

Minutes of the Executive Committee Meeting

The Executive Committee of the McLean County Board met on Tuesday, August 12, 2014 at 4:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Sorensen; Members McIntyre, Segobiano, Owens, O'Connor, Soeldner, Rankin (for Member Caisley) and Erickson

Members Absent: Members Gordon and Caisley

Other Board Members Present: Members Robustelli and Metsker

Staff Present: Mr. Bill Wasson, County Administrator; Ms. Hannah Eisner, Assistant County Administrator; Ms. Jude LaCasse, Assistant to the County Administrator; Mr. Don Knapp, First Civil Assistant State's Attorney

Department Heads/
Elected Officials Present: None

Others Present: Mr. Scott Koepfel, Assistant Director, Information Technologies

Chairman Sorensen called the meeting to order at 4:30 p.m.

Chairman Sorensen presented the minutes from the July 8, 2014 and June 17, 2014 Stand-up Executive Committee meetings for approval. Hearing no objections or corrections, Chairman Sorensen accepted and placed the minutes on file as submitted.

Chairman Sorensen presented the reappointments, appointments and resignations.

Mr. Owens asked what Dr. Ginzburg's specialty is, who is being considered for appointment to the Board of Health. Chairman Sorensen replied that Dr. Ginzburg is a pulmonologist. Mr. Owens asked if there was any interest by a psychologist to be appointed. Chairman Sorensen indicated that, of the names that he received, these were his recommendations.

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 Critical Personnel Hiring Requests – County Administrator's Office.

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

Chairman Sorensen presented a request for approval of a CIRBN Construction Agreement – Information Technologies.

Motion by Segobiano/Owens to Recommend Approval of a CIRBN Construction Agreement – Information Technologies.
Motion carried.

Chairman Sorensen presented a request for approval of a Resolution of the McLean County Board transferring authority to supervise Animal Control from the Board of Health – County Administrator's Office.

Motion by Owens/McIntyre to Recommend Approval of a Resolution of the McLean County Board Transferring Authority to Supervise Animal Control from the Board of Health – County Administrator's Office.
Motion carried.

Mr. Wasson presented a request for approval of a McLean County, Illinois' Agreement to become an additional member of an Intergovernmental Coalition Opposing the Clinton Landfill Permit Application to accept Polychlorinated Biphenyls – County Administrator's Office.

Mr. Erickson asked if all appeals had been exhausted. Mr. Wasson replied that not all appeals have been exhausted. Mr. Erickson asked what the status is on the Appellate Court appeal. Chairman Sorensen responded that the appeal is still pending.

Motion by Segobiano/Rankin to Recommend approval of a McLean County, Illinois' Agreement to become an additional member of Intergovernmental Coalition Opposing the Clinton Landfill Permit Application to accept Polychlorinated Biphenyls – County Administrator's Office.
Motion carried.

Mr. Wasson reviewed his memorandum, under the General Report, about County Board packets being available on the website as requested by Member Robustelli at last month's County Board meeting. He indicated that the Administrator's staff is looking for direction from the Executive Committee relative to the options provided in the memorandum. The options are as follows:

- Option #1 would be to provide the packet, including unapproved minutes that would be designated "unapproved" by a watermark across the page.

Mr. Wasson advised that while this would be simplest to implement, the legal staff has expressed concerns with this option because the minutes are unapproved and may be misconstrued.

- Option #2 would be to imbed links to the Committee Agendas within the County Board electronic agenda.

Mr. Wasson stated that this option would necessitate technical processes that would be difficult to complete in the amount of time necessary to process the packet.

- Option #3 would be to have the committee minutes be processed as a separate packet from the board packet and distributed only to Board members.

Mr. Wasson indicated that this option would allow the Board packet to be placed on the County Website, while the committee minutes would be a separate document for Board members.

Ms. Eisner noted that the main question is whether you want to withhold the unapproved minutes or not. She added that the minutes are exempt from FOIA because they are in a draft form. Mr. Wasson stated that once they are put out to the public, they are no longer exempt.

