

CHAMPAIGN COUNTY BOARD COMMITTEE OF THE WHOLE MINUTES

Tuesday, March 9, 2010

Lyle Shields Meeting Room, Brookens Administrative Center
1776 E. Washington St., Urbana, Illinois

MEMBERS PRESENT: Carol Ammons, Jan Anderson, Steve Beckett, Ron Bensyl, Thomas Betz, Lorraine Cowart, Chris Doenitz, Matthew Gladney, Stan James, John Jay, Brad Jones, Greg Knott, Alan Kurtz, Ralph Langenheim, Brendan McGinty, Diane Michaels, Alan Nudo, Steve O'Connor, Michael Richards, Giraldo Rosales, Larry Sapp, Jonathan Schroeder, Samuel Smucker, C. Pius Weibel, Barbara Wysocki

MEMBERS ABSENT: Lloyd Carter, Steve Moser

OTHERS PRESENT: Kat Bork (Administrative Secretary), Deb Busey (County Administrator), Tony Fabri (Auditor), Dan Welch (Treasurer), Steve Ziegler (First Assistant State's Attorney)

CALL TO ORDER

Betz called the meeting to order at 6:03 p.m.

ROLL CALL

Bork called the roll. Anderson, Beckett, Bensyl, Betz, Cowart, Doenitz, Gladney, James, Jay, Knott, Kurtz, Langenheim, McGinty, Michaels, Nudo, O'Connor, Richards, Rosales, Sapp, Schroeder, Weibel, and Wysocki were present at the time of roll call, establishing the presence of a quorum.

APPROVAL OF COUNTY BOARD RESOLUTION TO MEET AS COMMITTEE OF THE WHOLE

MOTION by James to approve the County Board Resolution to meet as a committee of the whole; seconded by Rosales. **Motion carried with all ayes.**

APPROVAL OF MINUTES

MOTION by James to approve the Committee of the Whole minutes of January 12, 2010; Legislative Budget Hearing minutes of August 24, 2009; and Legislative Budget Hearing minutes of August 25, 2009; seconded by Rosales. **Motion carried with all ayes.**

Smucker entered the meeting at 6:04 p.m.

APPROVAL OF AGENDA/ADDENDA

Betz announced the closed sessions were removed from the agenda. Gladney requested to move agenda item XI.A to under the Justice & Social Committee items. There was no objection from the Board on these changes.

Ammons entered the meeting at 6:05 p.m.

MOTION by Rosales to approve the agenda as amended; seconded by James. **Motion carried with all ayes.**

PUBLIC PARTICIPATION

Tara McCauley, AFSCME Council 31 staff representative, stated the union was in contract negotiations with the County over four bargaining units. The union has been told the County Board's final offer on health insurance will have the employees paying half the cost increase. She stated AFSCME members felt that health insurance offer was unaffordable. According to her calculations, union members could be paying over \$100 per month for their single person health insurance and the family plan costs were already out of reach for most employees. She felt the County employees were paying enough for health insurance as it is. The County Board's final offer on wages was a 1% raise over the course of the three-year contract, not counting the salary increases for steps. McCauley said the union realized the economic times are tough, but the County Board's offer was insulting and not enough of a wage increase. She did not feel employees should be asked to be an ATM machine for the County. She told the Board to find another place to balance the budget if finances are tight; do not come after employees' benefits.

Jones entered the meeting at 6:07 p.m.

John Farney, Vice- President of AFSCME Local 900, echoed McCauley's comments and asked the County Board to work with the union. He stated it is hard to come to work after so many budget cuts and layoffs have been enacted. He said Champaign County was understaffed compared to any other county. They are working with the bare minimum to complete the statutory duties and the employees are doing a good job. Farney hoped the County Board noticed what the County employees do, because there is no way the Board could step into the employees' jobs. He remarked the County would be in a worse financial situation without the hard-working County employees. Farney urged the Board to work with the union.

Janae Harper, an AFSCME member from the State's Attorney's Office, spoke about the pride County employees take in their work on a daily basis. While employees are aware of the economic situation in the country, the County benefits make this an appealing place to work. Harper said employees may be willing to accept a wage freeze to secure co-workers' jobs, but they do not want to negotiate insurance. She stated full insurance coverage was a must for this contract. Harper remarked the County Board has been known to find money when it is necessary. She urged the Board to look harder and find the money to take care of County employees. It would be going backwards to ask County employees to take a wage freeze and pay for insurance. The union is not here to negotiate backwards. Harper asked the County Board to look into the budget and find the

funds as they usually do for other things. She stated the employees would like the County Board to show their appreciation for employees' work by continuing to cover 100% of the single person insurance.

Betz declared public participation closed.

COMMUNICATIONS

Betz announced a celebration of Gerri Parr's life would be held on March 14th at 3:00 p.m. at the Alice Campbell Center.

JUSTICE & SOCIAL SERVICES

Monthly Reports

MOTION by Beckett to receive and place on file the Animal Control – December 2009; Emergency Management Agency combined report for December 2009/January 2010; Head Start September 2009, October 2009, November 2009, December 2009, & January 2010; Probation & Court Services – December 2009 & January 2010; & Public Defender – November 2009 & December 2009 monthly reports; seconded by Wysocki.

