



EXECUTIVE COMMITTEE AGENDA
Room 400, Government Center

Tuesday, May 13, 2008

4:30 p.m.

1. Call to Order
2. Chairman's Approval of Minutes – April 8, 2008
3. Appearance by Members of the Public
4. Departmental Matters
5. Report of Standing Committees:
 - A. Executive Committee – Chairman Sorensen
 - 1) Items to be Presented for Action:

a) REAPPOINTMENTS:

BLOOMINGTON-NORMAL WATER RECLAMATION DISTRICT

Mr. H. Donald Merritt Jr.

613 Normal Avenue

Normal, IL 61761

(Three-year term to expire the first Monday in May, 2011)

McLEAN COUNTY BOARD OF REVIEW

Mr. Joseph R. Stephens

1928 Claremont C. Commons

Normal, IL 61761

(Three-year term to expire the first Monday in May, 2011)

b) APPOINTMENTS:

SAYBROOK-ARROWSMITH FIRE PROTECTION DISTRICT

Mr. Paul Butler
279 S. Harper, PO Box 244
Arrowsmith, IL 61770
(Three-year term to expire on April 30, 2011)

SAYBROOK-ARROWSMITH FIRE PROTECTION DISTRICT

Mr. Richard Benjamin
101 North Madison
Saybrook, IL 61770
(To Complete Three-year term to expire on April 30, 2010)

ZONING BOARD OF APPEALS

Ms. Julia Turner
2202 Hedgewood Dr.
Bloomington, IL 61704
(Five-year term to expire June 27, 2008)

c) RESIGNATIONS:

CLEARVIEW SANITARY DISTRICT

Mr. Michael S. Rosenau
3013 Robert St.
Bloomington, IL 61704

McLEAN COUNTY BOARD OF REVIEW

Mr. Floyd "Bud" Clark
2103 Berrywood Lane
Bloomington, IL 61704

SAYBROOK-ARROWSMITH FIRE PROTECTION DISTRICT

Mr. Gary Morefield
10673 N. 3400 East Road
Arrowsmith, IL 61722

ZONING BOARD OF APPEALS

Mr. Kevin Jacobs
505 Amherst Drive
Normal, IL 61761

- d) Request Approval of Resolution of the
McLean County Board Approving and Adopting
Additional 2008 Legislative Subcommittee
Recommendations to oppose Infringement on
Citizens Rights Conferred by the Second
Amendment to the Constitution of the United
States – Legislative Subcommittee

- e) Request Approval of Resolution of the McLean County Board Approving and Adopting Additional 2008 Legislative Subcommittee Recommendations to Support Full Federal Funding for Veteran's Healthcare – Legislative Subcommittee 3-4
- f) Request Approval of Resolution of the McLean County Board Approving and Adopting 2008 Legislative Subcommittee Recommendations To include Funding for Local Government Road and Bridge Repairs in Capital Funding Programs – Legislative Subcommittee 5
- 2) Items to be Presented to the Board:
 - a) Legislative Sub-Committee Minutes, March 25, 2008 6-20
 - b) Legislative Sub-Committee Minutes, April 24, 2008 (DRAFT) 21-33
 - c) General Report
 - d) Other
- B. Finance Committee – Chairman Selzer
 - 1) Items to be Presented for Action:
 - a) Request Approval of the Resolution Establishing the Budget Policy for Fiscal Year 2009 – County Administrator's Office 34-44
 - b) Request Approval of Resolution to authorize the IMRF Early Retirement Incentive Program – County Administrator's Office 45-56
 - c) Request Approval of an Ordinance of the McLean County Board Establishing the Annual Salary of the Circuit Clerk, Coroner, County Auditor, and Recorder – County Administrator's Office 57-62
 - d) Request Approval of an Ordinance of the McLean County Board Setting Salaries of the Members of the McLean County Board – County Administrator's Office 63-64
 - 2) Items to be Presented to the Board:
 - a) Request Approval of the Purchase of a Storage Area Network (SAN) Device – Recorder's Office
 - b) Request approval of Endorsement to Property Coverage – Licensed Road Vehicles – Risk Management
 - c) Request Approval of Increase in Marriage License Fee of \$5.00 Pursuant to Public Action 95-0771 – County Clerk's Office
 - d) Request Approval of a Resolution of the McLean County Board Authorizing the County Recorder to Offer a Salary above the Maximum Salary – County Recorder's Office

