

Minutes of the Executive Committee Meeting

The Executive Committee of the McLean County Board met on Tuesday, May 11, 2004, at 4:30 p.m. in Room 700, Law and Justice Center, 104 West Front Street, Bloomington, Illinois.

Members Present: Chairman Sweeney, Members Sorensen, Bass, Berglund, Gordon, Segobiano, Renner, Bostic, and Hoselton

Members Absent: None

Other Members Present: None

Staff Present: Mr. John Zeunik, County Administrator, Mr. Terry Lindberg, Assistant County Administrator; Ms. Karina Bak, Assistant to the County Administrator.

Department Heads/
Elected Officials Present: Mr. Craig Nelson, Director, Information Services, Mr. Eric Ruud, First Assistant Civil State's Attorney

Others Present: None

Chairman Sweeney presented the minutes of the April 13, 2004 Executive Committee meeting for approval.

Motion by Bass/Bostic to approve and place on file the minutes of the April 13, 2004 meeting.
Motion carried

Chairman Sweeney presented 4 re-appointments, 3 appointments and 1 resignation for which the Committee's advice and consent is sought.

Motion by Renner/Bostic to recommend approval of the re-appointments, appointments, and resignation as recommended by the Chairman.
Motion carried

Chairman Sweeney informed the Committee that the next item on the agenda was a request to approve a Contract Agreement with DevNet for the Property Tax Administration Software and Chairman Sweeney asked Mr. Craig Nelson to present this item.

Mr. Nelson stated at last month's Executive Committee Meeting, the Committee awarded a bid to DevNet for the purchase of Property Tax Administration Software. Mr. Nelson is now requesting approval of the contract agreement. He advised the Committee that the agreement had been reviewed by Mr. Eric Ruud, First Assistant Civil State's Attorney.

Motion by Gordon/Renner to recommend approval of the agreement between McLean County and DevNet Inc. for the purchase of the Property Tax Administration Software.
Motion carried.

Chairman Sweeney announced the next item for action is a request of approval for an amended policy for acceptable use of the internet and electronic mail facilities provided by McLean County to employees. Chairman Sweeney asked Mr. Nelson to present his second item for action.

Mr. Nelson noted that an updated copy of the policy had been distributed to each Member. He apologized for submitting a draft copy for the agenda packet. The minor adjustments to the policy are located in sections 3.7.3 and 4.4. Mr. Nelson noted these changes address the personal advertising that takes place on the bulletin boards provided by the County's e-mail system.

Motion by Renner/Berglund to recommend approval of the Amended Policy for Acceptable Use of Internet and Electronic Mail Facilities Provided by McLean County to Employees.

Mr. Gordon asked Mr. Nelson about the change in the second section. Mr. Nelson responded that Section 4.4 was simply an addition to the policy to further clarify the appropriate use of the County Comments and General Information bulletin boards.

Motion carried.

Chairman Sweeney stated the next item for action is a request for approval of the purchase for personal computers under the State Bid Contract. Chairman Sweeney asked Mr. Nelson to present his third item for action.

Mr. Nelson informed the Committee that he was requesting approval to purchase 100 personal computers under the Illinois State Bid Contract.

Motion by Renner/Bostic to recommend approval of the request for the Purchase of 100 Personal Computers under the State Bid Contract.
Motion carried.

Chairman Sweeney asked Mr. Eric Ruud, First Assistant Civil State's Attorney to present the request for approval of the proposed Officials and Employees Ethics Ordinance.

Mr. Ruud informed the Committee that this item is an Ordinance which the County Board is mandated by State law to enact. It is derived from the State Officials and Employees Ethics Act, which was passed and became effective December 9, 2003. The law indicated that ethical conduct, political activities, and gift bans apply to State Officials and employees. The document also stated every local government must adopt the same Ordinance by May 19, 2004.

Mr. Ruud stated the Ordinance covers two items: prohibited political activity and gift bans. Mr. Ruud noted the County already has a Gift Ban Ordinance and the new Public Act reiterates the requirements already existing in the County Ordinance with minimal changes.