James asked the Justice Chair why some departments were so far behind in submitting their reports. Gladney did not know the reasons for the delays. James asked if someone could ask the departments to be timelier with their reports. Busey reminded James that the second Committee of the Whole meeting scheduled in February was canceled, so this is two months accumulation of reports.

Motion carried with all ayes.

Children's Advocacy Center

Renewal of Violent Crime Victims Assistance Grant

MOTION by Beckett to approve the application for and, if awarded, acceptance of the renewal of the Violent Crime Victims Assistance Grant for the Children's Advocacy Center; seconded by Smucker. **Motion carried with all ayes.**

Approval of Continued Grant Funding from the Illinois Criminal Justice Information Authority – Agreement #209216

MOTION by McGinty to approve the application for and, if awarded, acceptance of the renewal of the Continued Grant Funding from the Illinois Criminal Justice Information Authority in Agreement #209216 for the Children's Advocacy Center; seconded by Beckett. **Motion carried with all ayes.**

Other Business

There was no other business.

Chair's Report

Gladney stated the Citizens Advisory Committee on Jury Selection will next meet on Friday, March 12th at 5:30 p.m. The committee has applied for a \$50,000 Justice for All Grant from the Illinois Disciples Foundation to help the committee further its goals.

Designation of Items to be Placed on County Board Consent Agenda

Agenda items 8.B.1&2 were designated for the consent agenda.

FINANCE

Budget Amendments & Transfers

Budget Amendment #10-00036 and Budget Amendment #10-00037

MOTION by Wysocki to recommend to the County Board approval of Budget Amendment #10-00036 from Fund 075 Regional Planning Commission – Department 624 National Spatial Data Infrastructure for increased appropriations of \$15,000 for the Regular Full-Time Employees line, \$1,500 for the Office Supplies line, \$4,500 for the Job-Required Travel line, \$1,000 for the Facilities/Office Rentals line, and \$3,000 for the Conference and Training line with increased revenue of \$25,000 from the Interior-National Spatial Data and Budget Amendment #10-00037 from Fund 075 Regional Planning Commission – Department 695 GIS Local Contract Services for increased appropriations of \$28,000 for the Regular Full-Time Employees line, \$6,500 for the Temporary Salaries and Wages line, \$300 for the Job-Required Travel line, \$200 for the Conference and Training line with increased revenue of \$33,500 from the Technical Service Contract line; seconded by Weibel. **Motion carried with all ayes.**

Budget Amendment #10-00026

MOTION by James to recommend to the County Board approval of Budget Amendment #10-00026 from Fund 614 Recorder's Automation Fund – Department 023 Recorder for increased appropriations of \$24,888 for the General Corp Fund 080 line with no increased revenue; seconded by Ammons. **Motion carried with all ayes.**

Budget Amendment #10-00034

MOTION by Langenheim to recommend to the County Board approval of Budget Amendment #10-00034 from Fund 085 County Motor Fuel Tax – Department 060 Highway for increased appropriations of \$104 for the Taxable Auto Allowance line with no increased revenue; seconded by Weibel.

Weibel asked if the car allowance was for a full year. Busey explained the County Engineer receives an annual car allowance that is calculated each year based on the CPI factor. This figure is not available when the County budget is calculated so an estimated figure is placed in the budget. The amount usually has to be amended and that is the request before the Board.

Motion carried with all ayes.

Budget Amendment #10-00039

MOTION by James to recommend to the County Board approval of Budget Amendment #10-00039 from Fund 070 Nursing Home Construction Fund – Department 010 County Board for increased appropriations of \$174,056 for the Attorney Fees line with increased revenue of \$174,056 from the Other Miscellaneous Revenue line; seconded by Cowart.

Jones knew the Nursing Home Construction Fund ran out of money last year and some expenses had to be paid out of the General Corporate Fund (GCF). He wondered why a portion of the arbitration award was not going to the GCF. Busey explained it was believed the fund ran out of money last year when it had \$43,000 remaining. The construction budget was amended by the \$43,000 amount last month. There are some outstanding arbitration expenses left to pay. The GCF has paid around \$100,000 for construction expenses. The idea behind the amendment is to repay the GCF after all other arbitration expenses are paid. Then she can determine if anything is left in the construction fund. Nudo asked if the amount was a result of the \$250,000 not paid to Otto Baum prior to the settlement. Busey explained the total arbitration award was \$405,000 and the budget amendment represents the money remaining after the remaining Otto Baum fees are paid as ordered. Kurtz asked about the subsequent expenses. Busey stated this money is coming in and there are still about \$30,000 in arbitration expenses to be paid. Whatever is left at the end will go to repay GCF for the arbitration expenses it paid. After all payments are complete, Busey will report to the County Board how much is left in the Nursing Home Construction Fund and the Board can determine if they want to leave the money in the fund for facilities issues or move it elsewhere. She does not have an arbitration breakdown with her at the meeting. James thought any money left over was going to be moved to the Capital Asset Fund to be used for all buildings. Busey said the Board never anticipated having money left over in the Nursing Home Construction Fund, so she never brought a recommendation about what to do with the remaining money. Moving it to the Capital Asset Fund is an option that can be considered once the bills are paid.

