

Minutes of the Executive Committee Meeting

The Executive Committee of the McLean County Board met on Tuesday, June 12, 2001 at 4:30 p.m. in Room 700, Law and Justice Center, 104 West Front Street, Bloomington, Illinois.

Members Present: Chairman Sweeney, Members Sommer, Sorensen, Salch, Bass, Gordon, Segobiano, Berglund, Pokorney

Members Absent: None

Other County
Board Members
Present:

Members Selzer, Renner, Rodman, Owens, Nuckolls

Staff Present:

Mr. John M. Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator; Ms. Martha B. Ross, County Administrator's Assistant, County Administrator's Office

Department Heads/
Elected Officials

Present:

Mr. Craig Nelson, Director, Information Services;
Ms. Jackie Dozier, County Auditor

Others Present:

Mr. Todd Thompson, TRW

Chairman Sweeney called the meeting to order at 4:34 p.m. Chairman Sweeney presented the minutes of the May 8, 2001 meeting for approval.

Motion by Sommer/Pokorney to approve and place on file the minutes of the May 8, 2001 meeting. Motion carried.

The minutes of the May 8, 2001 meeting were approved and placed on file as presented.

Chairman Sweeney, on behalf of the members of the Executive Committee and Board Members and staff present, extended a warm welcome to Member Bass. Mr. Bass is returning to robust health following a medical absence.

Chairman Sweeney, Chairman of the Executive Committee, presented the Chairman's recommendations pertaining to appointments and reappointments.

Motion by Bass/Pokorney to approve the Chairman's recommendations for Appointments and Reappointments as presented. Motion carried.

Chairman Sweeney asked for input from the Committee on the issue of the determination of a method of measurement for the degree of satisfaction by the public regarding the experimental change in the meeting time for the regular County Board meetings in August, September, and October, 2001. Mr. Zeunik commented on the historical background of the issue since it was last discussed. He explained that the issue was referred to the Executive Committee at the May 2001 County Board meeting for further discussion. At the May 2001 Executive Committee meeting there was discussion by Member Sorensen, who presented a suggestion that was offered during the May meeting of the Finance Committee. The matter was then referred to the Executive Committee, who ultimately referred it to the full Board for discussion in May. The full Board then remanded the issue back to the Executive Committee for discussion at the June meeting.

Chairman Sweeney asked for input from the members of the Committee. Mr. Segobiano commented that interest and attendance are driven by the specific items on the agenda for any given month. If there is sufficient interest in the items on the agenda, the public will make it a point to attend, regardless of the meeting time.

Mr. Bass remarked that there are staff considerations when changing the meeting time to outside the parameters of the regular work day. He noted that some staff will incur overtime and some staff may reside outside the limits of Bloomington-Normal, which would make travel in the evening less convenient.

Mr. Sommer stated that the change in a long-standing time for the County Board's regular meeting will result in inconvenience for people who have come to expect a regularity in that schedule. However, he noted that time will determine whether the change in meeting time will have any lasting positive effects.

Mr. Segobiano related that he received a comment from one County Department Head who remarked that it would have been nice if the Department Heads had been consulted about the proposed change in meeting time prior to its passage by the Board.

Mr. Gordon stated that he is in agreement with Member Segobiano in that it will be difficult to measure the success or lack thereof of the experiment in the change in meeting times, with sufficient objectivity. It is especially difficult to measure satisfaction among those who are not even in attendance. In fact, he commented, it would indeed be difficult to objectively measure public satisfaction with the current 9:00 a.m. meeting time. Mr. Gordon explained that he received a comment from a member of the media, saying that the change in meeting time may present some inconvenience to the radio-TV electronic media, in disseminating their reports on the monthly Board business in a timely and expedient fashion.

Chairman Sweeney asked whether there was a motion or further discussion on this item. There was no further discussion and no motion was made.

Chairman Sweeney presented the Resolution in Recognition of the Special Olympics Illinois State Summer Games 2001.

Motion by Gordon/Bass to Approve the Request for Approval of a Resolution in Recognition of the Special Olympics Illinois State Summer Games 2001. Motion carried.

Chairman Sweeney stated that he would like to recognize the Normal Community High School Girls' Softball Team with a Resolution of Congratulations in July 2001. The team won the State Girl's High School Softball title.

Mr. Zeunik presented the reapportionment status report. He explained that a problem that was encountered in the process of developing mapping alternatives. The 2000 census data is based on 34 voting precincts in the City of Bloomington. The City of Bloomington's Elections Commission redrew all of their voting precinct boundaries, showing a total of 41 precincts on their official map. The precincts and population did not match.

