

Members Present

Mr. Bossert, Mr. Liehr, Ms. Bernard, Ms. Schmidt, Mr. Whitten, Mr. Tripp, Mr. LaGesse, Mr. James, Mr. Vickery, Mr. Whitis, and Mr. Washington

Members Absent

Mr. McLaren

In Attendance

- **Board Members**

- **Department Heads**

Lynn Mackin, Dick Campbell, Steve Beatty, Kevin Duval, Mike Van Mill, Steve McCarty, and Lori Gadbois

- **Others**

Ed Meents and Beth LaPlante

- **Media**

Leigh Marcotte and Dimitrios Kalantzis

1. Call to Order

The meeting was called to order by the Chairman, Mr. Bossert, at 9:00 a.m. Quorum present.

2. Public Comment

3. Approval of Minutes – March 25, 2010

A motion to approve the minutes was made by Mr. Whitten and seconded by Mr. Liehr. Motion carried with a voice vote.

4. Presentations

- **University of Illinois Extension Office – Beth LaPlante**

Mr. Bossert stated that Beth LaPlante is the unit director of the University of Illinois Extension Office. The reorganization efforts of the extension service, due to budgetary problems at the university level, have been reported in the press. In 1993 the voters in this county approved a tax levy, which is part of the county tax levy, to specifically support extension service.

Ms. LaPlante stated that they have not received any money from the State of Illinois. They are in the midst of reorganization and the object would be to combine some of the counties together and eliminate a middle management position, which is basically what she does. They would go from 76 units of extension down to 30 units across the State of Illinois.

Mr. Bossert stated that as these counties are forced into multi-unit organizations the issue becomes how are we going to equalize the support or is that an important issue as to how we support these units when Kankakee County has a tax levy and we raise \$340,000 to support the local extension office. Will County does not have a levy and Will County may likely be involved in the mix in terms of organizing a multi-unit office. If we end up supporting an extension unit with our tax dollars and Will does not, he hopes that the board members would have a problem with that. This is a dilemma we may have if we get forced into these situations. This is just an awareness discussion, not necessarily looking for direction.

Ms. LaPlante stated that they have been promised that the money that is raised locally and matched locally will stay in the County. It looks like a bookkeeping nightmare to her.

Mr. James stated that he thought it was written somewhere that if you change legislation you have to review the policies at the same time.

Ms. LaPlante stated that it was her understanding that the legislation is not going to be changed. They are still asking for County support and a match from the State. That part won't change; it is just the configuration and the management of people and buildings. They are trying to get rid of leases, but still provide programs.

Mr. Washington asked who the ultimate authority is that is going to do the combining of units.

Ms. LaPlante stated that they have an interim director of extension that is based in Champaign and an administrative team. All the counties are supposed to put a proposal together by May 10, and make their recommendations. They had a meeting last night of their local advisory committee and they are looking at their first choice to be Kankakee and Will County, their second choice Kankakee, Ford, and Iroquois; and their third choice Kankakee, Will, and Grundy. The proposal goes in by May 17 or 19 and the determination will then be what the 30 units will look like.

Mr. Washington asked why Will would be considered looking at their lack of funding.

Ms. LaPlante stated that they do raise local money. They got \$25,000 from their county board last year but they raised another \$100,000.

Mr. Washington stated that there is no guarantee of how much they are going to have each year. Ours is a guarantee of a certain dollar amount. He would advocate that we not look at Will as a prime candidate for the combining, but look at the ones that do have funding coming through a tax levy.

Ms. LaPlante stated that she would be glad to put that in her recommendation.

Ms. Bernard asked how much each county contributes each year and how much is our lease in Bourbonnais.

Ms. LaPlante stated that the county levy here is about \$340,000 and we have received a 100% match from the State up until last year when we received an 85% match. She would appreciate a 50% match this year from the State, but she doesn't know if that is going to happen. Our lease in our county is about \$75,000 a year and there is 6,000 sq. ft. of office space.

Ms. Bernard stated that there are knowledgeable people there and the service has been great. She stated that maybe they could find an office in a county building and keep their resources online. She would much rather keep the expertise. The Ag extension is one of the best values we get for our dollar. She would hate to lose that knowledge.