Motion carried with all ayes.

Budget Amendment #10-00035

MOTION by Ammons to recommend to the County Board approval of Budget Amendment #10-00035 from Fund 080 General Corporate – Department 077 Zoning and Enforcement for increased appropriations of \$16,998 for the Professional Services line with no increased revenue; seconded by Wysocki.

Michaels asked if funds left over from a project have to be spent or if the money could be returned to the GCF. Busey stated this money had previously been approved for this expenditure. The project was delayed and was not completed last year as anticipated. The total project will eventually cost this amount once all the work has been done without exceeding the original amount approved by the Board. This amendment simply carries the payment over to the current fiscal year.

Motion carried.

Budget Amendment #10-00031

MOTION by Weibel to recommend to the County Board approval of Budget Amendment #10-00031 from Fund 080 General Corporate – Department 016 Administrative Services for increased appropriations of \$13,123 for the Computer Services line with no increased revenue; seconded by Wysocki.

Richards asked why this expenditure was not in the original budget if it is required. Busey stated the County has never before paid for Internet access services. The Illinois Century Network informed her in January of this year that the County would be charged for those services. Illinois Century Network did an internal audit and decided the County can no longer be afforded free Internet access that was previously provided because the Juvenile Detention Center has an educational component. The County has had free Internet access for at least a decade. ICN is auditing their business practices and determined Champaign County government overall does not qualify for the educational waiver and now needs to pay for its Internet access. Busey had no way of knowing this when the budget was prepared. This cost is for the entire County network.

James asked if this would be an ongoing contract or if it would be renewed every year at a different cost. Busey said this was fairly inexpensive access provided through the state. She could not guarantee this cost will never increase.

Motion carried with all ayes.

Budget Amendment #10-00032

MOTION by Beckett to recommend to the County Board approval of Budget Amendment #10-00032 from Fund 080 General Corporate – Department 071 Public Properties for increased appropriations of \$10,110 for the 400 N. Broadway Repair and Maintenance line with no increased revenue; seconded by Weibel.

Richards requested more information. Busey described how this expenditure is related to the Coroner's Office moving to the Gill Building. It was initially thought the Coroner could be connected to the County's network through a laser kit provided at almost no cost from Carle. After the move it was determined that approach would not work and the Coroner's Office had to switch to a wireless connection. This is the additional cost for enabling the Coroner's Office to have adequate connectivity to the County's network from the Gill Building. She noted the Gill Building has no fiber connectivity.

Motion carried with all ayes.

Budget Amendment #10-00040

MOTION by Schroeder to recommend to the County Board approval of Budget Amendment #10-00040 from Fund 080 General Corporate – Department 025 Supervisor of Assessments for increased appropriations of \$5,004 for the Regular Full-Time Employees line with no increased revenue; seconded by Smucker.

McGinty requested a friendly amendment to change the appropriation amount to \$5,884.
Schroeder and Smucker agreed to the friendly amendment.

Ammons asked for a clarification of this amendment. Busey explained there was a miscalculation in the FY2010 personnel budget. A Clerk position in the Supervisor of Assessments was partially cut as part of the initial 6% budget cuts in FY2009. The full position was eliminated through attrition. In calculating the budget, she cut the full salary, forgetting a portion of that salary had already been cut. Essentially one position was doubly cut, hence the need for correction.

Motion carried as amended with all ayes.

McGinty sent around the budget amendment originals for the Finance Committee to sign.

County Administrator
General Corporate Fund FY2010 Revenue/Expenditure Projection Report

Busey's reports were distributed with a goldenrod cover. She is anticipating a 1% decline in the one cent sales tax over the original projection. It is anticipated to only amount to 86%. The quarter cent sales tax looks fairly solid and is projected at 99%. The use tax will see a substantial decline yet this year. Income tax is looking at a \$91,000 decline or 97%. However, the IACBMC report received yesterday is of extreme concern because it anticipates the County will receive the twelve months of income tax revenue it is entitled to, only to have the State of Illinois cut the amount by 3%. Last year the County only received ten months of income tax revenue. If the state cuts the income tax revenue from 10% to 7%, the County will have a \$795,000 shortfall in its FY2010 budget. She strongly encouraged County Board members who are talking to state legislators to encourage the state to not cut resources the state has already failed to deliver to counties in the manner in which they should. The General Government Fees looks like it will be \$190,000 short. The Harris & Harris report will be considered later. Busey projected twelve months of revenue from the Harris & Harris collections, but will likely only receive ten months of revenue. The bottom line is the GCF should receive 98% of budgeted revenue, without the potential income tax change, or about \$686,000 short.