Mr. Zeunik explained that, with the help of State Farm's Research Department, new maps were printed at the census block level. That is the smallest increment that can be obtained from the U.S. Census Bureau. Maps were printed by census track and then by block within a census track, and each individual record was examined and matched, from block to precinct. The result of that item by item examination is that all population and precinct figures are now matched to the City's 41 voting precincts.

Mr. Zeunik stated that there are now 41 precincts in the database, and the population figures now match those precincts. Mr. Robert Trefzger can now proceed to develop possible solutions to the redistricting of Board Districts within the County, City of Bloomington ("Bloomington") and Town of Normal ("Normal").

Chairman Sweeney announced that he has tentatively set a Special Meeting of the Executive Committee for June 18, 2001 at 4:30 p.m. in Room 700 of the Law and Justice Center. The purpose of the meeting is to examine and consider the various maps of the possible solutions for redistricting. In the event that the maps are not physically available to be mailed to the Committee members on Friday, June 15th, they will be hand delivered to the Committee members on Monday, June 18th at whatever location each member specifies. He asked the Committee members to contact the Administrator's Office with their preference for delivery location.

Mr. Renner asked for an explanation of Mr. Trefzger's suggestion that the City of Bloomington be divided into 4 precincts, less the specific precincts of 11, 20 and 21, which are located in the South Central/East portion of Bloomington. Mr. Zeunik explained that this is an illustrative

example. Bloomington's population is such that the City should have more than 4 districts, but they currently have just 4, with 2 members elected from each district. However, because of the level of population in the year 2000, Bloomington should now have 4.5 districts. Mr. Zeunik further explained that the only way to accomplish such a half district is to take some voting precincts that are located in Bloomington and attach them to a County district. In such an instance, the result is a district that contains population in Bloomington and population outside of Bloomington. Mr. Zeunik remarked that one effect of such a district with an amalgamated population is that one or both representatives could be elected from Bloomington.

Mr. Zeunik commented that one possibility is that 3 Bloomington precincts that are on the southeast side of Bloomington, precincts 11, 20 and 21, could be attached to rural Bloomington Township, which is immediately south of the city. That may be one possible solution to the need for 4.5 districts, which is dictated by the 2000 population count.

Mr. Renner remarked that when communities find themselves in a situation wherein they need to address population variances when redistricting, keeping together neighborhoods should be considered whenever possible. Mr. Zeunik stated that the 3 precincts mentioned are, in fact, located adjacent to one another. Therefore, that situation provides for a compact County Board district and provides for some similarity in that rural Bloomington Township is similar to the City of Bloomington because of the amount of subdivision development that has occurred in rural Bloomington Township. Mr. Zeunik explained that an objective is to offer possible solutions that lend themselves to cohesiveness within the locality.

Mr. Gordon asked whether the Special Meeting of the Executive Committee on June 18th is, at this time, a firm commitment. Chairman Sweeney responded that if documents are not ready and available, then committee and Board members can be notified of a cancellation.

Mr. Zeunik stated that Mr. Trefzger's goal is to provide all maps and any accompanying documents and materials prepared and ready for distribution by close of business on Friday, June 15th.

Mr. Owens asked how many maps would be provided. Mr. Zeunik responded that there will be 5-6 alternatives provided for each problem. In other words, there will 5-6 choices for the rural County, 5-6 for the City of Bloomington, and 5-6 for the Town of Normal.

Mr. Craig Nelson, Director, Information Services, presented a request for approval of an Interagency Grant Agreement with the Illinois Criminal Justice Information Authority for Automated Disposition Reporting with regard to the Integrated Justice Information System. He explained that there is a 25% cash match on this Agreement and the Authority is willing to provide \$104,712.00 with McLean County's match being \$34,904.00. Funds are available in the Contract Services Budget Line, which is used to pay for services provided by TRW. TRW will be performing the work that is to take place to fulfill the requirements of the contract.

Mr. Nelson explained that the work to be accomplished is development of an automated disposition reporting application for the Circuit Clerk's office. The Circuit Clerk's Office will replace manual filing of dispositions in criminal, traffic and felony cases with a simple automated procedure. In addition to increased efficiency, more accurate information will be provided to the Courts as dispositions must be filed in a timely manner with the State of Illinois.

Motion by Berglund/Sorensen to approve the Interagency Grant Agreement with the Illinois Criminal Justice Information System Authority for Automated Disposition Reporting.

