

## **CHAMPAIGN COUNTY BOARD COMMITTEE OF THE WHOLE MINUTES**

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**Finance; Policy, Personnel, & Appointments; Justice & Social Services  
Tuesday, November 12, 2013  
Lyle Shields Meeting Room**

**MEMBERS PRESENT:** Christopher Alix, Astrid Berkson, Lloyd Carter, Lorraine Cowart, Aaron Esry, Stan Harper, Josh Hartke, Stan James, John Jay, Jeff Kibler, Alan Kurtz, Ralph Langenheim, Gary Maxwell, Jim McGuire, Diane Michaels, Patti Petrie, James Quisenberry, Michael Richards, Giraldo Rosales, Jon Schroeder, Rachel Schwartz

**MEMBERS ABSENT:** Max Mitchell

**OTHERS PRESENT:** Van Anderson (Deputy County Administrator/Finance), Deb Busey (County Administrator), John Farney (Auditor), Duane Northrup (Coroner), Barb Ramsay (Auditor's Office), Kay Rhodes (Administrative Assistant), Dan Welch (Treasurer)

### **CALL TO ORDER**

Kurtz called the meeting to order at 6:02 p.m.

### **ROLL CALL**

Rhodes called the roll. Alix, Berkson, Carter, Cowart, Esry, Harper, Hartke, James, Jay, Kibler, Kurtz, Langenheim, Maxwell, McGuire, Michaels, Petrie, Quisenberry, Richards, Rosales, Schwartz, and Schroeder were present at the time of roll call, establishing the presence of a quorum.

### **APPROVAL OF MINUTES**

**MOTION** by Rosales to approve the Finance Committee of the Whole minutes for October 1, 2013; seconded by Carter. **Motion carried with unanimous support.**

### **APPROVAL OF AGENDA/ADDENDA**

**MOTION** by James to approve the agenda/addenda; seconded by Berkson. Berkson, Deputy Chair of Justice & Social Services removed item VII-A, Report on Pre-trial Services Pilot Program, from the agenda. Alix, Deputy Chair of Finance added a brief discussion of the nursing home after item VIII-B and removed item VIII-F-3, FY2014 Final Budget Change Recommendation from the agenda. **Motion carried with unanimous support.**

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### **PUBLIC PARTICIPATION**

Charlotte Green was disappointed to read about the decision to table the pre-trial services program after only a 5-week trial period. William Sullivan, former member of the Community Justice Task Force, expressed his concern over the decision to refrain from the use of a pre-trial program as well. He explained that the results obtained from the 5-week pilot program were much different from those of most counties, which utilize a pre-trial services program, and he asked if the any comparisons had been made with their programs to identify any variances, which would cause such different results.

James Kilgore reiterated the statements of the previous speakers. He added that the pilot program was not conducted with enough transparency. He felt that there seemed to be personal and political pushback because people do not like change. Aaron Ammons appreciated the work the County Board had accomplished so far and looked forward to discussions with all stakeholders to move the pre-trial services program forward.

Ryan Roth, Public Policy Director for the Champaign County Chamber of Commerce raised questions regarding the proposal for use of placards by the Public Health Department for food service businesses. Items for consideration were scheduling of inspections, a public education campaign, and placement of the placards.

Niloofer Shambayati said the 5-week pre-trial services pilot program was too short and not pursuing it further was unacceptable. She reminded the board that a pre-trial services program was recommended by Dr. Kalmanoff and a few people should not be allowed to make the decision to shut it down behind closed doors.

### **COMMUNICATIONS**

Kibler announced that the Martin Luther King Jr. County-wide Celebration would take place on January 17, 2013 from 4-5 p.m., featuring Cheryl Brown Henderson. Richards expressed the thoughts of Lynn Branham, former member of the Community Justice Task Force, regarding the pre-trial services pilot program, since she could not be present at the meeting. He stated that the pilot conducted was not a best-practice pre-trial services program and she did not agree with the way it was conducted and too little information was made available to the public. He would forward her memo to the full board. Kurtz said the Champaign-Urbana Public Health District Board had voted unanimously in favor of the Department of Public Health placard program.