The expenditure report indicates the GCF should underspend its budget, though it is early. The department heads are being cautious. Busey sees an improvement in postage costs because more is being done online. The gas and electric service expenses are doing well and the new contract will mean paying lower rates. Busey projects the GCF will expend 95% or \$540,000 less than budgeted. Busey projected the GCF will have a deficit year of \$196,000 and this deficit would leave GCF with a 4% fund balance. This is only 33% of the fund balance goal for GCF cash flow.

James asked how the increasing gasoline and oil prices will affect the budget. Busey said a price increase would negatively affect that line item.

MOTION by Wysocki to receive and place on file the General Corporate Fund FY2010 Revenue/Expenditure Projection Report; seconded by Nudo. **Motion carried as amended with all ayes.**

General Corporate Fund Budget Change Report

Busey stated \$201,199 in expenditure and \$149,500 in revenue had been added to the GCF budget. The one-time expenses were shaded in grey.

MOTION by James to receive and place on file the General Corporate Fund Budget Change Report; seconded by Wysocki. **Motion carried as amended with all ayes.**

Harris & Harris Monthly Collections Report

Busey reviewed the new Harris & Harris collections report from the criminal justice system turning over older obligations and debts to the firm. No revenue was collected in December and only about \$1,800 in January. In February, \$21,272 was collected. The firm is still gearing up and working through some difficulties in the early stages of the collections. Weibel asked how much revenue was budgeted. Busey stated \$225,000 was included as revenue in this year's budget. She anticipated this amount is only sustainable over a five or six year period and is built into the operating budget. Anything above that should be treated as one-time revenue and she recommended it be used to replenish the GCF balance.

James asked how much money is owed the County in unpaid court fees and fines. Busey said Harris & Harris calculated \$40 million is owed to agencies and the County. About 40% of the \$40 million is owed to the County. The agency summary showing amounts distributed to other entities is detailed in the report. These collections are a benefit to other agencies like the City of Champaign, Village of Rantoul, City of Urbana, and State Police. James thanked Busey on behalf of Rantoul.

O'Connor exited the meeting at 6:39 p.m.

Nudo asked if the effectiveness and efficiency of current collections are being tracked to avoid this condition from reoccurring in the future. He wants to avoid duplicating the problems that lead to the current situation of overdue fines. Busey expressed that some of the overdue fees and fines are ten years old. The State's Attorney's Office has implemented an initiative in the last three years to proactively collect past due fees and fines. She was unable to entirely answer Nudo's questions because collections involves the Probation Department, the Circuit Court, the Circuit Clerk, and the State's Attorney. Nudo asked if the effectiveness could be determined so the County Board could take any possible action to prevent current collections from being in arrears long enough to reach Harris & Harris. He noted the County was better off collecting fines right away and mentioned reporting to the credit bureaus. Beckett reminded Nudo that the County Board does not tell the Circuit Court how to collect its money because it involves elected offices. The Harris & Harris collections idea came from the State's Attorney. Nudo hoped there could be collaborative efforts to work with the Circuit Court. Busey believed there have been some collaborative efforts and the judiciary is stepping up to set deadlines for paying fees and fines within a sentenced period. She thought the criminal justice system group is working together to ensure collections are well addressed, but the fact of outstanding collections will never be eliminated. She views using Harris & Harris as a likely long-term solution. Beckett acknowledged that he has heard from legal clients how unbelievably expensive it is to have Harris & Harris recover unpaid fees and fines. There have

been mistakes in the collections process and people who do not owe money have been asked to pay. It is a very complicated situation, but the County Board has no say in the matter.

O'Connor returned to the meeting at 6:43 p.m.

Weibel asked if the late fees were prorated and distributed to different entities. Busey described how there is a statutory provision concerning late fees, which allows the Clerk of Court to add up to 15% in late fees. The additional amounts collected for the late fee is deposited in the Circuit Clerk's operations and administration fund. The Circuit Clerk is leaving the late fees in her distribution fund.

MOTION by James to receive and place on file the Harris & Harris monthly collections report; seconded by Rosales. **Motion carried with all ayes.**

State's Attorney

Renewal of Violent Crime Victims Assistance Grant

MOTION by Wysocki to approve the application for and, if awarded, acceptance of the Violent Crime Victims Assistance Grant renewal; seconded by Gladney. **Motion carried with all ayes.**

Nursing Home Financial Report – March 3, 2010

MOTION by Jones to receive and place on file the Nursing Home Financial Report for March 3, 2010; seconded by Wysocki. **Motion carried with all ayes.**

Treasurer

Monthly Report

Welch distributed his report and drew the Board's attention to the last two pages summarizing the GCF's borrowing from other funds going back to 2001-2002. There were a couple of years the GCF did not borrow from other funds at all. In the years when borrowing occurred, the majority was borrowed in March to May. Starting in 2008, the GCF borrowed earlier in the year and borrowed a total of \$3.3 million last year. As of February 2010, the GCF has borrowed almost \$2.1 million. Welch thought he has enough borrowing authority to carry the GCF until real estate tax collections are distributed, but it will be a very tight situation. The last page showed a cash flow projection chart. The GCF only has \$220,000 in cash at present and this is a precariously situation when the payroll expenditures for each month alone is over \$1.5 million. Having the Capital Asset Replacement Fund in the same account has helped GCF. Welch advised that timing is very important for cash flow because he cannot exactly predict when or how much will be needed. He noted the State of Illinois is five months behind in sending the County's portion of income tax revenue.

