

## Minutes of the Executive Committee Meeting

The Executive Committee of the McLean County Board met on Tuesday, February 13, 2001 at 4:30 p.m. in Room 700, Law and Justice Center, 104 West Front Street, Bloomington, Illinois.

Members Present: Chairman Sweeney, Members Segobiano, Berglund, Sorensen Gordon, Pokorney

Members Absent: Vice Chairman Sommer, Members Salch, Bass

Other County  
Board Members  
Present:

Members Emmett, Bostic, Kinzinger

Staff Present:

Mr. John M. Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator; Mr. Eric Ruud, Chief Civil Assistant State's Attorney; Ms. Martha B. Ross, County Administrator's Assistant, County Administrator's Office

Department Heads/  
Elected Officials  
Present:

Mr. Craig Nelson, Director of Information Services

Others Present:

Mr. Drew Bergenthal, Environmental Manager, American Disposal Services, Inc.; Mr. Daniel J. Winters, General Manager, American Disposal Services, Inc.; Mr. Douglas W. Mauntel, P.E., Project Engineer, Andrews Environmental Engineering, Inc.; Mr. Derek R. Mauntel, Environmental Engineer, Andrews Environmental Engineering, Inc.

Chairman Sweeney called the meeting to order at 4:30 p.m. Chairman Sweeney presented the minutes of the January 9, 2001 meeting for approval.

Motion by Sorensen/Pokorney to approve and place on file the minutes of the January 9, 2001 meeting. Motion carried.

The minutes of the January 9, 2001 meeting were approved and placed on file as presented.

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

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

Mr. Segobiano asked whether the proposed appointment to the Zoning Board of Appeals was the only candidate name submitted. Chairman Sweeney responded that at the time the recommendation was made, the name submitted was the only one that was submitted. He explained that there was one additional name submitted after the deadline. Chairman Sweeney stated that the date for expiration of the term of appointment to the Zoning Board of Appeals is incorrect in the agenda. The correct date for the expiration of the remainder of the five-year term of appointment is June 30, 2005.

Mr. Emmett stated that he will vote "present" with regard to the proposed appointment to the Zoning Board of Appeals.

Mr. Segobiano asked whether another individual, whose name was proposed too late to be submitted to the Executive Committee, could still be considered for appointment by the full Board. Chairman Sweeney responded that appointments are presented to the Executive Committee by the Chairman. Mr. Segobiano noted that appointments are subject to the advice and consent of the Board.

Chairman Sweeney stated that he could submit the name of the second individual who applied for appointment to the Zoning Board of Appeals. The full Board could then make the final determination at its next regularly scheduled meeting.

Mr. Segobiano stated that, without knowing that there are other possible candidates, there is no choice to be made. He noted that, if there are multiple candidates for appointments, the Board should be informed as to whom those candidates are before giving its advice and consent. In that way, there is opportunity for debate if there is any opposition to any of the candidates.

Ms. Berglund asked what is Mr. Segobiano's objection to the proposed candidate.

Mr. Segobiano responded that he had no specific objection to the proposed candidate. Rather, he objected to the process of proposing names for appointments and allowing the Board to be aware of names other than those that appear on the agenda.

Chairman Sweeney stated that the approval of the second individual interested in appointment to the Zoning Board of Appeals should be obtained prior to presenting his name to the full Board for consideration.

Mr. Gordon asked whether the second individual's name was submitted prior to the deadline for publishing in the Executive Committee agenda. If not, there may be no alternative but to discount that submission. Chairman Sweeney stated that the second name had not been submitted in a timely fashion.

Mr. Gordon asked whether the Board could reopen consideration in order to consider other candidates for appointment to the Zoning Board of Appeals. Chairman Sweeney responded that the Board may do so. However, the Rules Committee will need to address any changes in the Board Rules in order to accommodate such action.