Mr. Gordon noted that the estimated start date on the face of the contract is May 1, 2001 and the implementation schedule refers to May approval dates. He asked whether those dates are revised to July 2001. Mr. Nelson responded that the grant requires a Work Order with TRW that was approved by the Justice Committee in June 2001 so that work could commence. The Interagency Grant Agreement was anticipated a few months ago, and that is why the May date appears on its face. He stated that final approval was sought before committing actual dollars to the project.

Motion carried.

Mr. Sorensen, Chairman of the Finance Committee, stated that the Committee had no items for Committee action.

Mr. Salch, Chairman of the Property Committee, stated that the Committee had no items for Committee action. However, he stated that he was approached by Mr. David Selzer, a member of the Property Committee, who would like to address the Committee regarding the issue of the usage of the McBarnes Memorial Building. Chairman Sweeney asked whether Mr. Selzer would make his presentation under the Property Committee's report or under the heading of Other Business and Communications. Mr. Salch responded that Other Business and Communications would be the most appropriate forum.

Mr. Joseph Sommer, Chairman of the Justice Committee, presented a Request for Approval of an Amendment to Illinois Criminal Justice Information Authority Agreement for Salary Increases in the Children's Advocacy Center.

Motion by Sommer/Pokorney to approve the request for an Amendment to Illinois Criminal Justice Information Authority Agreement for Salary Increase in the Children's Advocacy Center. Motion carried.

Mr. Sommer presented a request for approval of Interagency Agreements for the Bulletproof Vest Partnership Program with various local agencies.

Motion by Sommer/Pokorney to approve Interagency Agreements for the Bulletproof Vest Partnership Program with the Town of Normal, Village of Hudson, City of LeRoy, Village of Gridley, Village of McLean, and Village of Stanford. Motion carried.

Mr. Sommer noted that the Justice Committee would have three additional items to present to the full Board at its June 2001 meeting.

Mr. George Gordon, Chairman of the Land Use and Development Committee, presented a Request for Approval of an Intergovernmental Agreement for the Administration of a Solid Waste/Waste Reduction Program.

Motion by Gordon/Sommer to approve the Intergovernmental Agreement for the Administration of a Solid Waste/Waste Reduction Program.
Motion carried.

Mr. Gordon asked whether Member Sorensen had a question regarding the Intergovernmental Agreement that was inadvertently missed prior to the vote. Mr. Sorensen stated that it is a positive situation that local costs of this type are matched. Mr. Gordon asked whether Mr. Sorensen was referring to the fact that costs will be shared among the City of Bloomington, Town of Normal, and County of McLean. Mr. Sorensen responded affirmatively.

Mr. Bass, Chairman of the Transportation Committee, presented a request for approval of Illinois Tomorrow Corridor Planning Grant Program Application. He explained that this grant application is in the amount of \$40,000.00, with the purpose being to develop an access management plan to use for the City of Bloomington, the Town of Normal, and McLean County to control access to roadways in a uniform manner. There currently exists, per the County's Comprehensive Plan, a limit of one access per half mile on Towanda-Barnes Road. Mr. Bass explained that this plan will address the other major roadways in high-volume areas of McLean County and Bloomington-Normal. This is a joint application which includes McLean County, City of Bloomington and Town of Normal. McLean County will function as the lead agency.

Motion by Bass/Salch to Approve the Request for Illinois Tomorrow Corridor Planning Grant Program Application.

Mr. Segobiano asked whether McLean County will act as a conduit with regard to the grant. Mr. Bass stated that McLean County is the lead agency.

Motion carried.

Mr. Bass presented a Request for Approval of an Intergovernmental Agreement Between the Village of Towanda and McLean County concerning railroad improvements. He noted that McLean County would administer the program and receive and disperse the funds.

Motion by Bass/Salch to approve the request for an Intergovernmental Agreement Between the Village of Towanda and McLean County with regard to railroad improvements. Motion carried.

Chairman Sweeney presented Other Business and Communications out of order so that the Executive Session with regard to the County Administrator's Annual Evaluation might be the last agenda item.

Mr. Selzer stated that at the June Property Committee meeting, there was a request from PATH to use additional space in the McBarnes Building. He noted that such a request prompted discussion regarding the long-term use of the McBarnes Building. The third floor has been out of use and vacant for the past ten years. He further noted that with the impending move of the Children's Advocacy Center into the Health Department Building, there will not be many tenants in the building.