Ms. LaPlante stated that the total plan of the reorganization is exactly that – to downsize on the leases to try to save as many people as possible.

Mr. Bossert stated that Ford-Iroquois County raises about \$180,000 which is combination of a tax levy and some local money.

Ms. LaPlante stated that they want to have this reorganization done by November.

Mr. Washington stated that another reason he does not think that we should look at combining with Will County is because they are a much more industrious county than we are. They have a larger tax base than we do; therefore, they should be looking at increasing or developing a levy to support their extension unit.

Ms. LaPlante stated that if we did consider a Kankakee-Will alignment, then she would like the university to give them a time frame so that if Will does not come up with their own local funds and can't support minimal staff then there would be a cut-off date and office would close. If a county can't support, then other counties should not have to and won't. She is very grateful for the support of the Kankakee County Board.

Mr. McCarty asked if it has been looked at from a legal standpoint. He doesn't know if legally we could be combined with someone who does not do a tax levy.

Ms. LaPlante stated that her assumption is that it has been studied legally. She has more questions than answers at this point because it is so new to them. It is her understanding that there is going to be separate bookkeeping for each county.

Ms. Bernard asked if that is what we already do with the juvenile detention center.

Mr. McCarty stated that it was an intergovernmental agreement and it started out that way. This is a change to the existing way it is done.

Mr. James stated that because we are a county that is being taxed for this he thinks it behooves us to take a position on it as a county representing the taxpayers. He thinks we should send a resolution with Ms. LaPlante that states our position on this issue.

Mr. Bossert stated that he will prepare a letter that Ms. LaPlante could include with her recommendations that came from the local council. The letter would state that the sense of the board committee here today is that we are concerned about our taxpayer dollars supporting an office in a possible disproportionate manner. The consensus of the committee was that Mr. Bossert should prepare such a statement.

Mr. Bossert stated that he thanks the extension office because over the years there have been many programming educational opportunities that our County Board has taken advantage of.

5. Legislative

Ed Meents reviewed and discussed with the committee the bills that he feels pertain to the County. A copy of them will be available for review in the administration office.

6. Information Services

Mr. Duval stated that if anyone has issues getting to their county email he will set up individual appointments with them and walk them through the procedure.

Mr. Bossert stated that Mr. Duval assisted us in getting our FOI page up and attached to our regular county board page. There are links there to the FOI request form and some of the other required documentation that needs to be posted on the website.

Mr. Duval asked if it has been designated what will be included in "County News".

Mr. Bossert stated that there are a lot of committees and commissions, etc. that we could post on there. It is a work in progress.

7. Health Department

Ms. Schaafsma was not present.

8. Pledge for Life

9. Schools

10. Veterans Assistance Commission

- **Monthly Report**

The Committee reviewed the March 2010 VAC report.

A motion to accept the “VAC Report for March 2010” was made by Mr. Whitten and seconded by Mr. Washington. Motion carried with a voice vote.

Mr. Campbell stated that they had the director of Hines down and she is looking into putting in a couple of vans to help with transportation. Also, the Manteno Clinic has reached its capacity and they are looking for a new clinic here in Kankakee. They are looking at Exit 308 & 312. That may be a super clinic. They are also looking at the hospital at Joliet to rehab that and have a super clinic there, as well.

Mr. Bossert stated that we need to thank Mr. Campbell. He has been the squeaky wheel in this whole transportation issue and finally Hines has a director that listened and recognized the problem and took the issue head-on. He was at the VAC meeting when she came and visited and he was very impressed. She was very straight forward and took on some issues and he thinks our vets will get better service as a result.

11. Personnel/HR Issues

- **Amendment to the FMLA Policy**

Mr. Bossert stated that last month we adopted a FMLA policy and we need to modify it slightly.

Ms. Mackin stated that on the last page of the FMLA policy, the third paragraph up from the bottom, there is an underlined sentence that starts out with “Absenteeism”. She would like to remove the underlined portion from the policy. The final rule allows absenteeism to count in FMLA in the case of a perfect attendance award or bonuses. This does not pertain to the County and leaving it in only causes more confusion; therefore, so she would like to remove that particular sentence.

Mr. James made a motion to modify the FMLA policy and Mr. LaGessee seconded it. Motion carried with a voice vote.