Mr. Rankin stated that he doesn't believe that a lot of corrections are made to the minutes, and believes Option #1 would be the most intelligent option.

Mr. Segobiano indicated that he does not believe that many people will go through the Board packet page by page to even read the minutes, and expressed concern on how much more workload will be put on staff.

Chairman Sorensen asked for an opinion from the State's Attorney's Office. Mr. Don Knapp, First Civil State's Attorney, stated that the practical concern is different from the legal concern, noting that there is no legal concern. However, the risk concern would be that there may be a scrivener's error or miss-recorded information, such as a transposed vote, that could have some substantive affect should it get into the public domain, even though it is not a legal problem. Mr. Knapp indicated that draft minutes are exempt from FOIA requests until they are put out to the public. He

added that he could probably develop “nuclear” problems in his head, but they are probably not going to happen.

Mr. Robustelli asked if the packet that is put out every month and goes to the press include the unapproved minutes or not. Mr. Wasson replied that, historically, the entire packet has been shared with the professional news media. Mr. Robustelli indicated that the media could then write something that is based on a scrivener’s error. Chairman Sorensen responded that the professional media would not just take something out of the packet and run with it; they would either call the Administrator’s Office, a Committee Chair or he for clarity to make sure they understand those issues or topics. He stated that the issue has more to do with groups or individuals who might pick something up out of the meeting minutes and cause a public relations issue.

Mr. Segobiano asked which option meets the legal obligations. Mr. Wasson replied that all three of the options exceed the obligations necessary under the law. Mr. Segobiano asked which option Mr. Wasson would recommend. Mr. Wasson replied that he would recommend Option #3 unless Board members have no concerns regarding the unapproved minutes appearing before members of the public.

Ms. Eisner advised that after the minutes have been approved at the next month’s committee meeting, they are placed on the website for the public.

Mr. Erickson asked how much more difficult is Option #3 from Option #1. Mr. Wasson replied that Option #1 simplifies the process. The benefit is that there is just one document that is placed on the website. Mr. Wasson noted that Option #3 would require that two separate packets be prepared, namely the Board Packet (without the minutes) that will be distributed to the Board and placed on the County Website and a separate packet of unapproved minutes that will be distributed to Board members and department heads. Mr. Erickson expressed concern with having the minutes available on the website.

Mr. Owens advised that he prefers Option #1.

Ms. O’Connor stated that she prefers Option #1 because it is the simplest and most direct option.

Mr. Erickson stated that he prefers Option #3.

Chairman Sorensen cautioned that this is not a required Board or Executive Committee action. The Administrator’s Office is looking for guidance.

Mr. Segobiano supported the County Administrator’s recommendation of Option #3.

Mr. Soeldner stated that he believes Option #1 is okay, but if the Administrator's Office feels that we are more protected by Option #3 then that will be all right with him.

Mr. McIntyre advised that he is okay with either Option #1 or Option #3.

Ms. Eisner suggested that we try a month with Option #3 to see how it works before making a final decision.

Chairman Sorensen asked Mr. Robustelli if his initial concern had to do with meeting minutes or with the material associated with the items on the agenda. Mr. Robustelli replied that his interest was to provide the public with the agenda and the attachments that support the items in an easy and concise way. He stated that his preference would be Option #1, but if that would table this effort, he will agree to Option #3.

Mr. Wasson recommended that we move forward with Option #3 for this month and continue to get additional feedback from the members. If there is another direction that they want to take in the future, Committee members can request that they do so.

Mr. Erik Rankin, Vice Chairman, Justice Committee, presented a request for approval of the renewal of a Department of Children & Family Services Contract – State's Attorney's Office.

Motion by Rankin/Owens to Recommend Approval of the
Renewal of a Department of Children & Family Services
Contract – State's Attorney's Office.
Motion carried.

