

Minutes of a Special Meeting of the Finance Committee

The Finance Committee of the McLean County Board met on Tuesday, December 17, 2019 at 4:50 p.m. in Room 404 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Jim Soeldner Members, Catherine Metsker, Chuck Erickson, Laurie Wollrab Carlo Robustelli, Jacob Beard and Josh Barnett

Members Absent: None

Other Members Present: Chairman John McIntyre

Staff Present: Ms. Camille Rodriguez, County Administrator, Eric Schmitt, Assistant County Administrator; Cassy Taylor, Assistant County Administrator; Ms. Jessica Woods, First Assistant State Attorney – Civil, Julie Morlock Recording Secretary;

Department Heads/
Elected Officials/Others Present: Kathy Michael

Chairman Soeldner called the meeting to order at 4:50 p.m. and declared a quorum.

Chairman Soeldner presented for action a request to approve critical hire requests for the Court Services Department and the Public Defender's office. Ms. Rodriguez went over the positions requested.

Motion by Beard/Barnet to approve the critical hire requests.
Motion Carried.

Chairman Soeldner presented for action a request to approve an ordinance to amend Chapter 108 Section 56 of the McLean County Code regarding insurance benefits for certain worker's compensation recipients. Ms. Rodriguez summarized proposal. Mr. McIntyre handed out a document and asked the Committee to consider this additional language at their next Finance Committee meeting.

Motion by Metsker/Barnett recommend approval of an ordinance to amend Chapter 108 Section 56 of the McLean County Code regarding insurance benefits for certain worker's compensation recipients.
Motion Carried.

Chairman Soeldner presented a request for approval to submit questions of law to the State's Attorney's Office regarding polling places. Ms. Rodriguez indicated that at the regular Finance Committee meeting the Committee had asked this be brought to Finance Stand-up for action.

Ms. Wollrab read a statement for the record: We know that from time to time, we have been presented with requests to consolidate or change polling locations and there is a likelihood that these requests will continue. The track record of these requests have been that they are made just ahead of a deadline for notifying voters of the proposed changes. A vote on the

change therefore has had to be made at the meeting when we are first presented with the request so that timely voter notification is possible and the change can be effectuated if passed. What I'm asking for here today is that we act now and proactively to obtain an overview of relevant law and any court opinions which we will be able to use in the future when making decisions concerning any proposed polling place location changes. I do this so that our legal staff has is afforded the time to work on the request without being pressured and so that we as a committee are informed as to the law which should guide us. This is just common sense. I have no specific timeline for obtaining this information but am asking only for staff to move this ahead so that we have the overview within the next few months.

Ms. Metsker stated that polling place changes are not always done at the last minute and we should have time to get more information when a request comes forward. Ms. Metsker also stated she felt most of this was determined by Statute and asked if the answers could be obtained from the County Clerk without requesting a legal opinion. Ms. Wollrab stated she was asking for an interpretation of the law and Ms. Michael is not an Attorney. Mr. Soeldner asked Ms. Michael to come forward and let the Committee know the information her office has on this matter. Ms. Michael indicated they do have copies of the Statutes in their office and felt that she could provide information without going through the State's Attorney's Office. Ms. Wollrab indicated she had called Ms. Michael and Ms. Michael usually did not follow through on requests that Ms. Wollrab had made to her office, so she did not feel she would be provided the information in this instance either. Mr. Robustelli indicated he agreed with Member Wollrab that we are setting a precedent as it had never been put on an agenda to be voted on, it is not a requirement in the rules and the State's Attorney indicated the request was not a problem. He said it is members of the committee that have concerns and he was not sure why when there were no allegations of wrong doing but merely a member wanting more information.

Mr. Barnett asked for clarification as to whether the rules require Committees to act on a request. Mr. Robustelli stated Committee requested action even though that was not what was done with the Auditor matter. Ms. Woods indicated the Auditor issue was not voted on and that was not pursuant to the rules, but in her mind was justified because it was an immediate necessity as our bills needed to be taken care of. She said that in this situation there is no compelling reason to not follow the rules, and rules envision this process of a vote at the Committee level. Ms. Woods stated that members have asked questions of her before and she has answered but this is a request for a legal opinion. Ms. Woods read section from the rules regarding legal opinions. Mr. Barnett suggested Rules Committee clarify the legal opinion language.

Mr. Erickson stated that when he requested a legal opinion about the Auditor situation he asked if the State's Attorney needed a formal request and was told no. He then provided history where he had asked for a legal opinion and was turned down by a past State's Attorney because he had not gone through the Committee process. He said he with the Auditor matter there was a legal issue before us that needed to be decided and there is no legal issue in the matter before us as no one stated that anything illegal had been done.

Ms. Wollrab stated she was not sure there would be time for a request of a legal opinion when matter arises in the future and she did not want to wait until an issue was raised, but instead wanted to be proactive and get information now. She said we have a history of polling place changes coming before us so she would like answers before it does. Mr. Erickson said there was no question whether the law was violated but whether how the Trustees handled it was bad policy and no one made any allegations they violated the law. He stated he felt request was premature as there was no legal issue, just a curiosity.

Mr. Beard stated that the County Clerk has information, and while there is no issue now, we should get answers for the future.

Motion by Robustelli/Wollrab recommend approval request for approval to submit questions or law to the State's Attorneys' Office regarding polling places. Roll Call Vote.

Motion Failed. No Votes from Barnett, Erickson, Metsker, Soeldner
Yes votes from Beard, Robustelli, Wollrab

Chairman Soeldner asked for a motion to go into closed session pursuant to 5 ILCS 120/2(c)(2) of the Open Meetings Act for the purpose of discussing collective negotiating matters between public body and its employees or their representatives, or deliberations concerning salary schedule for one or more classes of employees.

Motion by Robustelli/Barnett to go into closed session pursuant to 5 ILCS 120/2(c)(2) of the Open Meetings Act for the purpose of discussing collective negotiating matters between public body and its employees or their representatives, or deliberations concerning salary schedule for one or more classes of employees.

Motion Carried.

The Finance Committee entered closed session at 5:13 p.m.

The Finance Committee entered open session at 5:20 p.m.

Chairman Soeldner asked for a motion to go into closed session pursuant to 5ILCS 120/2(C)(11) of the Open Meetings Act for the purpose of discussing Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probably or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

Motion by Barnett/Beard to go into closed session pursuant to 5ILCS 120/2(C)(11) of the Open Meetings Act for the purpose of discussing Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probably or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

Motion Carried.

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The Finance Committee entered closed session at 5:21 p.m.

The Finance Committee entered open session at 5:25 p.m.

Chairman Soeldner asked if there was anything else to come before the Committee; hearing nothing he adjourned the meeting at 5:25 p.m.

Respectfully Submitted,

Julie A. Morlock

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Recording Secretary