

Minutes of the Executive Committee Meeting

The Executive Committee of the McLean County Board met on Tuesday, December 9, 2008, at 4:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Sorensen, Members Owens, Bostic, Gordon, Hoselton, Renner, Segobiano, and Butler

Members Absent: Member Nuckolls

Other Members

Present: None

Staff Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator; Mr. Bill Wasson, Director, Administrative Services; Ms. Jude LaCasse, Assistant to the County Administrator

Department Heads/

Elected Officials Present: None

Others Present: Mr. Ken Springer, Enterprise Zone Administrator, Economic Development Council; Ms. Lori McCormick, Director, Court Services

Chairman Sorensen called the meeting to order at 4:30 p.m.

Chairman Sorensen presented the minutes from the November 10, 2008 Executive Committee Meeting. Hearing no corrections to those minutes, Chairman Sorensen advised that the minutes would stand approved as presented.

Chairman Sorensen presented the Reappointments. Chairman Sorensen advised that there are no Appointments or Resignations to present at this time.

Motion by Segobiano/Owens to Recommend
Approval of the Reappointments as recommended by
the Chairman.
Motion carried.

Chairman Sorensen presented a request for approval of an Ordinance amending "An Ordinance Describing and designating an area located partially within the City of Bloomington, the Town of Normal and Unincorporated McLean County as an Enterprise Zone."

Motion by Owens/Renner to Recommend Approval of an Ordinance amending "An Ordinance Describing and designating an area located partially within the City of Bloomington, the Town of Normal and Unincorporated McLean County as an Enterprise Zone."

Motion carried.

Chairman Sorensen presented a request for approval of an Ordinance Establishing a Holiday Schedule for County Employees for the Calendar Year 2009.

Motion by Segobiano/Bostic to Recommend Approval of an Ordinance Establishing a Holiday Schedule for County Employees for the Calendar Year 2009.

Motion carried.

Chairman Sorensen presented a request for approval of an Ordinance Establishing the County Board Meeting Dates for Calendar Year 2009.

Motion by Segobiano/Owens to Recommend Approval of an Ordinance Establishing County Board Meeting Dates for Calendar Year 2009.

Mr. Owens pointed out that the July County Board Meeting, which usually moves to accommodate the NACo meeting, was not moved as NACo meets the Thursday and Friday following the Board Meeting.

Motion carried.

Mr. George Gordon, Chairman, Land Use and Development Committee, reported that the Land Use and Development Committee brings no items for action to the Executive Committee.

Chairman Sorensen asked if there were any questions. Hearing none, he thanked Mr. Gordon.

Ms. Diane Bostic, Chairman, Property Committee, presented three requests to be acted upon together. Ms. Bostic advised that all three are the result of the approval of the Fiscal Year 2009 Adopted Budget and all relate to the three properties which the Public Building Commission owns and which the County leases, namely the Old Courthouse, the Law and Justice Center and the Government Center.

Ms. Bostic presented the three requests, as follows:

- Request Approval of Lease and Contract Extension Agreement No. 6 extending the lease of the Courthouse Building and the Contract for Operation and Maintenance all dated December 3, 2002 – County Administrator's Office;
- Request Approval of Attachment Number Seven to the Amendment to the Lease and Operation and Maintenance Agreement for the City/County Office Building – County Administrator's Office;
- Request Approval of Attachment Number 18 to the Amendment to the Lease and Operation and Maintenance Agreement for the Law and Justice Center – County Administrator's Office.

Motion by Bostic/Hoselton to Recommend Approval of Lease and Contract Extension Agreement No. 6 extending the Lease of the Courthouse Building and the Contract for Operation and Maintenance all dated December 3, 2002 – County Administrator's Office; Recommend Approval of Attachment Number Seven to the Amendment to the Lease and Operation and Maintenance Agreement for the City/County Office Building – County Administrator's Office; and Recommend Approval of Attachment Number 18 to the Amendment to the Lease and Operation and Maintenance Agreement for the Law and Justice Center – County Administrator's Office.