### **JUSTICE & SOCIAL SERVICES**

Request to Release RFP for Re-Entry Programming

**MOTION** by Langenheim to approve the release of an RFP for Re-Entry Programming; seconded by Kurtz. **MOTION** by Petrie to defer the request to release the RFP until the December 10, 2013 Committee of the Whole meeting to allow time for review of the RFP language in order to obtain the best program; seconded by Carter. James was confident that staff had done their due diligence while putting the RFP together and if the board disagreed with the

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proposals they receive they did not have to accept them. Kurtz agreed, he said the RFP had been put together by himself, the Justice & Social Services Deputy Chair, and the County Administrator, and the Administrator had written numerous RFPs. McGuire also supported the release of the RFP. Kibler felt it was reasonable to defer the release of the RFP in order to assure the public that the County Board is doing its due diligence.

Schwartz pointed out that the current RFP referred to the use of a justice system leader council and she was concerned because the justice system leaders had just tabled the pre-trial services program. Alix said it was clear that some board members were not comfortable with the release of the RFP at this time, although he had read it and felt it was suitable, but if it were deferred, he hoped board members would make their concerns known so as not to waste a 30-day period. Hartke agreed with Petrie and hoped that members who had expressed concerns would bring them forward so as not to waste the extra 30 days.

**Motion to defer carried 13-8.** Alix, Cowart, Esry, Hartke, Kibler, Maxwell, Michaels, Petrie, Quisenberry, Richards, Rosales, Schroeder, and Schwartz voted in favor of the motion to defer. Berkson, Carter, Harper, James, Jay, Kurtz, Langenheim, and McGuire voted against it.

### Monthly Reports

**OMNIBUS MOTION** by James to receive the Animal Control-September 2013; Emergency Management Agency- October 2013; Head Start-September and October 2013; Probation & Court Services-September 2013; Public Defender-September 2013; and the Veterans' Assistance Commission-October 2013 reports and place them on file; seconded by Cowart. **Motion carried with unanimous support.**

There was no other business or Chair's report.

### FINANCE

#### Treasurer

**MOTION** by Kibler to receive the Treasurer's October 2013 report and place on file; seconded by Hartke. **Motion carried with unanimous support.**

**OMNIBUS MOTION** by Michaels to recommend County Board approval of resolutions authorizing the County Board Chair to assign a mobile home tax sale certificates of purchase for permanent parcel numbers 20-032-0042 and 11-013-0058; seconded by Cowart. **Motion carried with unanimous support.**

#### Auditor

**MOTION** by Hartke to receive the Auditor's October 2013 report and place on file; seconded by Kibler. **Motion carried with unanimous support.**

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**MOTION** by Michaels to receive the FY2012 Comprehensive Annual Financial Report/Audit and place on file; seconded by James. Quisenberry read from the report recommendations ...*the County should consider updating its financial system and reviewing all related security settings at the system and financial application levels...* Quisenberry pointed out that the findings regarding Information Technology talked about a lack of security, mostly based on the age of the system and the capabilities associated with it. He reminded board members that they had declined to approve a previous request for a new financial system. Quisenberry stated he thought that there was not enough consideration given to this decision. He explained that the board had implemented steps to maintain facilities but nothing to maintain or improve the infrastructure of the County's information technologies.

Petrie suggested that the information technology risks be placed on the County Board Study Session agenda for January 2014. Quisenberry added that if they sought the opinion of a technology auditor they would receive a much more detailed report. Berkson asked how many technology systems the County had. Busey explained that the County used Jano and New World software systems for the criminal justice system; Kronos utilized for the County's payroll; the nursing home utilized a software package; and various offices use smaller software packages and developed in-house programs, which integrate with other departments. Certainly all of these factors must be taken into consideration when looking for a financial system software solution. **Motion carried with unanimous support.**

### Nursing Home Discussion

Maxwell stated that the nursing home's cash operations for September 2013 came in at a deficit largely due to over 900 conversion days. He explained that conversion days were the period over which a private pay resident converts to Medicaid. The State of Illinois is taking over a year in some cases to approve Medicaid applications resulting in the nursing home waiting for Medicaid payments, which cover the conversion period. He said this also distorted the September 2013 payer mix the Medicaid 65%, Private Pay at 28% and Medicare at approximately 7%.

Maxwell said that cash operations were expected to drop to approximately \$389,000 by the end of the month, but would be rebound once the Tax Anticipation Warrants were executed in December 2013. He added that admissions through October 2013 averaged about 25.7 per month and discharges and expirations average about 19.5 per month. The kitchen inspection score had not improved since the last inspection in April 2013. Maxwell reported that the November 2013 census was 195.