The second requirement is new and fairly comprehensive. This requirement deals with prohibited political activity. Mr. Ruud explained if you are an Officer, appointed or elected, or an employee, you cannot engage in any political activity while you are working on County time. This requirement only applies to certain County Officers, County Officials, and County employees. It does not apply to any Judicial Branch employees under the Illinois Constitution.

Mr. Ruud stated that the County is now required to have an Ethics Advisor. The County is also required to have an Ethics Commission of three members. Mr. Ruud informed the Committee that there is already an Ethics Commission in place, which contains five members, so it will need to be reduced in size. The County Board Chairman will appoint the Ethics Advisor and the members of the Ethics Commission.

Motion by Renner/Bostic to recommend approval of the
McLean County Officials and Employees Ethics
Ordinance.

Mr. Segobiano noted that he read the penalties listed in the document and asked whom they would effect. Mr. Ruud stated that this depends on who files the complaint and the penalties would be considered on a case by case basis.

Mr. Ruud informed the Committee that he has a call into the Attorney General's Office on one item. In Article 2 it states "No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of McLean County in connection with any prohibited political activity." Mr. Ruud stated that a time-honored tradition in McLean County was to announce a person's candidacy for public office in the lobby of the Law and Justice Center, next to the Abraham Lincoln statue. He does not believe that can be done anymore under the proposed Ordinance.

Mr. Sorensen asked when Elected Officials are on compensated time. For example the Sheriff is a salaried official and is on call 24 hours a day, 7 days a week; the County Board Members are on call to their constituents 24 hours a day/7 days a week. Mr. Sorensen asked if Elected Officials now have to declare what hours they are working and what hours they are not. Mr. Ruud stated he did not know the answer to that question, but he will address the issue with the Attorney General.

Ms. Bostic asked Mr. Ruud about an Elected Official that has access to a company car and goes to a town for a parade. Mr. Ruud suggested not using the company car.

Mr. Gordon asked if a property is excluded if the County makes some financial contribution to that entity. Mr. Ruud responded if it is political under this Ordinance, then there is a problem. If it is not political, then there would not be a problem.

After much discussion, Mr. Renner, with the support from Ms. Bostic, withdrew his motion recommending approval of the McLean County Officials and Employees Ethics Ordinance.

Chairman Sweeney asked the Committee if they would like to move this item to a Stand-up Meeting on May 18, 2004 before the County Board Meeting. This would allow Mr. Ruud the time necessary to get some questions answered by the Attorney General's Office. All members agreed to have this item moved to a Stand-up Meeting on May 18, 2004.

Mr. Tari Renner, Chairman of the Justice Committee, noted that the Justice Committee brings one item for action to the Committee. It is a request to approve an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2004 Combined Annual Appropriation and Budget Ordinance General Fund 0001, Coroner's Department 0031. He stated that this involves the receipt of \$1,236.21 from the State's Death Certificate Surcharge Fund.

Motion by Renner/Gordon to recommend approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2004 Combined Annual Appropriation and Budget Ordinance General Fund 0001, Coroner's Department 0031.
Motion carried.

There were no further questions for Mr. Renner.

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

There were no further questions for Mr. Gordon.

Ms. Diane Bostic, Chairman of the Property Committee, noted that the Property Committee brings one item for action to the Executive Committee. The Property Committee is requesting approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2004 Combined Annual Appropriation and Budget Ordinance McBarnes Building Capital Lease Fund 0350, McBarnes Building Department 0085. The sale of the McBarnes Building did not occur in Fiscal Year 2003 as expected; however, the sale did close in 2004. Since the Adopted Fiscal Year 2004 Budget did not include revenues or expenses for the McBarnes Building, the County Auditor, recommended that the revenues and expenses be accrued and then amend the Fiscal Year 2004 budget after the sale had been completed.

Motion by Bostic/Hoselton to recommend approval of the request of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2004 Combined Annual Appropriation and Budget Ordinance McBarnes Building Capital Lease Fund 0350, McBarnes Building Department 0085.
Motion carried.

