

## Minutes of the Legislative Subcommittee

The Legislative Subcommittee of the McLean County Board met on Wednesday, February 28, 2018 at 4:05 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Jim Soeldner, Members Paul Segobiano, George Gordon, William Caisley, Randy Martin, Scott Murphy, George Wendt (remote attendance)

Members Absent: None

Other Board Members Present: None

Staff Present: Mr. William Wasson, County Administrator; Mr. Don Knapp, Assistant County Administrator; Mr. Eric Schmitt, Administrative Services Director, Ms. Jessica Woods, First Assistant State's Attorney – Civil Division, Ms. Julie Morlock, Recording Secretary

Department Heads/  
Elected Officials Present: None

Others Present: None

Chairman Soeldner called the meeting to order at 4:05 p.m. and declared a quorum. Chairman Soeldner stated that member George Wendt had requested to attend by remote attendance per the McLean County Board Rules. He asked the members if there was any objection to the request. Hearing none, he approved Mr. Wendt's request and declared that Mr. Wendt was in attendance and connected to the meeting via telephone conference.

Mr. Soeldner confirmed there were no minutes to approve and no members of the public to appear.

He stated that there was only one item on the agenda for action, the 2018 Legislative Program for McLean County. He asked Mr. Wasson to go over the action item. Mr. Wasson went over the five core principals listed at the beginning of the Legislative Program document and asked if there were any comments or questions regarding these principals. Mr. Segobiano asked if it was possible to get updates from our consultant in Springfield when things come up before the Senate or the House. Mr. Wasson stated that many times, Staff has very little time to respond to new or changed language in legislation, so it is difficult to bring things to the Committee in a timely manner. Mr. Wasson stated that Mr. Anderson has indicated he would meet with the Committee. Mr. Segobiano stated he felt short turnaround times does not allow for any County in the

State to support or oppose legislation. Mr. Soeldner stated that the Illinois Association of County Board Members had a teleconference to go over different legislation and he stated that most of the Counties agreed on legislation to support or oppose. Mr. Segobiano stated that he supports the program presented but asked if we could have the local representatives meet with the Committee on a quarterly basis to discuss pending, past and future legislation. Mr. Wasson stated that Staff is willing to request meetings but figures it will be a challenge to get everyone together at the same time. He stated that he felt it is important for Members to have conversations with Legislators because important votes will be coming during this session.

Mr. McIntyre joined the meeting and stated he would like to have this Committee go over legislation that McLean County would like to see and to try to have the Committee meet with legislators to have our voice heard at the State level. Mr. McIntyre stated that sometimes counties cannot agree because Metro Counties have different needs than rural counties like McLean.

Mr. Soeldner asked Mr. Wasson to go over each bullet point in his memo. Mr. Wasson summarized bullet point 1 – Proposals to Reduce State-Collected Local Government Revenues. He also provided an example of a Bill to divert taxes to school districts that will reduce the amount shared with all other units of government. He stated that it is the recommendation of Staff that revenues not be diverted or delayed from local governments so they can provide State mandated services. Mr. McIntyre indicated that the State needs to hear that they cannot continue to pass unfunded mandates and reduce the funds coming to the County. Mr. McIntyre suggested that the meetings with the legislators needs to be a sharing of information because they do not know all that we do here and how they might be able to assist provided examples of behavioral health initiatives the County has taken on. Mr. Wasson stated that we are in discussion with federal and some state agencies but if we could have our legislators out supporting these efforts that would be a benefit.

Mr. Wasson went over bullet 2 – Juvenile Court Hearings. He stated there have already been two bills introduced regarding this matter. Mr. Wasson stated that one bill requires that any juvenile detained at a Juvenile Detention Center must have a hearing within 24 hours including weekends and holidays. He stated that current rule in the State of Illinois is for 40 hours excluding Saturdays, Sundays and court holidays. He stated the 24-hour bill was introduced last year after Cook County took action to provide 24-hour access. Mr. Wasson stated that McLean County opposed this Bill last year and supported another Bill proposed by IACBM for 48 hours including weekends and court holidays and would include a provision for two way audio/visual communication. He stated it is Staff's stance that this Bill complies with Federal Statute and Administrative law and resolves problems that a 24-hour bill would create, especially for other counties who house juveniles at the McLean County Juvenile Detention Center. Mr. Caisley stated that no one is detained unless a court officer looks at the case. He stated that if we have to have Saturday courts there will be other issues for the County to deal with including work schedules and costs to have the Law & Justice Building open. Mr. Segobiano asked how this would affect the Juvenile Detention Center economically.