Schroeder asked about the \$87,265.62 million budgeted in June 2010 in Debt Service. Welch explained this was the payment for the Nursing Home Construction Debt Service. The County Board has asked for the Nursing Home to make those payments, but Welch plans for the

expense. James asked if that represented a payment by the Nursing Home to GCF on the outstanding loan. Welch said it was not and showed how on Page 4 he documents that the Nursing Home still owes GCF \$333,142 in outstanding loans.

MOTION by Jones to receive and place on file the Treasurer's February 2010 report; seconded by Rosales. **Motion carried with all ayes.**

Auditor

Purchases Not Following Purchasing Policy

The purchases not following Purchasing Policy list was distributed only for information. Fabri stated all but one of the items represented FY2009 expenditures paid in FY2010. The other item is a credit card purchase with no corresponding receipt, which Fabri stated was a problem with having a credit card policy.

Michaels asked for an explanation about the item "Multiple bills dated October 4 through November 30, 2009" for \$283,000 on the list. Fabri explained those were expenditures from the Nursing Home for services provided last year. Those bills have now been received for payment. He summarized those bills into a single item to shorten the purchases not following Purchasing Policy list.

Monthly Reports

MOTION by Rosales to receive and place on file the Auditor's December 2009, January 2010, and February 2010 reports; seconded by Weibel. **Motion carried with all ayes.**

Other Business

Closed Session Pursuant to 5 ILCS 120/2(c)2 to Consider Collective Negotiating Matters Between the County and Its Employees or Their Representatives

Item was removed from the agenda.

Chair's Report

There was no Chair's report.

Designation of Items to be Placed on County Board Consent Agenda

Agenda items 9.A.1-5 & 7-9 & 9.C.1 were designated for the consent agenda.

POLICY, PERSONNEL, & APPOINTMENTS

Appointments/Reappointments

Board of Review

MOTION by Weibel to appoint Wayne Williams to the Champaign County Board of Review to fill the term left vacant by the resignation of Dan Stebbins for a term commencing March 19, 2010 and ending May 31, 2010; seconded by Ammons. **Motion carried with all ayes.**

Lincoln Exhibits Committee

Weibel nominated Heather Tucker for the Lincoln Exhibits Committee vacancy.

Nudo asked about Laura Sandefur for the Board of Review appointment. Betz stated the County Board had voted on that appointment and was now considering the Lincoln Exhibits Committee appointment.

MOTION by Weibel to appoint Heather Tucker to the Lincoln Exhibits Committee for a term commencing March 19, 2010 and ending February 28, 2013; seconded by Wysocki. **Motion carried with all ayes.**

Liquor Advisory Commission

MOTION by Weibel to appoint Jim Dubnicek, A. Lee Roberts, and Renae Strawbridge to the Liquor Advisory Commission for a term commencing April 1, 2010 and ending March 31, 2013; seconded by James.

Michaels asked if there was any requirement that a candidate must submit a current appointment request. She noted that A. Lee Roberts answered the form's questions by directing the County Board refer to his original application submitted in 2007. Weibel agreed to ask any applicants to submit a completed form instead of referring to an old form in the future.

Motion carried with all ayes.

Betz called a recess at 6:58 PM for a three-minute break and then to hold the public hearing on County Board size and districts. The Board returned to the regular meeting after the close of the hearing at 8:12 p.m.

Administrator's Report

Vacant Positions Listing

The vacant positions listing was provided for information only.

Request for Amendment to Ordinance No. 652 Establishing Information Technology Resources Policy & Procedures

MOTION by Weibel to amend Ordinance No. 652 Establishing Information Technology Resources Policy & Procedures governing the use of the Internet by County employees as documented in the memorandum; seconded by Rosales. **Motion carried with all ayes.**

Proposal to Amend County Board Rules Section 12.E

MOTION by Langenheim to amend Section 12.E of the County Board Rules; seconded by Beckett.

Beckett said the idea behind this amendment was to make public participation at Committee of the Whole meetings consistent with County Board meetings since the full Board is present. Nudo handed Beckett information regarding what is printed on the speaker card for the Village of Rantoul. The County Board could consider similar changes in the future.

James asked about the County Board rule that states “No Board member shall be permitted to address the Board during the time reserved for public participation.” Busey explained that Section 12.E.4, to which James’s referred, was already in the County Board Rules and is not part of the recommended amendment. The amendment was only the language underlined, italicized, and bolded in the memorandum.

Motion carried with all ayes.

Recommendation for Amendment to Consultant Services Agreement with Milliman, Inc. for OPEB Retiree Health Insurance Valuation

A revised version of the amendment to the Milliman Inc. agreement was distributed with the revisions highlighted on the third page.