Ms. Bostic wanted to inform the Executive Committee that all of the repairs to the Law and Justice Center from last year's explosion are now complete.

There were no further questions for Ms. Bostic.

Mr. Duffy Bass, Chairman of the Transportation Committee, noted the Committee brings no items for action to the Executive Committee.

Mr. Matt Sorensen, Chairman of the Finance Committee, noted that the Finance Committee brings six items for action to the Committee. Mr. Sorensen stated the first item for action is a request for approval of an Ordinance of the McLean County Board Amending the 2004 Combined Appropriation and Budget Ordinance for Fund 0107 in the Health Department. Mr. Sorensen stated that this is a grant for the public information, marketing and control of public information and marketing control of the West Nile Virus.

Motion by Sorensen/Berglund to recommend approval of the Ordinance of the McLean County Board Amending the 2004 Combined Appropriation and Budget Ordinance for Fund 0107 in the Health Department in the Health Department. Motion carried.

Mr. Sorensen presented a request to approve an Ordinance of the McLean County Board Establishing the Annual Salary of the Circuit Clerk, Coroner, County Auditor, and the County Recorder. This would set the salaries for these four offices for the next four years beginning January 1, 2005.

Motion by Sorensen/Bostic to recommend approval of an Ordinance of the McLean County Board Establishing the Annual Salary of the Circuit Clerk, Coroner, County Auditor, and the County Recorder.

Chairman Sweeney asked if there was any discussion on this topic.

Mr. Hoselton stated that the Finance Committee recommends a 4% annual increase for these elected officials. He stated a 16% increase over a four-year period is excessive. Mr. Hoselton commented that he does not understand how the Finance Committee came up with the increase. He noted that the employees working for the County would not receive a 4% increase. Mr. Hoselton also stated that he believes people do not run for an elected office for a large salary.

Mr. Sorensen replied that, on average the employees, union and non-union, receive better than a 4% annual increase. The annual increase includes an across the board increase, a merit increase, and for some, a longevity increase. Elected Officials do not receive merit or longevity increases.

Mr. Segobiano stated he did not believe that merit and longevity increases should be part of the equation. Employees must earn merit increases and, therefore, should not be considered part of the overall compensation package. He stated some employees might receive a 2% merit increase while others may not receive a merit increase at all.

Mr. Renner stated that he agrees with Mr. Hoselton because in a time when budgets are tight, Elected Officials need to recognize they are performing their duties for the broader public service. He also recognizes the point Mr. Sorensen made where employees are generally compensated at a level higher than 4% including merit and longevity increases.

Mr. Lindberg stated unions are averaging 2.8% to 2.9% cost of living increases with the lowest longevity increase at about 1.45%. Therefore, the lowest annual increase would be about 4.25%. In union contracts, the longevity increase is automatic. Merit increases all have to be earned.

Mr. Segobiano stated all the County publicizes is the cost of living increase. The merit and/or longevity increases are not publicized.

Chairman Sweeney stated he could remember a time when the Chief Deputy or third person in some departments made almost as much, and, in some cases more than the Department Head and/or Elected Official. The Finance Committee, under the direction of the County Board, has tried to address this issue.

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Mr. Renner asked if there was a danger of that happening, again, in the near future. Chairman Sweeney stated it depended on the final action recommended by the Executive Committee and the Board. He estimated that it could take 10 years for that to happen again, or it could be less.

Mr. Hoselton asked if there was a cap on the salaries for the Elected Officials. Mr. Lindberg advised the Committee there was not a cap on the salaries for Elected Officials.

Chairman Sweeney asked if there were any further comments or questions. Hearing none, Chairman Sweeney called for a vote on the previous motion.

Motion failed on a vote of 3 "Yes" and 4 "No".

Mr. Zeunik stated the Committee needs to set a salary and it has to be done in at the May County Board Meeting. He informed the Committee that Elected Officials salaries need to be set 180 days before they take office.