### Budget Amendments/Transfers

**MOTION** by Kurtz to recommend County Board approval of a resolution authorizing **Budget Amendment #13-00054** for Fund/Dept. 620 Health-Life Insurance-120 Employee Group Insurance with increased appropriations of \$66,000 and increased revenue of \$66,000 for payment of HRA claims and health insurance premiums; seconded by Langenheim. **Motion carried with unanimous support.**

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**MOTION** by James to recommend County Board approval of a resolution authorizing **Budget Amendment #13-00055** for Fund/Dept. 080 General Corporate-041 State's Attorney with increased appropriations of \$11,000 and no increased revenue, to pay for expenses related to the Carle Property Tax Case, 2008-L-202; seconded by Esry. **Motion carried with unanimous support.**

**MOTION** by Schroeder to recommend County Board approval of a resolution authorizing **Budget Amendment #13-00056** for Fund/Dept. 080 General Corporate-042 Coroner with increased appropriations of \$35,260 and no increased revenue to cover additional autopsy and laboratory costs for FY2013; seconded by Kurtz.

Northrup clarified his budget amendment request. He explained that conducting autopsies at his facility did not generate revenue it actually created an expense, however it does save money because he does not pay a fee for use of another facility. However, for part of the year he did not have a pathologist so this resulted in the need to use other facilities again. **Motion carried with unanimous support.**

State's Attorney

**MOTION** by Esry to recommend County Board approval of a resolution authorizing the designation of the State's Attorneys appellate prosecutor as agent; seconded by Hartke. **Motion carried with unanimous support.**

Jano Technologies Program Maintenance Agreement

**MOTION** by McGuire to recommend County Board approval of a resolution authorizing an agreement with Jano Technologies for licensed program maintenance; seconded by Berkson. Schwartz questioned the increase in cost. Busey explained that this was a CPI adjustment. Petrie asked if Jano was the only company available to perform this work and if a bidding process had been utilized. Busey said that Jano was selected through a competitive process in 2002 resulting in a \$2.8 million project and they are the only vendor who can support their software. **Motion carried with unanimous support.**

County Administrator

General Corporate Fund FY2013 Budget and Budget Change Reports

Busey explained the FY2013 Budget Projection Report was not as positive as it had been in the past months. In October, the County received \$100,000 less in General Government Revenue than last October and the current projection is approximately a \$324,000 shortfall. Busey said the projected expenditures were still coming in at 98% of total budget. This places the County at a positive projected Fund Balance of \$48,000.

**OMNIBUS MOTION** by Cowart to receive and place on file the General Corporate Fund FY 2013 Budget and Budget Change reports; seconded by Hartke. **Motion carried with unanimous support.**

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**MOTION** by Hartke to recommend County Board approval of an ordinance authorizing the FY2014 Annual Tax Levy; seconded by Langenheim. **Motion carried with unanimous support.**

**MOTION** by Kurtz to recommend County Board approval of an ordinance authorizing the FY2014 annual budget and appropriation; seconded by Hartke. **Motion carried.**

**MOTION** by Maxwell to recommend County Board approval of a resolution authorizing the issuance of Tax Anticipation Warrants; seconded by Hartke. Petrie asked if it were imperative to take this action now or if it could wait a little longer to lower the amount of interest to be paid. Hartke explained that the cash level was low and it was necessary to take action now in order to complete all the paperwork in a timely manner. James felt that board members really needed to look at other ways to deal with the annual shortfall.

Schwartz pointed out that the nursing home pays the accrued interest. She added that the General Corporate Fund borrowed from the Public Safety Sales Tax Fund every year, but no one was disturbed by this fact. Kibler suggested that the Nursing Home Board of Directors explain to the County Board what cash position it would take at this point to sustain nursing home operations through April, and then use this amount as a goal over the next 3-5 years to lower its dependence upon the receipt of these funds annually. Tax Anticipation Warrants could then be used for disaster recovery if needed. Michaels understood the need for the use of the Tax Anticipation Warrants. However, she felt that they should start scaling back on the percentage.