- e) General Report
- f) Other

C. Justice Committee – Chairman Renner

1) Items to be Presented for Action:

- a) Request Approval of continuation of Department of Justice Bulletproof Vest Partnership Grant of \$4,110.00 – Sheriff's Department 65-74
- b) Request Approval of continuation of Illinois Department of Transportation (IDOT) Grant of \$22,176.00 for Holiday Mobilization 2009 – Sheriff's Department 75-96
- c) Request Approval of State of Illinois First Renewal of the Intergovernmental Agreement Between the Department of Healthcare and Family Services and McLean County Office of the Chief Judge – Circuit Court 97-99

2) Items to be Presented to the Board:

- a) Request Approval of a First Amendment to the Agreement with Merle Pharmacy No. 1, Inc. and McLean County Board for Provision of Pharmaceutical Services for the McLean County Detention Facility – Correctional Health Services
- b) Request Approval of the Bid by Central Illinois X-Ray of \$34,370.00 for a Portable X-Ray Machine and Processor – Coroner's Office
- c) General Report
- d) Other

D. Land Use and Development Committee – Chairman Gordon

1) Items to be Presented to the Board:

- a) Request Approval of a Vacation Plat for a part of a Front Yard Setback Area of Lot 45 in the 3rd Addition to Charter Wood Farms Subdivision at 19470 Great Crane Rd., Bloomington, File No. S-08-04
- b) Request Approval of a Vacation Plat for a part of the Jefferson Street, also known as Bert Street, Right-of-Way located immediately North of Lot 92 in the Bloomington Heights Subdivision at 118 Washburn Street, Bloomington, File No. S-08-05
- c) General Report
- d) Other

E. Property Committee – Chairman Bostic

1) Items to be Presented to the Board:

- a) Request Approval of Change Order Allowance for Phase 2 Restoration Project of the McLean County Museum of History – Facilities Management
- b) Request Approval of Coffee Depot Lease, 2008-2010 – Facilities Management
- c) Request Approval of Lease Agreement between The County of McLean and the Child Support Enforcement Division of the McLean County State's Attorneys Office – Facilities Management
- d) Request Approval of an Ordinance Adopting and Enacting Rules and Regulations Pertaining to the Public Use of all County Parks and Recreational Areas, and providing for the Enforcement of said Ordinance and the Fixing of Penalties for its Violation – Parks and Recreation Department
- e) General Report
- f) Other

100-102

F. Transportation Committee – Chairman Hoselton

1) Items to be Presented to the Board:

- a) Request Approval of Joint Culvert Petition – Money Creek Rd.
- b) Request Approval of Engineering Agreement – Lewis, Yockey & Brown – Various Projects
- c) General Report
- d) Other

G. Report of the County Administrator

1) Items to be Presented to the Board:

- a) General Report
- b) Other

6. Other Business and Communications

7. Recommend Payment of Bills and Approval of Transfers, if any, to County Board

8. Adjournment

**RESOLUTION OF THE McLEAN COUNTY BOARD
APPROVING AND ADOPTING ADDITIONAL
2008 LEGISLATIVE SUBCOMMITTEE RECOMMENDATIONS**

WHEREAS, the Legislative Subcommittee of the Executive Committee, after careful research and considerable discussion with County Officials and Members of the Illinois Senate and House of Representatives, recommended that the County Board support certain legislation and oppose certain legislation now being considered by the Illinois General Assembly; and,

WHEREAS, the Legislative Subcommittee recommends that the County Board support a resolution in opposition of infringement on citizen rights conferred by the Second Amendment to the Constitution of the United States, to wit:

“ **WHEREAS**, the Second Amendment to the United States Constitution states, ‘A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.’ and;

WHEREAS, many residents of McLean County, Illinois, derive economic benefit from safe forms of firearms recreation, hunting, and shooting conducted within McLean County using firearms allowable under federal and state law, and;