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

Mr. Ben Owens, Chairman, Finance Committee, presented a request for approval of an Ordinance of the McLean County Board Amending the 2014 Combined Appropriation and Budget Ordinance for Fund 0110 (Developmental Disabilities Fund) – Health Department.

Motion by Owens/O'Connor to Recommend Approval of
an Ordinance of the McLean County Board Amending the
2014 Combined Appropriation and Budget Ordinance for
Fund 0110 (Developmental Disabilities Fund) – Health
Department.
Motion carried.

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

Mr. Chuck Erickson, Vice 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. Erickson.

Mr. Jim Soeldner, Chairman, Transportation Committee presented a request for approval of a Motor Vehicle Lease Agreement between McLean County and SHOW BUS.

Motion by Soeldner/Segobiano to Recommend Approval
of a Motor Vehicle Lease Agreement between McLean
County and SHOW BUS.
Motion carried.

Mr. Soeldner presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2014 Combined Annual Appropriation and Budget Ordinance, McLean County Motor Fuel Tax Fund 0123, McLean County Highway Department 0055 (Illinois Jobs Now! (IJN) Funds).

Motion by Soeldner/Segobiano to Recommend Approval
of an Emergency Appropriation Ordinance amending the
McLean County Fiscal Year 2014 Combined Annual
Appropriation and Budget Ordinance, McLean County
Motor Fuel Tax Fund 0123, McLean County Highway
Department 0055 (Illinois Jobs Now! (IJN) Funds).
Motion carried.

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

Mr. Paul Segobiano, Chairman, Property Committee, advised that the Property Committee brings no items for action to the Executive Committee.

Chairman Sorensen asked Mr. Segobiano to provide an update on the Memorandum of Understanding with Chestnut Health Systems that will go before the full Board next week.

Mr. Segobiano advised that he believes this action is a win-win situation for McLean County. He noted that the County is looking at a partnership with Chestnut Health Systems in order to address some issues brought up by the two Mental Health

Groups that Chairman Sorensen appointed. Mr. Segobiano stated that this will be a joint endeavor between the County and Chestnut Health Systems.

Mr. Segobiano stated that, although the lease has not yet been finalized, the County would be responsible for removing the asbestos from the Fairview Building at a cost an estimated cost of approximately \$75,000-\$100,000. The County will design this building, but when it is completed it will be a joint endeavor with the County and Chestnut Health Systems (CHS) to begin to address part of the mental health issue with which the County is faced.

Mr. Segobiano indicated that the County will likely enter into a financing agreement with the Public Building Commission in the neighborhood of a 20 year issue at approximately \$4.5 million. He stated that CHS's lease agreement with the County may take care of the demolition of the Fairview Building and help pay off the indebtedness. Mr. Segobiano advised that at the end of those 20 years, the County will own the building at which time the lease agreement can be continued or become a County building that future Boards can determine its use of.

Mr. Erickson asked what the facility will be used for. Mr. Wasson replied that this will be a health clinic that would be available to all individuals, but, the Federally Qualified Health Centers (FQHC) are specifically designed to increase availability for individuals that receive Medicaid and Medicare supplemental assistance relative to health care costs. Chairman Sorensen added that he has heard that a Federally Qualified Health Center is intended to become the medical home for the users of those services. He indicated that in this particular case they are expanding that to be more than just physical doctors and nurses, but also behavioral services as well.

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

Mr. Wasson advised that at this time two requests have been received to speak before the County Board next Tuesday. One is an individual that would like to speak on elder abuse and the second individual is Ms. Michael who would like to speak relative to her proposal for the change in polling places.

Mr. Wasson stated that the Administrator's Office continues to work through the process of budget meetings. He indicated that meetings have been held with almost all department heads for the first round, and second round meetings will begin next week.

Mr. Soeldner reported that there was some discussion at the end of the Finance Committee meeting about the possibility of changing the Board Rules to allow more discussion from members of the public. Chairman Sorensen responded that he has not received a request from any Board member to that affect. He stated that it may be necessary to have the Rules Committee meet to discuss this issue. Mr. Owens advised that the Justice Committee meeting had someone request to speak who

was denied and Finance Committee had someone ask to speak that was allowed to speak for three minutes.