Mr. Sorensen stated that the Rules Subcommittee met on February 12, 2001 and is working on changes to rules governing appointments to the Board. He noted that the appointment amendments could be expanded to include other types of appointments as well. He explained that the County Board Chairman makes a large number of appointments each year for a wide variety of boards, and not all such appointments may require close scrutiny.

Mr. Segobiano stated that there are certain specific appointments that the full Board should be informed about. He further stated that appointments having taxing authority should be presented to the Board for examination. Mr. Sorensen requested that members of the Executive Committee and the Board delineate the specific appointments that they would like to examine further, and submit their thoughts to the Administrator's Office for addition to the Rules Committee agenda for the March 2001 meeting.

Motion to approve Chairman's appointments carried. Mr. Emmett voting "present."

Mr. Eric Rudd, Chief Civil Assistant State's Attorney, introduced Mr. Drew Bergenthal, Environmental Manager for American Disposal Services, Inc., which operates the McLean County landfill on the west side of Bloomington-Normal. That landfill site was first operated in the 1970s by the Nord family and has experienced successive changes in ownership since that time.

Mr. Rudd stated that the County Board has been asked by the Illinois Environmental Protection Agency (IEPA) to render a decision on whether a landfill pollution control site hearing is necessary. A Power Point presentation has been prepared to inform the Committee as to the issues.

A Power Point presentation was presented by Mr. Drew Bergenthal and Mr. Dan Winters of American Disposal Services, Inc. and Mr. Douglas Mauntel and Mr. Derek Mauntel of Andrews Environmental Engineering, Inc. regarding the present state of the Mclean County landfill and the proposed changes to the site (Included as Appendix 1).

At the conclusion of the Power Point presentation, Mr. Segobiano asked whether the drainage of the facility will have no negative impact on the environment. Mr. Bergenthal responded that the EPA guarantees that there will be no impact from drainage, as reported in the National Pollution Discharge and Elimination System report. There is only one hill to monitor in the proposed configuration and there is no drainageway between two landfill units.

Mr. Pokorney asked if there were identified drainage problems elsewhere in the facility. Mr. Bergenthal responded that the Final Grading Plan and Monitoring System slide shows the new drainage plan. All storm water and rain water that comes in contact with the facility will be rerouted to the pond.

Mr. Pokorney asked how water from other properties that invades the landfill site will be rerouted. Mr. Bergenthal answered that the perimeter berm that redirects the off-site surface water was done in cooperation with the Township Road Commissioner.

Mr. Gordon asked whether the EPA monitors the impact on the nearby creek. Mr. Bergenthal stated that any impact will reveal itself in the monitoring wells. Any invasion of water will show in the wells before it does so in the creek. He explained that there is a plan in place to address that situation in the event that it should arise.

Mr. Ruud explained that the existing site has a single adjacent neighbor. Mr. Winters stated that there have been several discussions with the Nord family who live in the vicinity of the facility. There is no objection to the proposed changes in the landfill site From the adjacent property owners.

Mr. Ruud explained that, in short, there are now two hills that will be pushed into one. Pursuant to law, the County Board has siting authority for either new landfills or expanding landfills. Expansion is defined as an area beyond the boundary of a currently permitted site. The present site predates the law. There have also been four site modifications over the years which were granted by the EPA without County Board involvement.

Mr. Ruud stated that there was only one site hearing in which the Board was involved. That hearing occurred in 1986 when a vertical expansion was considered. That site modification was approved.

Mr. Ruud explained that the current proposal is unusual in that two hills are to be combined into one hill, all within a currently-permitted waste footprint. This is permitted both vertically and laterally and there will be no increase in landfill capacity. Mr. Ruud stated that caselaw indicates expansion beyond the boundaries is not indicated in this situation. Therefore, a pollution control site hearing is indicated.

Mr. Ruud stated that the EPA wants to be sure that the Board does not wish to require a site hearing. Therefore, the EPA requests a letter from the Board stating that fact.

Motion by Segobiano/Berglund to Waive the Site Hearing for the  
Proposed Modifications to the McLean County Landfill.