Mr. Hoselton suggested that Ms. Bostic clarify the role of the Public Building Commission. Ms. Bostic explained that non-home rule entities, such as McLean County, have no ability to go out and raise money, other than one yearly tax levy. In order to finance the purchase of a building or to remodel a building, the County needs another body that can issue debt obligations. As a result, the County created a Public Building Commission. The Public Building Commission can finance debt for any of the governmental bodies that are located within the County seat. Ms. Bostic indicated that, by virtue of turning over County Buildings to the PBC, the PBC owns the buildings and, as a PBC tenant, the County levies a property tax to pay that lease payment. The amount of the lease payment is equal to the cost to maintain and operate the facilities, which the PBC, as part of the lease agreement, requires the County to do.

Chairman Sorensen called for a vote on the Motion.

Motion carried.

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Chairman Sorensen asked if there were any questions. Hearing none, he thanked Ms. Bostic.

Mr. Stan Hoselton, Chairman, Transportation Committee, presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2008 Combined Annual Appropriation and Budget Ordinance, McLean County Highway Department Motor Fuel Tax Fund 0123, McLean County Highway Department 0055. He explained that this is for several road projects that were started during Fiscal Year 2007 and carried over into 2008.

Motion by Hoselton/Renner to recommend approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2008 Combined Annual Appropriation and Budget Ordinance, McLean County Highway Department Fund 0123, McLean County Highway Department 0055.
Motion carried.

Chairman Sorensen asked if there were any questions or comments. Hearing none, he thanked Mr. Hoselton.

Mr. Ben Owens, Chairman, Finance Committee, presented a request for approval to update the Lease Agreement with SHOWBUS for Vehicles as recommended by Building and Zoning.

Motion by Owens/Gordon to Recommend Approval to Update the Lease Agreement with SHOWBUS for Vehicles as recommended by Building and Zoning.
Motion carried.

Mr. Owens presented a request for approval of an Ordinance of the McLean County Board Amending the 2008 Combined Appropriation and Budget Ordinance for Fund 0103 (WIC Grant Program) for the Health Department.

Motion by Owens/Renner to Recommend Approval of an Ordinance of the McLean County Board Amending the 2008 Combined Appropriation and Budget Ordinance for Fund 0103 (WIC Grant Program) for the Health Department.
Motion carried.

Mr. Owens submitted a request for approval of a Resolution Amending the Fiscal Year 2008 McLean County Full-Time Equivalent Position Resolution Associated with an Ordinance to Amend the Fiscal Year 2008 McLean County Combined Appropriation and Budget Ordinance for Fund 0103 (WIC Grant Program) for the Health Department.

Motion by Owens/Renner to Recommend Approval of a Resolution Amending the Fiscal Year 2008 McLean County Full-Time Equivalent Position Resolution Associated with an Ordinance to Amend the Fiscal Year 2008 McLean County Combined Appropriation and Budget Ordinance for Fund 0103 (WIC Grant Program) for the Health Department.

Motion carried.

Mr. Owens presented a request for approval of an Ordinance of the McLean County Board Amending the 2008 Combined Appropriation and Budget Ordinance for Fund 0102 (Dental Sealant Grant Program) for the Health Department.

Motion by Owens/Segobiano to Recommend Approval of an Ordinance of the McLean County Board Amending the 2008 Combined Appropriation and Budget Ordinance for Fund 0102 (Dental Sealant Grant Program) for the Health Department.

Motion carried.

Chairman Sorensen asked if there were any questions or observations. Hearing none, he thanked Mr. Owens.

Mr. Tari Renner, Chairman, Justice Committee, presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2009 Combined Annual Appropriation and Budget Ordinance, Children's Advocacy Center Fund 0129 – Children's Advocacy Center 0062. He indicated that this is the result of a \$4,800.00 grant received from the Child Protection Network.

Motion by Renner/Segobiano to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2009 Combined Annual Appropriation and Budget Ordinance, Children's Advocacy Center Fund 0129 – Children's Advocacy Center 0062.

Motion carried.

Mr. Renner presented two requests to be acted upon together. The first is a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2008 Combined Annual Appropriation and Budget Ordinance Fund 0001 General Fund, Court Services Department 0022 (\$333,002.00). The second is a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2009 Combined Annual Appropriation and Budget Ordinance Fund 0001 General Fund, Court Services Department 0022.

Mr. Gordon asked if this is the grant from the Justice Department in connection with the Drug Court. Mr. Renner replied that it is the Drug Court grant.

Motion by Renner/Gordon to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2008 Combined Annual Appropriation and Budget Ordinance Fund 0001 General Fund, Court Services Department 0022; and Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2009 Combined Annual Appropriation and Budget Ordinance Fund 0001 General Fund, Court Services Department 0022.
Motion carried.