Mr. Selzer remarked that needed capital improvements to the McBarnes Building, as well as to the Museum of History Building (Old Courthouse), will be very costly. He stated that the Email message he had sent out mentioned costs associated with possible renovations to the Museum of History Building. He asked for input from the Committee and noted that each of these buildings can be dealt with in a manner that hopefully preserves the attendant emotional and patriotic issues that surround each of the facilities. However, if the buildings are to be retained, they should be placed into productive use. If they are placed into productive use, there are costs associated with that stance that must be addressed.

Chairman Sweeney stated that Mr. Selzer had mentioned an Email which he previously sent out. He noted that all County Board members do not have Email service. Additionally, the Email message necessarily now becomes part of the public record, as the Board collectively, and all its members individually, must conform to the provisions of the Open Meetings Act as it relates to notice and communications. Mr. Selzer was instructed to make and distribute hard copies of the cited Email communication to all County Board members and members of the media who would customarily receive notice of McLean County Board proceedings and activities. The Email message can be categorized as a matter of public record.

Mr. Selzer commented that it was his understanding that he could post a message on an electronic bulletin board, and follow with a mailing to those who do not have access to Email without violating the Open Meetings Act. Chairman Sweeney responded that individual letters can be mailed to Board members, but a collective Email message directed to all Board members

is considered a matter of public record. Mr. Selzer then responded that it was his understanding that such a rule only applied to an electronic chat room or a bulletin board posting where there is also an attendant dialog. Chairman Sweeney stated that it does not matter where the posting is located.

Mr. Selzer stated that there should be no difference between a communication to all Board members sent via the U.S. mail and an Email message directed to all Board members. Chairman Sweeney responded that such communications are considered a matter of public record.

Chairman Sweeney then asked Mr. Selzer to explain the motion that was supposedly made at the Property Committee meeting regarding bringing the issue of building utilization to the Executive Committee. Mr. Salch responded that there was considerable discussion, but did not recall that a motion was made. Mr. Selzer concurred that he did not recollect that a motion was made although he would be happy to make one. It is his feeling that the issue is large enough that it should be brought before the Executive Committee for discussion.

Chairman Sweeney stated that the Executive Committee should only be consulted after the Property Committee had thoroughly discussed the issue. However, he asked whether any members of the Executive Committee have any questions or comments at this time.

Mr. Segobiano commented that, in his opinion, it is correct to address the issue, because there are many unknowns to be considered. He noted that he approached the same issue, within the context of the Property Committee, at roughly the same time as the LZT firm was hired to complete the Space Study of the Law and Justice Center. It was hoped at the time that a package presentation, which included the County's outlying buildings, would have been prepared, but this was not accomplished at that time. He remarked that the subsequent Comprehensive Space Study from LZT Associates, Inc. was not helpful with regard to this issue.

Mr. Segobiano stated that while he applauds Mr. Selzer for broaching the subject of space utilization in some of the County's outlying sites, the issue should be brought before the full County Board. He explained that this issue is not addressed in the County's Five-Year Capital Improvement Plan, and before asking the taxpayers for further funding, a comprehensive plan for the outlying buildings should be developed.

Mr. Selzer remarked that, although the Property Committee could ostensibly operate in a near vacuum, his objective was to initiate a discussion so that ideas could be expressed and suggestions explored prior to any action being taken. Chairman Sweeney stated that none of the County Board's Committees operate in a vacuum. The media is often present, as are members of the public. Issues progress through Committee action, through the Executive Committee, and the County Board.

Mr. Selzer stated that his only objective was to open a dialog and wanted to include all other members who would have input to contribute. Chairman Sweeney explained that the proper place for discussion of that issue is the Property Committee and it appeared that Mr. Selzer was bypassing the Property Committee because he could not get a definitive answer from them.

Mr. Salch stated that he felt that the subject of what to do with the McBarnes Building should not have been dealt with in a somewhat abrupt manner, without prior discussion. The legal aspects surrounding the issue should be explored first before open discussion. Mr. Salch remarked that, with regard to the Government Center Building on East Washington Street, his understanding was that an architectural firm would study the space in that building in conjunction with the City of Bloomington.

Mr. Salch noted that he felt that Mr. Selzer had independently consulted with people at the McBarnes Building and the Chamber of Commerce and Economic Development about changes in ownership of those properties and their willingness to accept it. He stated that he was not aware that such action was taking place until it was discussed at the June Property Committee meeting.