Ms. Bostic asked what is the lifespan of the landfill with the proposed site modifications.

Mr. Bergenthal stated that the projected lifespan of the landfill is approximately 5 years.

Motion carried.

Mr. Sweeney presented the Resolution to Support Efforts Being Made to Oppose the Ceding of Property Rights. Mr. Gordon noted that the language of the resolution is much more succinct over the previous version.

Mr. Lindberg stated that a paragraph resolving to send a copy of the resolution to our legislative lobbyist, other parties of interest in Illinois government, United Counties and Metro Counties has been eliminated. Additionally, a paragraph indicating that the resolution be sent to all members of your legislative delegation, encouraging efforts of the County Board of Ford County have been changed. That section now reads, "McLean County supports and encourages efforts being made by the respondents and the State of Illinois."

Ms. Berglund noted that the issue is included in the Legislative packet that is currently being prepared. She further noted that the Executive Committee agenda contains a listing of the other Central Illinois counties that had passed resolutions supporting Ford County's efforts to oppose the ceding of property rights.

Motion by Berglund/Sorensen to approve the Resolution to Support Efforts Being Made to Oppose the Ceding of Property Rights.

Mr. Segobiano stated that the issue is still in litigation. The State of Illinois has provided support for property owners in this litigation. He remarked that he did not see the value in becoming involved in the issue.

Mr. Emmett stated that he failed to see value in the Board's involvement in the issue. He noted that the validity of the Plaintiff's claim has yet to be determined.

Motion carried. Mr. Segobiano and Mr. Emmett voting "No."

Mr. John Zeunik, County Administrator, presented the Intergovernmental Agreement between the Village of McLean and McLean County to Implement and Support an Integrated Justice Information System. He noted that there are currently adopted intergovernmental agreements between the County and Chenoa, Danvers and LeRoy. He explained that the provisions of this Agreement provide the Village of McLean the opportunity to implement the Police Incident Crime Report of the Integrated Justice Information System in Village's police department.

Motion by Gordon/Emmett to approve the Intergovernmental Agreement Between the Village of McLean and McLean County to Implement and Support an Integrated Justice Information System. Motion carried.

Mr. Craig Nelson, Director, Information Systems, presented the Request for Approval to Purchase Exchange Email Licenses under the U.S. Communities Contract. He explained that the County will soon have a new e-mail system that will be uniform throughout all County facilities. He further explained that the licenses and prices have already been through a formal bidding procedure.

Motion by Berglund/Pokorney to Approve the Purchase of Exchange Email Licenses under the U.S. Communities Contract. Motion carried.

Chairman Sweeney stated that the Committee would need to go into a Executive Session in the event that members wished to discuss any of the closed meeting minutes. He explained that if no discussion is warranted, a motion to accept the listing of open and closed minutes as presented and recommended by staff is in order.

Motion by Segobiano/Pokorney to decline further discussion and accept the listing of open and closed session minutes as presented. Motion carried.

Ms. P.A. "Sue" Berglund, Legislative Liaison, presented Legislative Briefing #1- 92<sup>nd</sup> Session of the Illinois Legislature. She noted that the issues outlined in the briefing represent ongoing issues that affect McLean County. She further noted that some of the issues have not yet been introduced in the legislature.

Ms. Berglund explained that the IMRF Health Insurance issue (HB 209; SB 100) would be an unfunded mandate. Therefore, McLean County stands in opposition to this issue. She remarked that the issue regarding bicycle liability (HB 602) is also not supported by McLean County. It is believed that the cost would be prohibitive.

Ms. Berglund presented a Resolution of the McLean County Board Requesting an Increase in the Medicaid Reimbursement Level for County-Owned Nursing Homes.

Motion by Berglund/Sorensen to approve the Resolution of the McLean County Board Requesting an Increase in the Medicaid Reimbursement Level for County-Owned Nursing Homes.

