

Minutes of the 2004 Annual Legislative Breakfast

The 2004 Annual Legislative Breakfast took place on Friday, January 23, 2004 at 7:00 a.m. in Room 700, Law and Justice Center, 104 West Front Street, Bloomington, Illinois.

Members Present: Legislative Sub-Committee Chairman Berglund, County Board Chairman Sweeney, Members Sorensen, Hoselton and Dean

Members Absent: Member Gordon

Other Members Present: Members Rackauskas and Cavallini

Staff Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator; Ms. Christine Northcutt, County Administrator's Assistant

Department Heads/
Elected Officials
Present:

Ms. Peggy Ann Milton, County Clerk;
Ms. Maria Pascua, Chief Deputy Clerk;
Mr. Jack Mitchell, County Engineer;
Mr. Phil Dick, Director, Department of Building and Zoning

Others Present: Senator Bill Brady, Representative Dan Brady, Representative Keith Sommer

Chairman Berglund called the meeting to order at 7:41 a.m.

Chairman Berglund began the meeting with introductions. She informed the Committee that Representative Bill Mitchell had sent his regrets and Mr. Bill Anderson, Anderson Legislative Services, is ill and will not be attending the meeting.

Chairman Berglund asked Mr. Sorensen to give a recap of last year's Annual Legislative Plan. Mr. Sorensen thanked the Legislators for all of their hard work in the past year. Mr. Sorensen stated that at the 2003 Legislative Breakfast the Committee outlined three major goals. The first goal was to help the County become partners with the State. The second was to help give County Government more control over their own fiscal destiny. The final goal was to help County Government find ways to improve efficiency and effectiveness.

Mr. Sorensen indicated that the County Board did take advantage of the change in State Law which allowed Counties to pass an Ordinance to increase Circuit

Court fees. It is expected to add an additional \$200,000.00 to the County's annual revenue.

Mr. Sorensen indicated that there are still some issues that need attention. There has been no luck with funding for dependent children care. The law was changed in 2003 to include local government entities in the assessment of Sewage Discharge Permit Fees. This has been a great burden to the County Highway Department and the Parks and Recreation Department. Mr. Sorensen also noted that the County shares concerns of the proposed sexual offenders management mandate. This would be an additional unfunded mandate and would be difficult for the County to manage when the Governor has cut the local revenue sharing by \$80 million Statewide.

Mr. Sorensen noted that he does not want to overshadow the positive accomplishments by Legislators in 2003. For example, the Homeland Security Law has been crucial and has offered significant support to local governments. The \$2.8 million radio grant is a great example

Chairman Berglund noted that she echoed that support and stated that the 2004 Legislative Plan is simple and straight forward. Chairman Berglund introduced Ms. Peggy Ann Milton, County Clerk.

Ms. Milton stated that the implementation of the Help America Vote Act (HAVA) 2002 has resulted some timing issues in the voting process. Ms. Milton stated that after the Illinois General Assembly enacted Senate Bill (SB) 428, came SB 82, which was proposed to clean up many issues that SB 428 brought about. Currently, SB 82 is sitting in the Rules Committee. Many of the mandates in SB 428 will apply to the March 16, 2004 election.

Ms. Milton stated that she has several concerns beginning with the party convention, scheduled for March 29th according to statute. With the new provisional voting rules, the voter has two days after the date of the election to verify that they had the right to vote if their right to vote in an election is challenged or disputed. The election authority has 14 days to determine whether or not the voter was right. Then the election authority has an additional 7 days to canvas the votes and certify the election. So the March 16th election would not have to be certified until April 6th, even though the party convention is scheduled for March 29th. In addition, Ms. Milton stated that previously, the final authority for voting disputes was the election judges, now it is delegated to the election authority.

Ms. Milton informed the Committee that there are also many unfunded mandates associated with this particular bill. One such mandate is a "Campaign Free Zone". Ms. Milton explained that the County Clerk's office will have to purchase

safety cones, at their expense, and place them 100 feet from the polling place to establish a campaign free zone. Ms. Milton stated that she feels the placement of the cones will invite people to campaign 100 feet away from the polling places. Furthermore, there are no funds to purchase, store or replace the cones.

Ms. Milton explained that another unfunded mandate is the requirement of an accessible voting machine in every polling place by the year 2006. First of all, there are no handicap accessible machines available that have been approved by the State Board of Elections. There are no funds available for the purchase of these machines. Finally, the legislature also wants to have a "paper trail" associated with this type of vote. Ms. Milton stated that defeats the purpose of the machine in the first place. Representative Brady complimented Ms. Milton for her hard work and exposure of this Act to the public and would support her efforts to amend this bill.