Mr. Wasson stated he did not want to forecast that either of these Bills would affect the number of Juveniles we would have in the facility. He stated there is a high bar to have a juvenile detained because we understand that it is better for them to be at home, but there are circumstances where they need to be detained. Mr. Wasson stated that the 24-hour bill might lead to juveniles being detained at police departments for longer periods of time as they wait for court hearing in their own county. Mr. Martin stated that most juveniles go home and there is a time limit for a police officer to decide where the juvenile should be placed. Mr. Martin asked if Staff gets a list of Bills as they are presented and if those could be forwarded to the Committee. Mr. Wasson stated that there are too many Bills to follow but they get notices from Mr. Anderson and IACBM (Illinois Association of County Board Members) on periodic basis and would forward those along to the Committee. He stated that Mr. Anderson and IACBM sends out Bills for our review that are important to our County. Mr. Martin asked if Staff reaches out to legislators. Mr. Wasson stated they do reach out to legislators and provided an example of when they would reach out. He stated that it is a goal to have this committee more involved in that process. Mr. McIntyre stated that he felt the more knowledgeable we are on Bills that are coming through the better, and asked Members to please pass along information they receive as part of their jobs so Staff can discuss with Mr. Anderson. Mr. Wasson stated there have been 3,591 senate bills and 5,828 house bills introduced so far, not all relate to counties and many of those will never make it out of Committee, so we try to focus on the Bills that will greatly affect the County. Mr. Wasson suggested that when Staff sees items of high priority they reach out to Committee members and request that they get in touch with legislators in support or opposition of the Bill.

Bullet #3 Transportation Infrastructure Construction Program. Mr. Wasson stated that Motor Fuel Tax continues to decrease on an annual basis and will continue to do so as vehicles become more fuel-efficient. He stated this in turn is less money for us to keep our highways and roads in good repair. He stated that as there are more and more electric cars there needs to be a way to tax electric cars. He stated that Staff has recommended a state wide increase in Motor Fuel Tax, but because home rule units have enacted their own motor fuel tax, there is less and less constituent pressure and so the likelihood we will see a Statewide increase in Motor Fuel Tax decreases. He stated that Staff is left with option to request that all Counties be allowed to issue a County Motor Fuel Tax. Mr. Wasson stated that it was the same as with the sales tax to help with mental health issue. He said taxpayers can only pay so much and if we wait too long then a greater chance, we may not be able to add to the taxpayer's contributions.

Mr. Segobiano stated as a side note that he would like to see the transit area in front of the Law & Justice Center cleaned up. Mr. Wasson stated that discussions with the City of Bloomington have occurred on this issue and in the short term we are going to work to help situation including vegetation clean up and City has agreed to add trash receptacles. He stated that other options might be more beneficial in the future but these are things we can work on in the meantime.

Mr. Wasson went over Bullet #4 - Municipal Adjudication of minor traffic offenses. Mr. Wasson stated we no longer get most of the City or Town ordinance violations in court because individuals plead guilty, pay fine at City or Town Clerk's office and the municipalities keep the money. He stated that the exception is if the individual does not plead guilty, then charges are filed in circuit court and we incur all the expense on these cases. Mr. Caisley stated they have a legitimate concern because fees are added to cases but Municipalities are lower on the list for distribution of those fees and do not always see revenue that would help them pay for the individuals they send out to write up those citations. Mr. Wasson stated that while the process for administering fees is challenging, the services of the Court have to be paid. He stated there have been some bills introduced to try to change the way fees and fines are distributed. Mr. Caisley questioned individuals being charged a fee that pays for services they will not receive and provided examples.

Mr. Wasson went over bullet #5 – Court Probation Funding. He stated the County would like to see the State pay for state mandated probation and detention services that they mandate. Mr. Wasson acknowledged that the State has been closer to meeting the statutory 100% payment requirement. Mr. Wasson stated that the Juvenile Detention Center is affected by this as those salaries are paid as a part of this court probation funding. Mr. Caisley went over costs to sentence adults versus cost to have juvenile sentenced versus probation costs and benefits. He stated that cost of probation officer is lower and the State needs to realize that if we do not have the funds to put individuals through local probation then State will incur higher costs to have them at a state facility. Mr. Segobiano agreed with Mr. Caisley but pointed out that community service hours are difficult to monitor and meet.