She explained that this issue has not been introduced in bill form yet. However, if it is eventually passed, the increase in reimbursement levels for all nursing homes, including state and federal reimbursement dollars, is estimated to be \$80 million. If only county-owned facilities are affected, the combined reimbursement is estimated to be \$4 million.

Mr. Sorensen stated that the Board is asking the State to reevaluate the Medicaid pay rates based upon actual expense audits. Payments are currently made on rates established in 1994, and it is requested that those rates be updated.

Mr. Segobiano stated that he would like to have additional time to consider this matter. Chairman Sweeney asked if there is a time frame that governs addressing this issue.

Mr. Lindberg stated that the Administrator's Office received a letter jointly signed by the Chairs of the Winnebago and McHenry County Boards requesting that McLean County join their efforts to seek to index Medicaid reimbursement rates to the current audit report, rather than the current audit report from 1994. The 1994 rate has only been adjusted by a modest cost of living increase annually since 1994. He noted the benefit to the McLean County Nursing Home.

Mr. Lindberg explained that the Committee may wish to consider the matter further prior to voting. He remarked that it is unknown at this time when the matter will come before the legislature for consideration.

Mr. Segobiano stated that the Resolution should be included in the February County Board packet to give the full Board time to carefully read and fully consider the issue prior to voting.

Motion by Segobiano/Emmett to table the motion to accept the Resolution of the McLean County Board Requesting an Increase in the Medicaid Reimbursement Level for County-Owned Nursing Homes to a stand-up meeting of the Executive Committee prior to the February County Board Meeting. Motion carried.

Mr. Nelson presented the monthly status report for the Information Services Department. He noted that interviews have been conducted for the open staff position and hope to have that position filled in the near future. He explained that the Email system is in the process of being converted. Public access is now available, via the IJIS system, to records in the Circuit Clerk's office, and public records in the Assessor's Office are also now available to the public. Mr. Nelson stated that a computer has now been installed for the Board of Review. He noted that there has been heavy use of the County's Internet site by the public as well.

Mr. Sorensen, Chairman of the Finance Committee, stated that the Finance Committee had no items for action. He noted a scrivener's error in the title of the Request for Approval of Pay Adjustments for Registered Nurses. The nurses referred to are located within the McLean County Health Department, and not the McLean County Nursing Home, as the title states.

Mr. Pokorney, Vice Chairman of the Justice Committee, presented a request for approval of an Emergency Appropriation Ordinance for the Public Defender's Violent Crime Defense Grant Fund.

Motion by Pokorney/Berglund to approve the Request for an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2001 Combined Annual Appropriation and Budget Ordinance, Public Defender's Office Violent Crime defense Grant Fund 0149, Public Defender's Office 0021. Motion carried.

Mr. Pokorney presented a request for approval of an Emergency Appropriation Ordinance for the Court Security Fund in the Sheriff's Office. He stated that this emergency appropriation is to address a shortfall in revenue in the Court Security Fund in the amount of \$71,563.00.

Motion by Pokorney/Emmett to approve the Request for an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2000 Combined Annual Appropriation and Budget Ordinance, Court Security Fund 0141, Sheriff's Department 0029, and the County General Fund 0001.

Mr. Gordon asked whether the request was for the Fiscal Year 2000 or Fiscal Year 2001. Chairman Sweeney stated that the Emergency Appropriation Ordinance is for Fiscal Year 2001.

Motion carried.

Mr. Gordon, Chairman of the Land Use and Development Committee, stated that the Committee has no items for Committee action.

Mr. Emmett, Member of the Transportation Committee, presented the request for approval of a Joint Agreement between the State of Illinois and McLean County regarding Illinois Route 9 at Jolly Lake Road and Covell Road. He explained that this agreement deals with improvement to the intersection at that location. He further explained that the project is initiated by the Illinois Department of Transportation (IDOT) and the estimated cost is \$1,600,000.00. Mr. Emmett stated that the project is being funded by \$1,140,000.00 in Federal safety funds, \$460,000.00 in IDOT funds, and \$7,000.00 in McLean County matching funds.