Chairman Berglund stated that the next issue will be presented by Sheriff Owens. Sheriff Owens stated that this is a revisit of an issue that was discussed last year. Sheriff Owens noted that Senator Shadid introduced SB 639. It was passed by both Houses and vetoed in the veto session. The bill proposes that rather than relying on the Sheriff's Department to transport detained mentally ill individuals to the nearest mental health facility, an ambulance service would transport and the Illinois Department of Human Services would pay the cost of the transport. This issue still needs attention. The basic premise is that the Sheriff should not have to transport, especially those people who are detained or arrested by other jurisdictions. Senator Brady asked Sheriff Owens how much this costs his office annually. Sheriff Owens replied that the cost is probably only \$10,000.00 - \$15,000.00 per year, but that is not the largest issue. The transport can take two officers out of commission from his department and leave his office shorthanded. There is also overtime to be paid which is unfunded. Representative Sommer stated that he supports Senator Shadid's and the Sheriff's efforts. Senator Brady stated that he echoed that sentiment.

Chairman Berglund advised that the next item for discussion will be presented by County Engineer, Mr. Jack Mitchell. Mr. Mitchell explained that under current law, collar counties can receive impact fees for Township Roads when developments affect those roads. There is another portion of the law that allows Townships to receive inducements for the improvement of a road. Mr. Mitchell proposed that Counties be added to that, so that when a development is proposed and the surrounding roads are inadequate to serve the development, funding can be acquired to improve those roads. Senator Brady asked Mr. Mitchell to define the term inducements. Mr. Mitchell replied that it is a term used in the current statute 605ILCS. It would be an amount of money determined through negotiation that would be needed and used to improve the road.

Senator Brady stated that he would appreciate some additional information before he would make a comment on this bill.

Mr. Mitchell stated that the next item that he would like to address is SB 275 which proposes "bicycle standards" for County and Township Roads. Mr. Mitchell stated that currently, bicycles can ride County and Township Roads. Mr. Mitchell noted that bicycle enthusiasts have been trying to make County Roads intended users for bicycles for years. Mr. Mitchell explained that this is a scheme by bicyclists and trial lawyers to establish liability so that a bicyclist can sue when they are injured on a County or Township road. Mr. Mitchell stated that in order to bring the roads to "bicycle standards", the County would have to pave a 5 foot shoulder on each side of the road, extend culverts, and widen bridges. These improvements would be done at the County's expense. Mr. Mitchell explained that one alternative is to post the roads "no bicycles", which is an additional expense in and of itself. Senator Brady asked if this was discussed last year. Mr. Mitchell replied that it was presented at the 2003 Legislative Breakfast. Senator Brady stated that he thought this was presented in the Senate and that the bill was watered-down and told that it was not going to extend liability to the Counties. Senator Brady stated that he would not support the bill if it extended liability.

Mr. Lindberg stated that the next item is HB 3828. This bill was an attempt to reverse a decision that was part of the Governor's Budget to increase fees for non-point discharge sewer systems. Unlike past fees, where local government was exempt, the NPDES fee included all local governments. As a result, in McLean County, we had to pay approximately \$4,000.00 annually between the fee for the sewage treatment facility at COMLARA Park and the sewers and culverts under the County Highway Department. HB 3828 proposes to exempt local governments from paying this fee and refund any fees paid in 2003. Mr. Lindberg stated that in addition to the hefty fees that are included with this process, the money is not being allocated back to the Illinois EPA Inspection Program. Senator Brady stated that he could sponsor legislation to do away with this fee, but that he is not optimistic, as the State Budget Director is pretty firm on this issue. Representative Sommer stated that there was a measure introduced in the House which passed, to do away with the local government fees.

Chairman Berglund stated that the last item will be presented by Mr. John Zeunik, County Administrator. Mr. Zeunik stated that the last item deals with City Election Commissions. Mr. Zeunik informed the Committee that there are two election authorities in McLean County. There is the City of Bloomington Election Commission and the County Clerk. The City of Bloomington Election Commission administers elections within the corporate boundaries of the City of Bloomington. Mr. Zeunik explained that currently there are nine local election authorities left in the State of Illinois.