Mr. Bass stated he has often thought that some people are grossly under paid. He feels that the Elected Officials should be satisfied with where they are in terms of salaries.

Mr. Zeunik noted a number of years ago, 1996 or 1998, the Executive Committee and the County Board changed how the salaries for the Elected Officials are set. Previous to that, all of the County Elected Officials were paid a unique salary. The Sheriff was ranked as the highest, followed by the County Treasurer, the Circuit Clerk, the County Clerk, the County Auditor, the County Recorder, the County Coroner and every salary was different.

The new policy established three bands. The top band is the salary for the Sheriff, and the Sheriff continues to stand-alone. The second band is the County Treasurer, County Clerk, and the Circuit Clerk. The goal for the second band is for the three salaries to be exactly the same and the salaries for these elected officials would move in sync. The County Treasurer, County Clerk, and the Circuit Clerk are generally referred to as the Constitutional Offices, or the major offices. The minor offices including the County Auditor, the County Recorder, and the County Coroner created a third band. The salaries for the third band are also the same.

Motion by Renner/Gordon to reconsider the previous motion to recommend approval of an Ordinance of the McLean County Board Establishing the Annual Salary of the Circuit Clerk, Coroner, County Auditor, and Recorder.

Motion Carried.

Motion by Sorensen/Renner to recommend approval of an amended Ordinance of the McLean County Board Establishing the Annual Salary of the Circuit Clerk, Coroner, County Auditor, and Recorder with following annual increases for the next four years: Circuit Clerk would receive an increase of 4.0% in 2005, 4.0% in 2006, 2.9% in 2007, and 2.9% in 2008; the Coroner, the Auditor, and the Recorder would receive an increase of 2.9% in 2005, 2.9% in 2006, 2.9% in 2007, and 2.9% in 2008.

Motion carried.

Motion by Sorensen/Renner to recommend the approval of an Ordinance of the McLean County Board Establishing the Annual Salary of the Circuit Clerk, Coroner, County Auditor and Recorder as amended.

Motion carried.

Chairman Sweeney asked that the record show he did not vote on any of the previous three motions.

Mr. Sorensen stated he would address the next two action items together. The first request is for the Approval of an Ordinance Providing for the Abatement of a Direct Annual Tax Sufficient to Pay the Rent Payable Under a Lease Agreement to be Entered into by and between the Public Building Commission of McLean County, and the County of McLean, Illinois, and the City of Bloomington, Illinois, as Lessees. The second item is the request for Approval of an Ordinance Providing for the Abatement of a Direct Annual Tax Sufficient to Pay the Rent payable Under a Lease Agreement to be Entered into by and between the Public Building Commission of McLean County, Illinois, as Lessor, and the County of McLean, Illinois, and the City of Bloomington, McLean County, Illinois, as Lessees.

When the PBC sold the bonds for the purchase and renovation of the Government Center and established a payment schedule, the County had to act in a way that would suggest the entire bond payment would be made by the County. The County needs to abate the part of the payment that is the City's responsibility and the City of Bloomington will abate the part of the payment that is the County's.

Motion by Sorensen/Bostic to recommend approval of an Ordinance Providing for the Abatement of a Direct Annual Tax Sufficient to Pay the Rent Payable Under a Lease Agreement to be Entered into by and between the Public Building Commission of McLean County, and the County of McLean, Illinois, and the City of Bloomington, Illinois, as Lessees and of an Ordinance Providing for the Abatement of a Direct Annual Tax Sufficient to Pay the Rent payable Under a Lease Agreement to be Entered into by and between the Public Building Commission of McLean County, Illinois, as Lessor, and the County of McLean, Illinois, and the City of Bloomington, McLean County, Illinois, as Lessees.
Motion carried.

Mr. Sorensen presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2004 Combined Annual Appropriation and Budget Ordinance County General Fund 0001, County Recorder's Office 0006, and the County Recorder's Document Storage Fund 0137, County Recorder's Office 0006. He noted this is to extend the employment of a temporary employee for the last 6 months of the year.