Mr. Wasson went over bullet point #6 Behavioral/Mental Health Funding and stated that current funding from the State of Illinois is lower than almost any other jurisdiction in the Country. He said they have reduced support for these programs over the last couple of decades and as a result have created lawsuits for themselves. Mr. Wasson stated that he agrees with the Chairman that we need to work with Legislators about funding for these services.

Bullet point #7 – Hazardous Waste. Mr. Wasson stated that for many years, the Illinois Environmental Protection Agency annually funded a household hazardous waste collection effort in McLean County but during and after the Economic downfall in 2009-2010 the EPA stopped funding this collection. Mr. Wasson stated that the County, City of Bloomington and Town of Normal got together and with private assistance funded household hazardous waste collection efforts at the cost of about 150,000 per event. He stated that we would support one of the things that has been proposed, which is for the State to pass legislation that would have paint manufacturers assume cost of collecting these leftover products, similar to the electronics collection measure that the legislature put together last year.

Bullet point #8 - Solar Energy Facilities Agricultural Mitigation Act. Mr. Wasson stated that the County Board approved three solar farms and during this process, we became

aware that there was no current statute provision for an Agricultural Impact Mitigation Agreement with the Department of Agriculture. He stated we have an Agricultural Impact Mitigation Agreement provision for windfarms and we believe it is appropriate for a similar one for solar energy facilities. Mr. Wasson stated that proposed legislation would incorporate both into a renewable energy statute and Mr. Anderson is working with the Farm Bureau to make sure that the County's interests are in line with the Bill that has been proposed.

Bullet Point #9 – Court Fines/Fees – Mr. Wasson stated we are concerned about any revisions to fees/fine processes where County governments are not made whole as a part of revenue production. Mr. Wasson stated that we would oppose legislation that would significantly affect County revenue. Mr. Gordon asked about phrase “making the County whole”. Mr. Wasson explained that the phrase means that revenue Counties receive needs to cover the costs to operate the Courts, especially with new State mandates. Mr. Wasson stated that there are Bills that want to simplify the fine/fee process but they would reduce the revenue Counties receive so recommendation is that we do not support those Bills.

Bullet #10 – Recorder's office FOIA requests – Mr. Knapp stated that Mr. Bounds explained they spend up to a day each month responding to reoccurring FOIA requests to send our data to companies who turn around and sell data for title searches. He stated we can currently only charge the cost of the medium used to send out information but it costs us more than that in staff time. He stated that we would support legislation that would change FOIA laws to allow us to actually recover costs in complying with FOIA requests. Mr. Segobiano said he agreed we need legislation to support recovering our costs. Mr. Soeldner stated that their argument might be that everyone has a right to information even if they can't afford it. Mr. Caisley stated that if they are gaining information so they can turn a profit they should be able to afford cost to gather that information.

Mr. Gordon pointed out a few scrivener errors and indicated he would send an email to Staff with ones he had noticed.

Motion by Caisley/Segobiano to recommend to the Executive Committee the approval of the 2018 Legislative Program for McLean County with scrivener errors corrected.

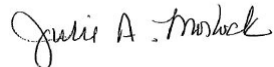
Motion Carried.

Under other business Chairman Soeldner stated the general assembly was proposing that regional airports charge a tax to spread out the tax base and that the Committee needed to consider this. He stated that the other item he felt they needed to discuss at future meetings was the elimination of the Bloomington Election Commission. Mr. Gordon asked if eliminating Bloomington Election Commission would require legislative action. Mr. McIntyre indicated it would. Mr. Knapp stated the only way to currently dissolve the Bloomington Election Commission is to have a referendum for Bloomington voters only and the wording can only read, “Do you reject the City Election Law”. He

went over the process other Counties had gone through and what we would have to do in McLean County. Mr. Knapp stated we would seek to have legislation that changes the wording we have to use on the referendum. Mr. Segobiano stated that this is definitely something that we should discuss in the future.

Chairman Soeldner asked if there was any further business for the Committee to consider; hearing none, he disconnected remote attendance with Mr. George Wendt and then he adjourned the meeting at 5:41 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Julie A. Morlock".

Ms. Julie Morlock  
Recording Secretary