Maxwell stated he that he had an idea of the amount it would take to carry the nursing home through to April. Carter asked what the main reason that the nursing home could not function on its own without assistance. Hartke explained that the nursing home takes in more Medicaid residents than most others and the State of Illinois does not reimburse in a timely manner. The nursing home's mission is to take care of those in the community who cannot afford the care they need. **Motion carried 17-4.** Alix, Berkson, Carter, Cowart, Esry, Hartke, Kibler, Kurtz, Langenheim, Maxwell, McGuire, Michaels, Quisenberry, Richards, Rosales, Schroeder, and Schwartz voted in favor of the motion. Harper, James, Jay, and Petrie voted against it.

There was no other business.

### Chair's Report

Deputy Chair Alix appointed Catherine Emanuel, Nursing Home Board of Directors Chair; Deb Busey, County Administrator; Gary Maxwell and Josh Hartke, County Board members and liaisons to the Nursing Home Board of Directors; Jeff Kibler and Rachel Schwartz, County Board members; as the evaluation team for the Nursing Home Management Services RFP.

Designation of Items for the Consent Agenda

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Items A2-3; C1-3; D1; E and F4 were designated for the consent agenda.

### **POLICY, PERSONNEL, & APPOINTMENTS**

#### Appointments/Reappointments

**OMNIBUS MOTION** by Kurtz to recommend County Board approval of resolutions authorizing the appointments of Donald W. Lyn, Samuel Banks, and Catherine Emanuel to the Nursing Home Board of Directors, term 12/1/2013-11/30/2015; seconded by Schroeder.

**MOTION** by Langenheim to divide the question; seconded by Alix. Discussion followed. **Motion to divide the question failed. Omnibus motion carried with a roll call vote of 19-1.** Alix, Berkson, Carter, Cowart, Esry, Harper, Hartke, James, Jay, Kibler, Kurtz, Maxwell, McGuire, Michaels, Quisenberry, Richards, Rosales, Schroeder, and Schwartz voted in favor of the motion. Petrie voted against it. Langenheim exited the meeting.

**OMNIBUS MOTION** by Kurtz to recommend County Board approval of resolutions authorizing the appointments of Catherine Capel, Debra Griest, and Marilyn Lee to the Zoning Board of Appeals, term 12/1/2013-11/30/2018; seconded by Jay.

**MOTION** by Langenheim to divide the question; seconded by Alix. **Motion to divide the question failed with a roll call vote of 16-5.** Carter, Cowart, Esry, Harper, Hartke, James, Jay, Kibler, Kurtz, Maxwell, McGuire, Michaels, Quisenberry, Rosales, Schroeder, and Schwartz voted against the motion to divide. Alix, Berkson, Langenheim, Petrie, and Richards voted in favor of the motion to divide. **Omnibus motion carried.**

**OMNIBUS MOTION** by Kurtz to recommend County Board approval of resolutions authorizing the appointments of Bernie Magsamen, Andrew Quarnstrom, and Bryan Wrona to the Public Aid Appeals Committee, term 12/1/2013-11/30/2015; seconded by Schroeder. **Motion carried.**

**MOTION** by Kurtz to recommend County Board approval of a resolution authorizing the appointment of Rick Johnson to the Penfield Water District for an unexpired term ending 5/31/2014; seconded by James. **Motion carried with unanimous support.**

**MOTION** by Kurtz to recommend County Board approval of a resolution authorizing the appointment of William Shumate to the Somer #1 Drainage District for an unexpired term ending 8/31/2015; seconded by Schroeder. **Motion carried with unanimous support.**

**OMNIBUS MOTION** by Kurtz to recommend County Board approval of resolutions authorizing the appointments of Christine Bruns and Elaine Palencia Fowler to the Rural Transit Advisory Group, term 12/1/2013-11/30/2015; seconded by Kibler. **Motion carried.**

**OMNIBUS MOTION** by Kurtz to recommend County Board approval of resolutions authorizing the appointments of Cynthia Bell, Jimmey Kaiser, and Jane Nathan to the Senior Services Advisory Committee, term 12/1/2013-11/30/2016; seconded McGuire. **Motion carried.**

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### County Board of Health

**MOTION** by James to recommend County Board approval of an ordinance authorizing an amendment to Ordinance No. 573-County Health Ordinance, Section 5-Inspection Notice Placards; seconded by Rosales.