Mr. Zeunik explained that the County's concern is that the County has absolutely no fiscal oversight over these Commissions whatsoever. There are three Commissioners who are responsible for conducting elections. State law provides that the County must provide funds to conduct Elections within the City of Bloomington. The funding must increase, every year, by the projected increase in the equalized assessed value. It has no relationship at all to the actual cost or expense of the conducting elections. Last year was a quadrennial assessment year, the projected Equalized Assessment Value (EAV) in McLean County is going to go up 6½%. The 2004 Bloomington Election Commission Budget is up 6½%. There is no detail to support that increase. Mr. Zeunik noted that the County is mandated to pay whatever personnel increases approved by the City of Bloomington Election Commission. Mr. Zeunik stated that he would venture to say that there are very few governments that authorize an 8.65% for their employees as did the City of Bloomington Election Commission for Fiscal Year 2004.

Mr. Zeunik noted that there is an Intergovernmental Agreement that states at the end of the year, the Bloomington Election Commission is supposed to return any monies which are unspent. Mr. Zeunik stated that for the last 4 years, the Commission has returned a "de minimus" amount to the County. Mr. Zeunik asked that, at a minimum, the State Legislature should put some accountability into the way these commissions operate.

Mr. Zeunik stated that he is aware that this is not an issue that will be resolved quickly as Representative Brady pointed out earlier this morning. There are other ways to resolve this issue. Currently, State law provides that if enough registered voters within the corporate limits of the City sign a petition and present that to the court, the question can be put on the ballot and the voters in the City can vote to abolish the City Election Commission and fold this responsibility under the County Clerk. This referendum question will be on the March 16th ballot in Peoria County.

Senator Brady stated that Sangamon County recently published a study showing a savings of \$300,000.00 a year over the last 10 years by eliminating their Election Commission. Senator Brady stated that this issue would best be served by having the County Board Members who live in the City of Bloomington initiate a referendum to be put on the ballot. Representative Brady stated that his observation would be that an election year is not the appropriate time to approach this issue. This is something that could be a "work-in-progress." Representative Brady stated that he believes that Ms. Char Stanford does a good job running that Commission. Mr. Zeunik stated that he would like to see, at a minimum, some accountability to the Finance Committee or another oversight Committee. Representative Brady stated that he would be happy to

discuss this issue in depth or be a part of an ad-hoc committee in the future. He stated that there are several issues that need to be studied before there is any action taken.

Senator Brady stated that he, politically, he does not want to take sides between two organizations who are pitted against one another. He offered that this issue would be best served by a governmental study showing how much would be saved by abolishing the Election Commission and then having this placed on a referendum.

Chairman Berglund invited Mr. Phil Dick, Director, Building and Zoning to present the next item. Mr. Dick stated that under current statute, if a property owner has an inoperable vehicle in the County, they can be ordered to remove those vehicles. Vehicles 25 years and older are considered historic (?), and are exempt from that law. Mr. Dick stated that the County proposes to do away with this exemption. Mr. Dick noted that if an individual has a historic vehicle, they will probably have it under cover.

* Senator Brady left the meeting at 8:41 a.m.

Representative Brady stated that he has been working with Mr. John Hamann in the Department of Building and Zoning and would be happy to look into this issue further.

Representative Brady stated that he would like to discuss Countywide Emergency Medical Services (EMS). Representative Brady stated that there was a study on the EMS services for the City of Bloomington and County of McLean. Representative Brady stated that if the Bloomington Fire Department upgrades their EMS to an Intermediate (I) level, and adds another ambulance, the Lifeline Ambulance Service (which is currently in Chapter 11 Bankruptcy) will lose more of their call base than ever before. The outside areas of Bloomington and Normal in McLean County will suffer the effects of even less paramedic/EMS coverage. Representative Brady further noted that, for the record, he is disappointed that Chairman Sweeney, Mr. Zeunik and representatives from the Town of Normal and the City of Bloomington spent the time to prepare and take part in a study, yet there has been no movement by the hospitals toward a resolution to this issue. Representative Brady stated that he has written to the local hospitals and other individuals involved and has received no response from any of those individuals. Mr. Zeunik stated that at the last Ambulance Task Force Meeting, the Town of Normal, the City of Bloomington and the County of McLean requested specific run data and financial data from local hospitals and have not received that information.

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Chairman Sweeney stated that he has also called the hospitals and still has not received a response. Mr. Zeunik added that there is no mechanism, under the current law, for the County to pick up and provide EMS services.

There being nothing further to come before the Committee at this time, Chairman Berglund adjourned the meeting at 8:49 a.m.

Respectfully submitted,

Ms. Christine Northcutt
Recording Secretary

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