12. Administrative Issues

a. Reappointments/Appointments/Resignations

- Reappointment of J.R. Fecke to the K3 County Farmland Assessment Review Committee
- Reappointment of Robert Casino to the Bourbonnais Fire Protection District
- Reappointment of Gregory Hamann to the Grant Park Fire Protection District
- Reappointment of Gerald Bengel to the Manteno Community Fire Protection District
- Reappointment of William Surprenant to the Otto Township Fire Protection District
- Reappointment of Brian Grob to the Pilot Township Fire Protection District
- Reappointment of Dennis Sherwood to the Greater Momence Fire Protection District
- Reappointment of David Sargeant to the Cabery Area Fire Protection District
- Reappointment of Hugh Boyt to the K3 Township Fire Protection District
- Resignation of Leo Whitten from the Kankakee County Board

Mr. Bossert stated that the reappointment of David Sargeant and Hugh Boyt need to be pulled from the agenda because we did not receive all of the necessary paperwork.

A motion to combine and accept all of the reappointments and to make the reappointments was made by Mr. Vickery and seconded by Mr. LaGessee. Motion carried with a voice vote.

Mr. Bossert stated that in an alarming event Leo Whitten submitted his resignation from the Kankakee County Board. It is effective May 1, 2010.

A motion to accept the resignation of Leo Whitten was made by Mr. James and Mr. Washington. Motion carried with a voice vote.

Mr. Bossert stated that Mr. Whitten will be missed. He has been a friend to all and has been a valuable member of our board for 16 years. He was not afraid to mix it up on discussions from time to time and his input was appreciated. He will be preparing a letter to the chairman of the parties announcing the resignation and the opening and asking for a name to be forwarded to the County Board.

b. Openings

- One Opening on the K3 River Valley Forest Preserve District Board
- Four Openings on the K3 County Board of Health; one for a dentist and three for members-at-large

Mr. Bossert announced the openings listed above.

Mr. Bossert stated that he forgot to mention a resignation that came in yesterday. Don Bourassa has resigned from the K3 River Valley Area Airport Authority.

A motion to accept Don Bourassa's resignation was made by Mr. James and seconded by Mr. Whitis. Motion carried with a voice vote.

c. Resolutions

- **Energy Efficiency & Conservation Block Grant (ARRA) – Establish a Grant Review Team**

Mr. Van Mill stated that he is very happy to announce that through the efforts of one of the organizations that we are a member of, The Illinois Association of Regional Councils, to help regions with energy efficiency, the K3 County Planning Commission has been awarded a grant for \$391,000 to put an energy efficiency program together for projects. One of the requirements is to have a grant review team that will look at projects as the process moves forward. It has to be at least three people and cannot be County Board members or Regional Planning Commission members, but they do have to have expertise in the various fields that they will be evaluating. He would like the Board to consider establishing the review team and giving the chairman authority to appoint with the County Board's consent. This is happening very quickly and they have to get the review team in place. The deadline is June 11. The grant itself will go through March 31, 2012, but there are some very hard deadlines to keep it moving forward. In saying that, he would also ask the County Board's permission to get the sub grantee contract resolution on the next county board agenda. This is a very positive thing and we need to thank the Illinois Association of Regional Councils for pushing this forward. We are now in line to take advantage of it.

Mr. Bossert stated that since we have it on the agenda to establish a review team, the motion would establish the framework of naming a review team and then in two weeks at the full County Board meeting

with the committee's permission he would bring three to five names to name to that team and get authority to sign the contract.

Mr. Washington made that motion and Mr. Liehr seconded it. Motion carried with a voice vote.

Mr. LaGesse stated that when we did interviews last time we had some very qualified people that weren't named to those committees and he wonders if maybe some of those people could be looked at serving on this.

Mr. James asked if there were any attachments to this grant that we would have to continue with.

Mr. Van Mill stated that there is none. There is a beginning and an end. County funds will not be going towards this unless we name ourselves as a recipient.

Mr. Bossert stated that if the board members had any recommendations for the grant review team to bring them to him as soon as possible. They should have some expertise in the trades, energy efficiency, or sustainability.