Mr. Renner submitted a request for approval to accept a Re-Deploy Illinois Grant for Court Services.

Motion by Renner/Bostic to Recommend Approval to accept a Re-Deploy Illinois Grant for Court Services.
Motion carried.

Mr. Renner presented three requests that can be acted upon together. They are a request for approval of an Intergovernmental Agreement between the County of McLean and Illinois State University for Centralized Booking – Sheriff's Department; a request for approval of an Intergovernmental Agreement between the County of McLean and the Town of Normal for Centralized Booking – Sheriff's Department, and a request for approval of an Intergovernmental Agreement between the County of McLean and the City of Bloomington for Centralized Booking – Sheriff's Department.

Motion by Renner/Segobiano to Recommend Approval of an Intergovernmental Agreement between the County of McLean and Illinois State University for Centralized Booking – Sheriff's Department; to Recommend Approval of an Intergovernmental Agreement between the County of McLean and the Town of Normal for Centralized Booking – Sheriff's Department; and to Recommend Approval of an Intergovernmental Agreement between the County of McLean and the City of Bloomington for Centralized Booking – Sheriff's Department.

Motion carried.

Mr. Renner presented a request for approval of an Amendment to the Intergovernmental Agreement by and between the County of McLean, the McLean County Sheriff and the Bloomington-Normal Airport Authority.

Motion by Renner/Segobiano to Recommend Approval of an Amendment to the Intergovernmental Agreement by and between the County of McLean, the McLean County Sheriff and the Bloomington-Normal Airport Authority.

Motion carried.

Mr. Renner submitted a request for approval of a Letter of Understanding between the McLean County Board and the Regional Office of Education for McLean and DeWitt Counties regarding the McLean County Jail Education Program – Sheriff's Department

Motion by Renner/Segobiano to Recommend Approval of a Letter of Understanding between the McLean County Board and the Regional Office of Education for McLean and DeWitt Counties regarding the McLean County Jail Education Program – Sheriff's Department.

Motion carried.

Mr. Renner submitted a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2008 Combined Annual Appropriation and Budget Ordinance, General Fund 0001 – Coroner's Office 0031.

Motion by Renner/Bostic to Recommend Approval of
an Emergency Appropriation Ordinance Amending
the McLean County Fiscal Year 2008 Combined
Annual Appropriation and Budget Ordinance, General
Fund 0001 – Coroner's Office 0031.

Mr. Owens expressed concern that the Coroner's Office has requested additional funding the last two years. He noted that his concern relates to the number of autopsies conducted within the County. Mr. Owens indicated that several Funeral Home Directors have complained that more and more cases are becoming Coroner's cases. He stated that families are often confused and frustrated that they cannot bury their loved ones because the Coroner is requiring more investigations. Mr. Owens asked if the Coroner is doing more investigations than is required by State law and, if so, why. Mr. Renner responded that this was discussed at the Justice Committee. He recounted his experience with his step-Mother who recently passed away in Cook County. Mr. Renner advised that Cook County did not require as much as is required by the McLean County Coroner. He indicated that Ms. Kimmerling acknowledged that she has a broader view of her role and responsibility as to when the Coroner needs to be involved with a case. Mr. Renner pointed out Ms. Kimmerling specifically mentioned concern regarding someone who may have passed away at home from a prolonged illness where there may have been prescribed morphine in the home. He indicated that Ms. Kimmerling felt it was the responsibility of the Coroner's Office to secure the morphine.

Mr. Zeunik stated that questions were raised in the Justice Committee meeting. He encouraged Committee members to read the minutes from the Justice Committee meeting. Mr. Zeunik advised that, at the meeting, Ms. Kimmerling reported that, on average, there are 1,200 deaths a year in McLean County. Of those 1,200 deaths, the Coroner's Office is involved in 900 of the deaths. Mr. Zeunik indicated that there has been an expansion in the role of the Coroner's Office. He referred to Mr. Renner's example of a terminally ill patient, who is at home, under doctor's care, with access to morphine. He explained that Ms. Kimmerling feels she needs to be involved to make sure that someone did not administer too much morphine.

Mr. Renner indicated that the Justice Committee voted unanimously for this Emergency Appropriation Ordinance. He felt that one of the reasons for the shortfall is due to the difficulty of projecting the number of deaths, particularly out-of-County deaths.