Mr. Zeunik stated that Illinois law is specific on the disposal of property by a local government. Property must be declared surplus before it can be disposed of. Once the property is declared surplus, there are specific requirements in the law as to how that property can be disposed of. He stated that the only experience he has had with such action was a motion brought before the Property Committee that was approved and recommended to the Board. It was initially approved by the Board and would have declared the McBarnes Building as surplus. Before the second step of advertising for sealed bids for the sale of the property could commence, the motion was brought back at the following Board meeting for reconsideration. Subsequently, the decision was made not to declare the McBarnes Building as surplus, but rather for the County to retain ownership of that building.

Mr. Zeunik explained that the Property Committee discussed the issue of disposal of the McBarnes Building and, at that time, that Committee made the recommendation to dispose of the building through a sealed bid process.

Chairman Sweeney remarked that his understanding of the process included an appraisal of the building, then the sealed bid process to effectuate the sale could be pursued. Additionally, the actual selling price must closely conform to the selected bid price.

Mr. Zeunik commented that the objective is to comply with caselaw findings that indicate that any such property disposal transactions must be "at arm's length." In other words, the government cannot sponsor a bid process or disposal process that favors, in fact or appearance,

any one entity over another. The government may also not determine that the appraised value is lower than it actually is, for purposes of disposal of that property.

Mr. Salch commented that he is very hesitant to be a party to sidebar conversations about what actions can and cannot be taken. Procedures should be followed so that all are on the same page.

In the case of the discussion at the June Property Committee meeting, the procedure was not addressed adequately. Therefore, his recommendation was to bring the issue to the Executive Committee for either their discussion, or for recommendation to the full Board.

Mr. Zeunik explained that the Public Building Commission ("PBC") will be the owner of the new Government Center Building located at 115 East Washington Street. They next meet on the last Tuesday of June 2001. The contract for architectural engineering services for that building will be discussed at that meeting. Once that contract is approved by the PBC, architects and engineers will be available to assist the Elected Officials, Department Heads, members of the Property Committee, and the staff to begin to study the space considerations for that building. That service will also include the needs of the City of Bloomington's departments that will occupy that building.

Mr. Sommer remarked that Mr. Salch need not apologize for taking action in some fashion because surplus property is an issue that should be dealt with. He stated that, as a Board member, he would welcome the preliminary work that the Property Committee would do, which would ultimately result in a recommendation for the Board's consideration.

Mr. Segobiano stated that disposing of County property is not a difficult process and has gone smoothly in the past. Three of the current Property Committee members are new Board members and there is an attendant learning process in order to gain experience. With regard to the new building, it will require considerable expense to renovate that building. He asked where the renovation estimate came from. Mr. Zeunik responded that the cost for renovation came from a determination of projected cost per square foot. The combined efforts of the Facilities Management staffs for the City of Bloomington and McLean County worked together to examine the building and determine that estimate. Mr. Segobiano stated that such information was made public prior to any consent from the Board, and should not have been made public prior to being presented to the Board.

Mr. Sommer noted that the estimate was merely that, an estimate. Mr. Segobiano responded that the issue concerned an elected body, which was not privy to information prior to that information becoming public.

Mr. Sorensen stated that the financing recommendation included a cost per square foot amount for renovation. Mr. Selzer stated that the newspaper article to which Mr. Segobiano is referring

came out prior to anyone on the Board being notified that the building was under consideration for purchase.

Mr. Selzer thanked all of the members present for listening to his suggestions regarding the McBarnes Building and potential disposal of surplus County property. He apologized to Mr. Salch in the event that his actions placed the Property Committee Chairman in an awkward position. He stated again that his objective was to open a dialog.

Chairman Sweeney presented the bills and transfers as recommended by the Auditor's Office for approval.

Motion by Berglund/Bass to approve the bills and transfers as recommended by the Auditor's Office. Motion carried.

Motion by Sorensen/Salch to move into Executive Session to conduct the Annual Performance Evaluation of the County Administrator. Those requested to remain include the Executive Committee and Board Members present, and Mr. John M. Zeunik, County Administrator. Motion carried.

The Committee went into Executive Session to conduct the Annual Performance Evaluation of the County Administrator at 5:23 p.m.

The Committee came out of Executive Session and returned to regular session at 6:15 p.m.

Chairman Sweeney asked for a motion.

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Motion by Sommer/Sorensen to recommend that the Employment Agreement with Mr. John Zeunik, County Administrator, be extended for a period of five (5) years, that the retirement package provided for Mr. Zeunik be increased to the legal limit (\$8,500) under current federal law, and that the Board approve a one-time bonus of \$3,500.00 for Mr. Zeunik. Motion carried.

There being no further business to come before the Committee, the meeting was adjourned at 6:25 p.m.

Respectfully submitted,

Martha B. Ross
Recording Secretary