, the Senate Democrats had concerns about the environmental ramifications and repercussions as well as safety to farmlands, streams, etc. With this in mind, they crafted a piece of legislation, Senate Bill 3280, that sets some parameters and establishes oversight.

Mr. Anderson advised that this bill was passed by the Senate and it was sent to the House. The bill got to the House and, because the Senate had not included the House in conversations, the House gutted the bill.

Mr. Anderson stated that there was a lot of negativity between the two chambers on this issue. He noted that there will probably be more conversation on this issue during the Veto Session. Mr. Anderson indicated that he believes a new bill will be introduced next spring. He added that he will keep Mr. Wasson apprised of this situation.

Mr. Gordon asked if it was a strong possibility that nothing would be done in Veto Session. Mr. Anderson replied that it is a very legitimate possibility that nothing will happen.

Chairman Sorensen expressed his appreciation to Mr. Anderson and noted that the County is very lucky to have someone like him that is reading and paying attention to all of these bills on behalf of the County.

Mr. Anderson reiterated that he and Bill talk on a regular basis and will continue to do so as issues come up. He thanked the Committee for giving him the opportunity to provide this legislative update.

Chairman Sorensen advised that, at the request of the rural townships west of Bloomington, he issued an order yesterday declaring a limited local disaster area in four townships. He noted that this was a seven day order by state law. Chairman Sorensen stated that next week, at the full Board meeting, there will be an action item to extend that for another 30 days. He indicated that he does not know if this will trigger state money, but it does open the path for intergovernmental and interagency cooperation.

Mr. Segobiano recommended that the County take a leadership role in pushing forward the Mahomet Aquifer effort to provide water to Bloomington and the west side of McLean County. Ms. Rackauskas concurred.

Chairman Sorensen recognized that there have been on-going studies from time to time regarding the Mahomet Aquifer. He asked Mr. Wasson to pull the files on this study. Chairman Sorensen noted that Normal has wells into the Mahomet Aquifer and Bloomington has test wells out there. He added that the County is not in the water business, which is why we have a hard time staying at the table on this matter.

Mr. Segobiano advised that if we can spend taxpayers' money talking about an East Side Bypass, the County should be able to spend money to find a way to provide water to Bloomington and the west side of McLean County.

Chairman Sorensen presented the July 31, 2012 bills as recommended and transmitted by the County Auditor for payment. The Fund Total is \$143,871.15 and the Prepaid Total is the same.

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Motion by Segobiano/Bostic to recommend approval of the Executive Committee bills for July 31, 2012 as presented to the Committee by the County Auditor.  
Motion carried.

There being no further business to come before the Committee, the Executive Committee meeting was adjourned at 5:33 p.m.

Respectfully Submitted,

Judith A. LaCasse  
Recording Secretary