Motion by Emmett/Pokorney to approve the Joint Agreement between the State of Illinois and McLean County, Illinois regarding Illinois Route 9 at Jolly Lake Road and Covell Road. Motion carried.

Ms. Diane Bostic, Vice Chairman of the Property Committee, presented the Request for Approval of an Amendment to the Intergovernmental Agreement for Route 66 Bikeway Development and Maintenance. She stated that the projected 10% of grant funds from the Department of Natural Resources (DNR) were not available. In order to finance the preliminary

engineering, the project contributors are being asked to provide further funds. McLean County's share would be \$15,880.00. She stated that the Property Committee asks that the Executive Committee recommend approval to the full Board.

Motion by Bostic/Gordon to Approve the Amendment to the Intergovernmental Agreement for Route 66 Bikeway Development and Maintenance."

Mr. Segobiano remarked that maintenance and upkeep may continue to escalate and this may prove to be an expensive project.

Motion carried.

Ms. Bostic stated that the full Board packet will contain a request from the Children's Advocacy Center to move to a new location. They are requesting that their offices be allowed to move to available space in the 200 West Front Street Building. She requested that the Committee read and consider this information carefully.

Ms. Bostic remarked that Mr. Jack Moody, Director, Facilities Management, will have a report on utility costs for all Count facilities in the Board packet.

Mr. John Zeunik, County Administrator, introduced the Fiscal Year 2000 Summary of Emergency Appropriation Ordinances and Budget Amendment Ordinances from January 1, 2000 through December 31, 2001. He explained that, in the past, the Executive Committee had requested that this report be provided to the Committee in February and July of each fiscal year. He noted that there is also a summary provided by individual funds.

Mr. Zeunik stated that Fiscal Year 2000 was a good year in that the number of Emergency Appropriations and the dollar amounts were quite small. He explained that many of the changes were to grant funds.

Mr. Zeunik presented the Fiscal Year 2000 Summary Statement of Revenues, Expenditures and Final Balance for the Period Ending December 2000. He explained that the major operating funds of County government are compared between the Fiscal Years 1999 and 2000. In the General Fund, Fiscal Year 2000 finished the year at 102% of revenue, with expenses at 100.5%. Expenses listed as greater than the budget are as a result of budget amendments. During the year, the Board may approve budget amendments, such as grant funds received, which causes the Adopted Budget to increase. He noted that the General Fund adopted budget actually finished the Fiscal Year under budget.

Mr. Zeunik remarked that the major revenue line items are all contained in the County Board's budget. For the major revenue lines, the budget was well in line with projections. For the departments that generate revenue to the General Fund, a summary of was the adopted level and what the final revenue was by department.

Mr. Zeunik presented a summary of the largest funds, noting that this does not cover every fund within County government. The funds addressed in this summary are the Health Fund (revenue at 101% of budget, expenses at 98.5%), the Highway Fund (revenue at 94%; expenses at 82%), Tort Judgement Fund (revenue at 102%; expenses at 97%), McLean County Nursing Home (revenue at 104%; expenses at 97%) and MetCom (revenue at 100%; expenses at 93%).

Mr. Zeunik stated that all of the budget figures will be audited by the County's outside auditors and their report will be presented to the Finance Committee in June 2001.

Chairman Sweeney presented a letter from the Director of the Center for Governmental Studies at Northern Illinois University. The letter appoints Mr. Zeunik to the Editorial Advisory Board of the Center for Governmental Studies' periodical, *Policy Profiles*. Chairman Sweeney noted that it is an honor for Mr. Zeunik to receive such a distinction and speaks well of the Administrator's Office.

Chairman Sweeney presented the bills for Fiscal Year 2000 and for the month of January 2001.

Motion by Gordon/Berglund to approve both sets of bills as presented and recommended by the County Auditor.

Motion carried.

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There being no further business to come before the Committee, the meeting was adjourned at 5:30 p.m.

Respectfully submitted,

Martha B. Ross  
Recording secretary