13. Old Business

- **Retention of Recordings of County Board Meetings & County Board Committee Meetings**

Mr. Bossert stated that he thinks that the approach that we want to take is to review what would be a administration department policy in terms of this particular area of board public records. After we have acknowledged that the recordings are public record, the issue is how do we comply with the retention schedule. Do we comply with the letter of the law or do we go above and beyond the retention schedule as recommended by the Local Records Commission? We did get an updated document from the LRC after they came back and reviewed some more of our payroll records and personnel records in the administration department and perhaps straightened out some of the issues about who has possession of certain records and recordings. That updated document is in our hands now and it will be the framework for seeking approval to dispose of records as they come due in our department and the finance department. There is ten years of recordings on hand right now – four years of cassette tapes and six years of CD's. His thought is that five years would be sufficient to maintain as a hard copy and right now we are in the process of putting the third year back up on the web in terms of the committee recordings. So there would be three years of recordings on the web and five years kept of hard copies which should be sufficient time for someone to come and get a copy if they so desire. Past that point, his thought is that they would get permission from the LRC to dispose of those recordings and at that point they could be donated to the library or the historical society museum. The actual historical record of the actions of the board is the written records. The recordings are interesting, but beyond that they are not real valuable in terms of the official, legal proceedings of the County Board. He will formulate that policy as an internal policy and it is not necessary that the Board approve that. Allowing the Board to approve that policy would open the door to approving policy in other elected officials department. That is the advice he is getting from the State's Attorney on that matter.

Mr. Liehr stated that he thinks that it is an excellent idea to make those records available to either the historical society or the public libraries. Clearly, the responsibility of the government on a legal basis comes to an end at some point. Those who have the historical interest should be the ones that become the depository for those kinds of records.

Ms. Bernard stated that we need to think about more than just the legal frame of this. She thinks these recordings should be kept indefinitely, if at all possible. The recordings present the context in which decisions are made. Minutes may miss the discussion that goes on with issues. Information is becoming easier and easier to store. She thinks the value of keeping these is priceless.

Ms. Schmidt stated that she agrees with Ms. Bernard. She thinks it is very important that we keep these for an indefinite period of time. It probably would behoove us to do what we do with the executive session minutes and go over them from time to time to see which ones that we might want to do away with after the five year period. She asked if we have to keep certain ones by law that pertain to lawsuits and litigations, such as the landfill.

Mr. Bossert stated that the crux of the landfill litigation revolved around the resolution adopted by the Board which is the written record. It was the resolution of the Board that established the policy that was in the solid waste plan. The written record is the controlling record, which is kept indefinitely. The LRC has reviewed our records and has determined that in their view there is no value in holding recordings beyond 30 days. We are going above and beyond that and saying that we will hang on to recordings for five years.

Ms. Schmidt asked if we were going to make this a policy by a vote.

Mr. Bossert stated that this would be an administrative policy established by a department head. The Board normally does not interfere with internal policy of a department head whether elected or appointed. The County Clerk is the keeper of all the records of the County Board.

Ms. Schmidt asked if the County Clerk has to go by certain ordinances and policies set forth by the County Board. It seems to her that when she reads his job description in the county book it says that he has to abide by certain policies set forth by state law and by the County Board. She thinks in that respect we could set that policy and he would have to abide by that.

Mr. Bossert stated that maybe we need clarification from the State's Attorney in regards to that area. We can take that up in the County Clerk's committee.

Mr. James stated that he would like to bring something to the surface in regards to public records and the importance of reviewing them. He was at the meeting when the landfill was opened up and that was quite a controversy when the landfill went on that side of town. He was in the room when Paul Blanks stood up and said "We will not approve any landfill that takes garbage from outside the County". It was a heated debate and that is the only reason that that landfill got permitted at that time. Had we had a recording of that we could have played when we were discussing opening up garbage to outside the County, he doesn't think the vote would have went the way that it did, and we could have saved hundreds of thousands of dollars on a unnecessary lawsuit that we finally did win. There would never have been the opportunity for the door to open had we had the recording like we have them today. He thinks the recordings are important because if we come up with an issue that is in controversy to an issue that we passed previously we can always play the recording and find out exactly what the arguments were at that time that created that decision. He thinks the recordings are very valuable and should be kept.

Mr. Washington stated that even though Paul Blank said that, there were legal precedents set afterwards by multiple courts that determined that garbage was commerce and it cannot be restricted. It nullified that statement in regards to us being able to restrict garbage.