Chairman Sorensen advised that the five day rule has worked for 50+ years and worked well in McLean County, and stated he is not sure he understands what has changed.

Mr. McIntyre advised that a lady came to the Justice Committee without prior notice and asked to speak on an item that was not on the agenda. He indicated that Ms. Eisner talked with this person and explained the situation and the individual was very willing to wait and request permission to speak at the County Board meeting. Mr. McIntyre stated that Ms. Wollrab expressed concern that the public is not given the opportunity to speak at Committee meetings. He noted that the Justice Committee then had a dialogue about changing the rules.

Mr. Robustelli indicated that this issue came up in the Finance Committee as well, except the person who wished to speak wished to speak on a subject that was on the Agenda. He expressed concern that when a particular item is on the agenda to which an individual would like to speak, there is no way to follow the five-day rule because the agenda is not available five days before the meeting; the agenda is required to be posted only a couple days before the meeting. Mr. Robustelli suggested that if a person wished to speak on an item that was not on the agenda, the five day rule would be adequate. However, if someone wanted to speak on an agenda item, the rule needs to change so that they can make the request after the agenda is posted. Mr. Robustelli suggested that the rules be changed to shorten the time line for someone to request to speak under those circumstances or give them the right to speak at the actual committee meeting.

Chairman Sorensen advised that speakers do have another mechanism to address a committee or the full Board with no notice at all, namely to have a member request that they be given the floor. Mr. Robustelli indicated that that is at the whim of the Committee. He stated that if we have a rule that, by its very nature, prohibits someone from participating in the policy-making process, he feels the rule needs to be changed.

Mr. Soeldner reminded the Committee that a few months ago there were 30+ members of a group at the Transportation Committee meeting opposing the pipeline road use agreement. He stated that it would be impossible to allow all of those people to speak. Mr. Soeldner agreed that people need to have an opportunity to voice their opinion, but maybe that the full Board meeting is the place to do that.

Chairman Sorensen shared the perspective that a lot of other counties in Illinois have more restrictive speaking rules than McLean County. He noted that the rules today allow the Chairman of a Committee or the Chairman of the Board to act to avoid redundancy and to act to maintain decorum, which are very important.

After additional discussion, the consensus of the Committee was to call a meeting of the Rules Subcommittee to discuss this issue. In addition, the consensus was that if someone wanted to speak on a subject not on the agenda, the five day notice would still be adequate, but the time should be shorter for those wishing to speak on a topic that is on the agenda.

Chairman Sorenson informed the Committee that the Advisory Groups one and two, Best Practices and Community Needs, completed their work a couple months ago. He announced that Advisory Group #3 is being formed, which will consist of the entire membership of Advisory Groups 1 and 2; however, Advisory Group #3 will operate differently. There will be some sub-groups to do writing exercises on the various parts of the final report and then the entire group will be engaged in a variety of ways, including the following:

- Technology to see if we can set a trend for how county government works;
- Surveying;
- Video conferencing;
- E-mail communication;
- Meetings, as needed.

Chairman Sorensen stated that the first opportunity for that group to meet will probably be in the first or second week in September, as one of the writing groups has already begun to work on things.

Chairman Sorensen presented the July 31, 2014 bills as recommended and transmitted by the County Auditor for payment. The Fund Total is \$209,659.76 and the Prepaid Total is the same.

Motion by Owens/Rankin to recommend approval of the Executive Committee bills for July 31, 2014 as presented to the Committee by the County Auditor.
Motion carried.

Minutes of the Executive Committee
August 12, 2014
Page **10** of **10**

There being no further business to come before the Committee, Chairman Sorensen adjourned the meeting at 5:17 p.m.

Respectfully Submitted,

Judith A. LaCasse
Recording Secretary