MOTION by Beckett to approve the revised amendment to Consultant Services Agreement with Milliman, Inc. for OPEB Retiree Health Insurance Valuation; seconded by Ammons.

James asked about the costs listed on Page 10. Busey explained those are the costs of the current study for the year ending December 1, 2009. The cost is the same as the Board paid two years ago. The only increase is \$800, which is attributable to additional work requested by the Auditor’s Office.

Motion carried with all ayes

Closed Session pursuant to 5 ILCS 120/2(c)1 to consider the employment, compensation, discipline, performance, or dismissal of specific employees of Champaign County

This item was removed from the agenda.

Approval of Exception to Champaign County Personnel Policy

This item was removed from the agenda.

Treasurer

Request for Review of Account Clerk Position

Welch said someone has recently been hired for the Account Clerk position. His staff suggested changes to the position after the previous Account Clerk retired. Those changes would result in one Account Clerk position having more responsibilities.

MOTION by McGinty to refer the Account Clerk position to the Job Content Evaluation Committee for re-evaluation; seconded by Beckett. **Motion carried with all ayes.**

County Clerk Monthly Fees Report

MOTION by James to receive and place on file the County Clerk monthly fees report for January 2010; seconded by Kurtz. **Motion carried with all ayes.**

Other Business

Resolution Establishing the Champaign County Redistricting Commission for Election Redistricting Based on the 2010 United States Census

MOTION by Beckett to approve the Resolution Establishing the Champaign County Redistricting Commission for Election Redistricting Based on the 2010 United States Census; seconded by Nudo.

Kurtz asked to add "urban citizens and students" to Section 4: At-Large Members. He would also like to add language stating the Chair would avoid appointing people from groups and organizations that actively lobby the County Board somewhere in the resolution. He felt more unbiased opinion should be cultivated. He said the new County Board elected in 2010 had the responsibility and authority to pick the commission and this Board should not mandate the process to the future Board. He wanted to change Section 8 to appoint the commission in December 2010 or a later date. Under Section 11 B & C, he did not think the deviation percentage variance should be more than fifty citizens. He noted Section 13F would allow the state to strip the County Board of the ability to draw the map if the Board fails to adopt and file an apportionment plan. Instead the map would be drawn by a committee consisting of the County Clerk, State's Attorney, Attorney General, and the Chairs of each political party. Kurtz referred to points in the memorandum from First Assistant State's Attorney Steve Ziegler on reapportionment. Kurtz did not think the County Board had the authority to make these changes and there was nothing binding about the resolution.

Cowart exited the meeting at 8:26 p.m.

MOTION by Langenheim to table the resolution until December. Betz ruled the motion was out of order because this is effectively a study session. The resolution could be tabled at the County Board meeting.

MOTION by Langenheim to challenge the Chair's ruling; seconded by Smucker. **Motion failed.**

Cowart returned to the meeting at 8:28 p.m.

Beckett reviewed the resolution in detail with Ziegler before the meeting. He noted any future County Board could change anything enacted by a future Board. He did not think the next County Board would change the apportionment resolution if it passes because it is a good idea. He felt the diversity of the current Board qualified them to vote on the resolution and would be better than placing the responsibility on brand new County Board members. He expressed that new Board members are likely to vote along party lines and shared some of his experiences when he was a new County Board member. Beckett asked the Chair if Ziegler could answer some questions. Betz agreed.

Beckett asked Ziegler if there was anything illegal, unconstitutional, or technically improper about setting up a fair map commission. He was not asking about policy. Ziegler said there was no legal impediment to the County Board adopting the resolution if it wished to do so. Beckett pointed out that state law, as noted in Section 13F, sets the committee if the County Board fails to adopt an apportionment plan. Ziegler confirmed if the Board does not adopt and file an apportionment resolution by the statutory deadline, then the matter goes to the apportionment commission whose members are named by state statute. Section 13F is simply a recitation of state law as an informational point. Beckett said, and Ziegler confirmed, that the commission is appointed by the County Board in the same manner as all other appointments.

James encouraged the Board to keep moving forward with the process because it would be hard for new Board members to vote on the issue.

Nudo wants to be sure the Board understood all resolutions are nonbinding to the next Board. Ziegler confirmed this is procedural resolution and any County Board can change a procedural resolution. Nudo supported putting together a structure in order to hit the ground running following the Census. This would allow sufficient time to create a new plan if the first fails. Nudo asked if people wanted to return to drawing the map in a backroom or allow it to be done by qualified people in different categories to assist in transparency. He trusts Weibel to make good choices for appointments, as he did with the Nursing Home Board of Directors. He noted one appointee could represent more than one interest group. Nudo wanted every County Board member to publically commit to which way they prefer: the backroom deals with drawing the map based on incumbency and party policy or let citizens draw a map and allow the County Board vote on it.

Smucker asked what would procedurally happen if a County Board member brought a map in March 2011 and obtained a majority vote in favor of said map. Ziegler said any Board member could bring a motion to approve an apportionment plan that has nothing to do with the commission set up by this resolution. Nothing in the resolution procedurally prevents a Board member from bringing an alternate map for a vote.