Mr. Vickery stated that he thinks that the plan put forth by the Chairman is a reasonable plan. We are not destroying any records. We are transferring their ownership to the library or the historical society. The written record is the real record and is the legal record of those meetings.

Mr. Bossert stated that he would hold off on doing anything until he gets a policy on paper and have it reviewed by the State's Attorney and get an opinion on it.

Ms. Bernard stated that the LRC is looking at the bare minimum. She thinks it is important to keep the records so that we know the environment that these decisions are made and we know why the decisions are made.

14. New Business

- **Appointments**

Mr. Bossert stated that this is a request from Leo Whitten.

Mr. Whitten stated that we reappointed Hollice Clark without bringing him back to the committee to be interviewed. He was reviewed five years ago but things can happen during five years. He thinks after five years they should be reinterviewed by the committee even if there is only one person applying for the position. It is part of the committee's job as detailed in the county code.

Mr. Bossert stated that a copy of the board code is in everyone's packet. The language in the county code does appear to be strict in terms of the fact the candidates will come in and be interviewed and a recommendation made by the committee brought back to the board chairman. We have not been following that exact procedure. He asked what the pleasure of the committee was. Do they want to interview every candidate that comes up whether there is opposition or not? If it is a reappointment, that is one thing, if it is an open seat and there is interest by more than one candidate that might be another matter.

Mr. Washington stated that his own concept of a candidate who has successfully worked on a committee is his record of that committee. That is the only thing that is of any major importance to this body. Since that record is a matter of public record we can view that and make the reappointment. His public performance of his public duty as a member of that committee is the only thing that is of any importance to this Board.

Ms. Bernard stated that she thinks we should bring them in for interviews because we have some individuals on some committees that have spotty attendance records. She would like to see the attendance records of the candidates being reappointed.

Mr. Liehr stated that he believes Mr. Washington and Ms. Bernard both have good ideas in the sense that performance on these boards is something that is appropriate for us to be considering. He is not sure that we need to have the individual present to get that information. He might request that a change in the format in terms of the request to be reappointed. We could ask for that information so we could review it and then if there is some reason to bring a person in then we could. If we look at the number of fire districts that we are responsible for, and recognizing that many of these people have full-time employment, we would be asking them for an additional step that we could probably get from the written record.

Mr. James stated that he agrees with Mr. Liehr. We don't want to do anything that is going to discourage participation. What we want is to be better informed of the participant. He agrees that if they submitted their track record and the reason that they feel that they are qualified, he feels that we can then interview if it becomes necessary. One of the things that he observed is that when we have an opening we merely say that there is an opening. The committee has no idea what opening it is or how it was created.

Mr. Bossert stated that when we publish notice in the paper we go a step further and say who currently holds that position. He has been struggling with how to word it and not give the appearance that it is already held by somebody and nobody else need apply.

Mr. James would like to know more information such as whose term is up, who is on the committee, etc.

Ms. Schmidt stated that in response to the comment of them having full-time jobs, so do the committee members. It might be advantageous for them and for the public to have meetings at night. She doesn't think it is asking too much to have them come in for an interview when their term is up. It would only be about every two or three years depending on the length of the term.

Mr. Bossert asked what the committee's pleasure is. Could he bring in a few of the committee members and hash out a different policy on appointments and then come back and revisit this issue? He did pull several off the agenda because there were multiple applications for a couple of fire districts and the board of review. No one on the committee objected to the Chairman proceeding in this way.

Mr. Vickery stated that maybe in the application process we can ask for their attendance record. It will make people on these boards aware of the fact that someone is watching.

Mr. Bossert stated that it was not a bad idea to incorporate that into the application process.

- **Line of Credit**

Mr. Bossert stated that we do not need to take action on this at this time.

Mr. Bossert stated that the ICC has scheduled this room for the Aqua public forum on May 17. He is hearing that there is a movement to drum up people to show up at the hearing and he is afraid that this room may not be sufficient to hold a large crowd. They may be looking around for another venue.

15. Adjournment

A motion to adjourn at 10:39 was made by Mr. Whitten and seconded by Mr. Liehr. Motion carried with a voice vote.

Mike Bossert, Chairman
Joanne Langlois, Executive Coordinator