Mr. Owens stated that his concern is not a reflection on the abilities of the Coroner. Rather, he felt the County could save money by limiting the involvement of the Coroner's Office in some in-County deaths.

Chairman Sorensen called for a vote on the Motion.

Motion carried. Member Owens voted "no."

Mr. Segobiano stated that he has always found the Coroner to be very cooperative. He recommended that Ms. Kimmerling submit a written report to satisfy the Board members' concerns regarding her operations. Mr. Zeunik responded that Ms. Kimmerling submits monthly and annual reports to the Committee and the Board. He added that the Administrator's Office is putting together some historical data regarding the increase in Coroner cases. Mr. Zeunik advised that the number of deaths in McLean County does not change that much from year to year. He noted that the historical data will compare Coroner cases from previous years to the current year. This data should show if the dramatic increase is based on Ms. Kimmerling's view of her office's responsibility or whether the budget discrepancies from this year and last year are simply errors in estimating the number of cases that would require autopsies and/or investigations.

Mr. Butler asked when would a death occur that the Coroner's Office would not be involved. Mr. Zeunik replied that Ms. Kimmerling has four guidelines that she mentioned at the Justice Committee meeting, including that the patient must have died in the hospital, must have been in the hospital for more than 24 hours, and the physician must know why the patient died. He advised that, in other jurisdictions, if you are under the care of a physician and die at home, as long as the physician is willing to state the cause of death and sign the death certificate, typically the coroner would not get involved. The same would be true for a death at a nursing home. Mr. Butler indicated that, when his mother-in-law died in a nursing home, he had to call the Coroner's Office before the funeral home could pick up the body. He added that the Coroner's Office asked a few questions about her care, but did not get involved.

Mr. Hoselton asked how long has the pathologist been working with the County. Mr. Zeunik replied that he has been working with the County for a little over a year. Mr. Hoselton pointed out that most Counties do not have a pathologist. He stated that Ms. Kimmerling made the comment that she can call the pathologist to attend a death scene at any time of day or night. Mr. Hoselton advised that he found no fault in what she is doing and in her response to death investigations.

Chairman Sorensen stated that he would like to see a little more perspective on the number of autopsies and investigations required by the Coroner's Office. He indicated that he has received complaints, in the past, about the Coroner's Office. One instance was a case where a 98 year old woman fell down the stairs and died, and the Coroner required an autopsy. Chairman Sorensen referred to

the reference made that Ms. Kimmerling's standards for deciding when to engage her office in these cases is higher than the threshold established by the State. He noted that her diligence is great as long as it is not costing taxpayers in McLean County more money than necessary.

Mr. Segobiano indicated that the cost to run the Coroner's Office has, from time to time, been questioned.

Ms. Bostic indicated that she has received two comments from funeral directors who say that it is an inconvenience to them when they have to wait for the Coroner to investigate a death.

Chairman Sorensen stated that Ms. Kimmerling has every right to make those decisions in her office and he does not question that right. However, he added that it is the responsibility of the County Board to acknowledge that the people of McLean County are getting a certain level of service that is above or consistent with the service that is required by law. It is the Board's fiduciary responsibility to understand that there is a price tag associated with that service. Mr. Renner suggested that it is important to find out a comparison of the number of cases today as opposed to cases several years ago.

After additional discussion regarding the Coroner's Office, Chairman Sorensen indicated that the following information needs to be determined:

- What are the services being provided by the Coroner's Office;
- What are the costs associated with the services.

Mr. Segobiano recommended that the Administrator's Office investigate concerns expressed above and prepare a report for the Board.

Chairman Sorensen asked if there were any additional questions or comments. Hearing none, he thanked Mr. Renner.

Chairman Sorensen presented the November 30, 2008 bills as recommended and transmitted by the County Auditor for payment, as well as a Transfer in the amount of \$2,178.00 from the County Board budget from Dues and Membership and from Non-Travel Business Meals to Employee Service Awards and non-Contractual Services. The Fund Total is \$321,228.65 and the Prepaid Total is the same.

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Motion by Owens/Segobiano to recommend approval of the Executive Committee bills for November 30, 2008 as presented to the Committee by the County Auditor.
Motion carried.

There being no further business to come before the Committee, the meeting was adjourned at 5:03 p.m.

Respectfully Submitted,

Judith A. LaCasse
Recording Secretary