MOTION by Smucker to change the date in Section 8 from November 2010 to January 2011; seconded by Richards.

Smucker said it is inappropriate for a lame duck County Board to appoint this commission because it is one of most important decisions the Board will make. Richards did not think it is consistent with the Illinois Constitution and wanted the next Board to draw the map. Smucker requested a roll call vote.

Wysocki pointed out that every other year a lame duck County Board makes significant decisions, including approving a County budget.

Motion failed with a vote of 10 to 15. Ammons, Anderson, Betz, Cowart, Gladney, Kurtz, Langenheim, Richards, Smucker, and Weibel voted in favor of the motion. Beckett, Bensyl, Doenitz, James, Jay, Jones, Knott, McGinty, Michaels, Nudo, O'Connor, Rosales, Sapp, Schroeder, and Wysocki voted against the motion.

Knott depicted the reapportionment resolution as being similar to a self-evaluation process where the County Board has to ask itself honest questions. The commission would allow an outside viewpoint and the public would overwhelmingly support it. He noted the resolution was skillfully crafted to include a required set of public hearings before a map is drawn. Knott encouraged the Board members to set aside their own self-interest in drawing the map and place the task in a commission's hands prior to Board approval. He thought it was a unique opportunity for Champaign County to be a leader.

Sapp exited the meeting at 8:49 p.m.

Knott acknowledged that Republicans gerrymandered a map twenty years ago and the Democrats did the same ten years ago. He wanted to set this past aside and change that process.

Sapp returned to the meeting at 8:51 p.m.

Gladney felt he was hearing conflicting arguments; one that the issue needed to be voted on this term and another that the decision is not binding. He asked Ziegler if a political party could submit a map under this resolution, such as the Green Party did ten years. Ziegler stated no political party in and of itself could submit anything to the Count Board. Any item must come from a Board member, a committee of the Board, or a procedure of the Board. A Board member could place a proposal before the County Board for an alternate plan that has nothing to do with the work of a reapportionment commission. Gladney did not consider an individual Board member developing his or her own map to be a viable option because it would lack transparency.

Jay reminded the County Board that the last fair map was drawn by Republicans because that party drew map and then Democrats won a majority on the Board. He stated the members need to fulfill their responsibilities and not push it off on a future body. He felt the public wanted this Board to do something about the map.

McGinty supported the redistricting commission because it would take a majority of the politics out of the process and insert logic as much as possible. He acknowledged that his district as presently drawn is beneficial for his election chances, but he was willing to stand up for what he thinks is right concerning the map.

Kurtz exited the meeting at 8:59 p.m.

MOTION by Weibel to amend the resolution to remove the last sentence in Section 11.B, remove the last sentence in Section 11.C, remove two sentences mid-paragraph in Section 11.D which begins “Thus, if the ideal population...”, and remove all of Section 11.E except for the first sentence. Motion seconded by Langenheim.

Weibel said legal counsel recommends the resolution should not contain examples or criteria in conflict with the statute’s requirements. Weibel felt the language he wanted removed was clutter and could be misleading. Beckett explained those were examples, not standards. Every map the commission would receive would be subjected to the same standards. The examples are to demonstrate how the formulas would work and how the tests would be done. He noted they were identical to the statistical standards in the Iowa fair map redistricting commission. The examples illustrates why statistics make a difference to ensure everyone understands what is being discussed with a map.

Kurtz returned to the meeting at 9:02 p.m.

Weibel agreed statistics should be included, but the examples should be removed because legal counsel said examples should not be included. Beckett disagreed with Weibel’s interpretation of legal counsel’s opinion.

Michaels exited the meeting at 9:03 p.m.

Weibel asked Ziegler what he meant in his memorandum. Ziegler stated he would not get into the middle of a political or procedural discussion. Weibel asked Ziegler to confirm that he had read the answer from Ziegler’s memorandum. Ziegler confirmed Weibel had read a portion of his answer. His memorandum did not offer the opinion that anything contained in the proposed resolution is improper or illegal.

Jones exited the meeting at 9:04 p.m.

The County Board discussed the motion to amend the resolution that was on the floor. Rosales requested a roll call vote. Betz confirmed he would have a roll call vote on all motions.

Jones returned to the meeting at 9:05 p.m.

Betz remarked that the politics would come in with the deviation. He spoke about his experience in drawing the last map and how critical the deviation was to the map.

The County Board continued to discuss the resolution and the proposed amendments.

Michaels re-entered the meeting at 9:06 p.m.

Motion to amend failed with a vote of 10 to 15. Ammons, Anderson, Betz, Cowart, Gladney, Kurtz, Langenheim, Richards, Smucker, and Weibel voted in favor of the motion.

Beckett, Bensyl, Doenitz, James, Jay, Jones, Knott, McGinty, Michaels, Nudo, O'Connor, Rosales, Sapp, Schroeder, and Wysocki voted against the motion.