Motion by Sorensen/Gordon to recommend approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2004 Combined Annual Appropriation and Budget Ordinance County General Fund 0001, County Recorder's Office 0006, and the County Recorder's Document Storage Fund 0137, County Recorder's Office 0006. Motion carried.

Mr. Sorensen presented a request for approval of McLean County Revised Code Budget Policy Resolution and attached Schedule A, Calendar for Preparation of the Fiscal Year 2005 Budget, Five-Year Capital Improvement Budget, and Recommended Three-Year Budget. This is the policy by which the budget will be prepared for Fiscal Year 2005.

Motion by Sorensen/Bostic to recommend approval of the McLean County Revised Code Budget Policy Resolution and attached Schedule A, Calendar for Preparation of the Fiscal Year 2005 Budget, Five-Year Capital Improvement Budget, and Recommended Three-Year Budget.
Motion carried.

Mr. Sorensen presented the Finance Committee's items for information. Chairman Sweeney asked if there were any further questions for Mr. Sorensen. Chairman Sweeney asked if the Executive Committee would like to discuss item "e" under the Finance Committee's "Items to be presented for Information". Chairman Sweeney stated he feels the Executive Committee needs to address this issue.

Mr. Sorensen informed the Committee this item is on the agenda for the Executive Committee as an informational item because the Finance Committee was not able to come up with a recommendation at their regularly scheduled meeting. The Finance Committee will address the item at a Stand-up Meeting prior to the County Board Meeting on May 18, 2004.

Mr. Sorensen gave a brief synopsis to the Committee on what was discussed at the Finance Meeting. Some members observed that, historically, the County Board has not adjusted the County Board's salary for 10, 12, 14 years and then when the salary was adjusted, the increase is reported as a huge percentage increase. The debate focused on whether in the interest of good government, the Board should take small and reasonable increases on an annual basis.

The Finance Committee came up with 2 options. The first option, Option A, was starting with the next election cycle where the 10 members to be elected receive a 2.5% increase per year. Option B was to hold off approving any increase until 2007 and then all members would receive a 2.5% increase.

Mr. Segobiano stated that he likes the concept. When you increase a salary gradually, it makes it more palatable to the public.

Mr. Gordon agreed with Mr. Segobiano's comments.

Mr. Sorensen asked the Executive Committee for some direction as to which option they would like to see the Finance Committee approve. The Executive Committee was split on the two options.

Chairman Sweeney asked John Zeunik for the report from the County Administrator.

Mr. Zeunik stated he placed a press release at each member's seat concerning the Innovations of American Government Award. The McLean County Juvenile Detention Center was one of seven Juvenile Detention Centers in the Country selected in 1998 to be a part of the Performance Based Standards for Youth Correction in Detention Facilities. The McLean County Juvenile Detention Center has participated in the program since 1998. This program has now been nominated for an Innovation of American Government award.

The final item Mr. Zeunik brought to the Committee's attention was that the outside auditor's are nearly finished. The Treasurer's Office has advised that for FY 2003, in the County's General Fund, revenues came in at 100.01% of budget and expenses were at 98.68% of budget.

With no other questions for Mr. Zeunik, Chairman Sweeney asked if there was any other business or communications for the Committee. With none heard Chairman Sweeney presented a request for a transfer of funds in the amount of \$3,000.00 for the Information Services Department.

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Motion by Hoselton/Bostic to recommend approval of the transfer of funds in the amount of \$3,000.00.
Motion carried.

Chairman Sweeney presented the April 30, 2004 bills as recommended and transmitted by the County Auditor for payment. The fund total for the month is \$296,4381.66.

Motion by Gordon/Bostic to recommend approval of the Bills as of April 30, 2004 as recommended and transmitted presented by the County Auditor for payment
Motion carried.

There being no further business to come before the Committee, the meeting was adjourned at 6:00 p.m.

Respectfully Submitted,

Karina L. Bak
Recording Secretary