James supported the use of placards. He explained this request comes to the board after two-years of research and work. Kurtz also supported the use of placards for the health and safety of the public. Berkson did not support the use of placards. Petrie had reservations regarding the point system and restaurant violations and could not support it in its present format. She explained that as it stands a restaurant could have an egregious violation but still have enough points to receive a green placard. James said many open meetings were held to allow for input and the system may not be perfect, everything evolves, but if this never gets off the ground, we cannot move forward.

The County Board Rules were suspended in order to allow Jim Roberts, Director of Environmental Health, CUPHD to answer questions from the board members.

Harper asked how quickly the Public Health Department would return to a restaurant for re-inspection once given a yellow (re-inspection required) placard for minor infractions because having a yellow placard would affect their business.

Mr. Roberts explained a yellow placard is earned by having 5-6 violations plus demerits for repeat violations. In order to fail an inspection, a restaurant must receive a score of less than 36%. Once corrected, public health will come out and perform a re-inspection. Currently, the public is not aware of who has failed an inspection because they are given 30 days to take corrective action and then an unannounced inspection is made.

McGuire asked how many inspectors were available to perform inspections in a timely manner and how would the public be educated. Mr. Roberts explained that were nine inspectors. Educating the public comes through the media and he had done several interviews and would continue to do so. Once notified that corrective action has been taken, an inspector should be out within 48 hours for re-inspection.

Alix liked that the restaurant inspection results were on-line, although they were not posted by the public health department, but instead by a citizens group who obtained the inspection results through FOIA requests. Alix felt that there should be a credible correlation between the color of the placard on the door and the chance of becoming ill. He did not believe that the inspections were not frequent enough to give a good indication of the restaurant's suitability. The score could be affected by the time and day of the week. Alix explained that a green placard would not necessarily provide the public with any sense of security because all it takes is one careless worker. Similarly, the public could dine at a restaurant with a yellow placard and may not become ill. He added that it could also create a relationship where the inspector is viewed in a different light by the restaurateur. He explained that currently when an inspector comes in the restaurateur knows he is not there to shut it down but to point out any de-

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iciencies, which need correction. If a consequence of the inspection is a placard that could be detrimental to business, it could create an adversarial relationship rather than cooperative. He noted that language talking about a re-inspection within three business days if a restaurant receives a yellow placard is not in the ordinance.

Kurtz said when a restaurant is ready for re-inspection after receiving a yellow placard they can call because three days may not be enough time for them to take corrective action. Alix expounded that his concern was if a restaurant is ready for re-inspection, he wanted reassurance that they could be re-inspected this quickly. Schroeder agreed with Alix and added that in the past restaurants further out in the County would not be re-inspected for 2-3 weeks.

**Motion failed with a roll call vote of 9-11.** Carter, Cowart, Hartke, James, Kurtz, Langenheim, Michaels, Richards, and Rosales voted in favor of the motion. Alix, Berkson, Esry, Harper, Jay, Kibler, Maxwell, McGuire, Petrie, Schroeder, and Schwartz voted against the motion. Quisenberry abstained due to a possible conflict of interest.

**MOTION** by Alix to recommend County Board approval of an ordinance authorizing an amendment to Ordinance No. 573-county Health Ordinance, Section 12-Fee Waivers for Non-Profit Organizations; seconded by Kurtz. **Motion carried.** Quisenberry abstained due to a possible conflict of interest.

County Clerk

**MOTION** by James to receive the October 2013 report and place it on file; seconded by Cowart. **Motion carried with unanimous support.**

County Administrator

**MOTION** by Esry to receive the Administrative Services October 2013 report and place it on file; seconded by Rosales. **Motion carried with unanimous support.**

There was no other business.

Chair's Report

Recommendation for FY2014 Calendar of Meetings

**MOTION** by Hartke to amend the FY2014 Calendar of Meetings for all County Board meetings except Highway & Transportation to meet at 6:30 p.m.; seconded by Berkson.

**MOTION** by James to amend the FY2014 Calendar of Meetings for all County Board meetings except Highway and Transportation to begin at 6:00 p.m.; seconded by Kibler. Discussion followed. **Motion carried.**

Designation of Items for the Consent Agenda

Items A4-5 were designated for the County Board Consent Agenda.

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### **OTHER BUSINESS**

#### **Adjourn**

The meeting adjourned at 8:44 p.m.

Respectfully submitted,

Kay Rhodes  
Administrative Assistant

*Please note the minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.*