The Board returned to its discussion of the main motion. **Beckett asked Nudo to accept as a friendly amendment Kurtz's request to add "urban citizens, college and junior college students, organized labor" to Section 4. Nudo agreed to accept the friendly amendment.**

Discussion continued about drawing the map in a fair manner. Rosales exited the meeting at 9:27 p.m. Rosales returned at 9:28 p.m. Cowart exited the meeting at 9:29 p.m.

Kurtz asked to add "The Chair shall avoid appointing persons from groups and organizations that actively lobby the County Board" to the resolution as a friendly amendment. Beckett declined to consider the amendment as friendly.

MOTION by Kurtz to add "The Chair shall avoid appointing persons from groups and organizations that actively lobby the County Board" to the resolution; seconded by Richards.

Bensyl asked how lobbying would be defined and pointed out organized labor frequently lobbies the County Board. Organized labor was included in the resolution in the previous friendly amendment. Richards suggested a person was considered to be a lobbyist when money changed hands.

Motion to amend failed with a vote of 4 to 20. Betz, Gladney, Kurtz, and Richards voted in favor of the motion. Ammons, Anderson, Beckett, Bensyl, Doenitz, James, Jay, Jones, Knott, Langenheim, McGinty, Michaels, Nudo, O'Connor, Rosales, Sapp, Schroeder, Smucker, Weibel, and Wysocki voted against the motion.

Bensyl was concerned with naming specific groups, such as organized labor, in the resolution because the definitions were becoming too narrow. He had no objection to organized labor, but wanted to avoid too much specificity.

MOTION by Bensyl to strike organized labor from the resolution; seconded by Doenitz.

Beckett stated organized labor is a broad category. The Chair will have the discretion in selecting a diverse commission. Nudo noted there are twelve types of interests listed in the resolution for the seven positions on the commission. There is no guarantee any one characteristic will serve on the commission. A single person can represent more than one type of interest.

Langenheim exited the meeting at 9:41 p.m.

Wysocki spoke about the range of positions represented on the LRMP Steering Committee. The Chair was given the flexibility to mix and match to develop the best possible group and Weibel did a good job. Wysocki views this commission's selection as similar to the LRMP Steering Committee.

Langenheim returned to the meeting at 9:43 p.m.

The Board continued to discuss the amendment.

Motion to amend failed with a vote of 8 to 16. Bensyl, Doenitz, Jay, Jones, Michaels, Richards, Sapp, and Schroeder voted in favor of the motion. Ammons, Anderson, Beckett, Betz, Gladney, James, Knott, Kurtz, Langenheim, McGinty, Nudo, O'Connor, Rosales, Smucker, Weibel, and Wysocki voted against the motion.

The Board returned to discussing the main motion to approve the resolution with the friendly amendment.

MOTION by Knott to call the question; seconded by James. Motion carried to call the question.

Motion carried to approve the Resolution Establishing the Champaign County Redistricting Commission for Election Redistricting Based on the 2010 United States Census with the friendly amendment adding “urban citizens, college and junior college students, organized labor” to Section 4 with a roll call vote of 16 to 8. Ammons, Anderson, Beckett, James, Jay, Jones, Knott, Kurtz, McGinty, Michaels, Nudo, O'Connor, Rosales, Sapp, Schroeder, and Wysocki voted in favor of the motion. Betz, Bensyl, Doenitz, Gladney, Langenheim, Richards, Smucker, and Weibel voted against the motion.

Betz suggested the pro and con sides designate one person to present a condensed argument for each side at the County Board meeting.

Ordinance Establishing the Number of County Board Members & Establishment of Single Member Districts

Betz said he would entertain a motion to forward this proposed ordinance to the County Board meeting in order to table the issue there because people have indicated they wanted a public hearing on the issue. Beckett suggested deferring the ordinance to the next Committee of the Whole meeting and Betz could request a public hearing item on the County Board agenda. Weibel suggested not acting on the ordinance because the Committee of the Whole meetings are preliminary action items.

Chair's Report

There was no Chair's report. Betz thanked the County Board for their interesting questions and answers.

Designation of Items to be Placed on County Board Consent Agenda

Agenda items 10.A.1-3 & 10.B2-4 were designated for the consent agenda.

OTHER BUSINESS

Board of Health Update from Stan James

James reported that a consultant has been hired since last November/December by the Board of Health. The consultant will develop a report outlining possible alternatives for services because there has been some discussion on the current costs of services. He was sure this report would be passed onto the County. James wanted to make the County Board aware of this step after hearing comments from members who were shocked the Board of Health was having budget problems when the termination notice for the agreement between the Board of Health and Champaign-Urbana Public Health District was requested in October 2009. The consultant is working on his report and hopefully it will be wrapped up in April. The consultant will also address budget issues facing the Board of Health. James said everything seems to be okay right now. The bills are being paid and the Board of Health is looking into other avenues. He wanted to make the County Board aware of the situation. He confirmed the Board of Health did not hire a mediator to discuss the contract issues with CUPHD.

ADJOURNMENT

Betz adjourned the meeting at 9:55 p.m.

Respectfully submitted,

Kat Bork
Administrative Secretary

Secy's note: The minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.