WHEREAS, the McLean County Board, being elected to represent the citizens of McLean County and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Illinois; and,

WHEREAS, the Legislative Subcommittee, at its meeting on April 24, 2008, recommended that the McLean County Board support certain legislation and oppose certain legislation now being considered by the Illinois General Assembly; now, therefore,

BE IT RESOLVED that the McLean County Board, opposes any legislation that unreasonably infringes on the right of the people to keep and bear arms; and,

BE IT FURTHER RESOLVED by the McLean County Board, in regular session, that this resolution is hereby adopted and that said resolution be sent to each State Representative and State Senator who represents McLean County, and to the Governor, respectfully requesting their support.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Anderson Legislative Consulting, and to Metro Counties of Illinois who represent McLean County's interests to the Illinois General Assembly and to the Offices, Departments and Agencies of the State of Illinois with the request that they give serious consideration to supporting this resolution.

ADOPTED by the County Board of McLean County, Illinois this 20th day of May, 2008.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the County Board,
McLean County, Illinois

Matt Sorensen, Chairman
McLean County Board

**RESOLUTION OF THE McLEAN COUNTY BOARD
APPROVING AND ADOPTING ADDITIONAL
2008 LEGISLATIVE SUBCOMMITTEE RECOMMENDATIONS**

WHEREAS, the Legislative Subcommittee of the Executive Committee, after careful research and considerable discussion with County Officials and Members of the Illinois Senate and House of Representatives, recommended that the County Board support certain legislation and oppose certain legislation now being considered by the Illinois General Assembly; and,

WHEREAS, the Legislative Subcommittee recommends that the County Board support a resolution in support of Full Federal Funding for Veterans' Health Care, to wit:

“WHEREAS, George Washington declared, ‘The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportionate to how they perceive the Veterans of the earlier wars were treated and appreciated by their country’; and,

WHEREAS, when the United States military has been called upon to send forces into harms way, our brave young men and women in uniform have dutifully answered the call to service; and,

WHEREAS, many of those who have served and are currently serving our nation are residents of McLean County, Illinois; and,

WHEREAS, it is unconscionable for us, as a nation, to ask the United States uniformed military to be willing to make the ultimate sacrifice for freedom, and then allow them to receive substandard medical care upon their return home; and,

WHEREAS, ensuring all honorably discharged United States Veterans have access to the very best medical care available is a small price to pay for the service these men and women give to our nation and the rest of the world; and,

WHEREAS, today it is more important than ever to ensure that our Veterans have access to excellent health care; and,

WHEREAS, the members of the McLean County Board, as representatives of the citizens of our County, support full funding for the Health Care of Veterans as a Mandatory Budgetary item so that adequate funding for the Health Care of our Veterans can be assured;” and,

WHEREAS, the Legislative Subcommittee, at its meeting on April 24, 2008, recommended that the McLean County Board support said resolution; now, therefore,

BE IT RESOLVED by the McLean County Board, in regular session, that this resolution is hereby adopted and that said resolution be sent to each Member of Congress and each United States Senator who represents McLean County, each State Representative and State Senator who represents McLean County in the Illinois General Assembly, and to the Governor, respectfully requesting their support.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Anderson Legislative Consulting, and to Metro Counties of Illinois who represent McLean County's interests to the Illinois General Assembly and to the Offices, Departments and Agencies of the State of Illinois with the request that they give serious consideration to supporting this resolution.

ADOPTED by the County Board of McLean County, Illinois this 20th day of May, 2008.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the County Board,
McLean County, Illinois

Matt Sorensen, Chairman
McLean County Board

**RESOLUTION OF THE McLEAN COUNTY BOARD
APPROVING AND ADOPTING ADDITIONAL
2008 LEGISLATIVE SUBCOMMITTEE RECOMMENDATIONS**

WHEREAS, the Legislative Subcommittee of the Executive Committee, after careful research and considerable discussion with County Officials and Members of the Illinois Senate and House of Representatives, recommended that the County Board support certain legislation and oppose certain legislation now being considered by the Illinois General Assembly; and,

WHEREAS, McLean County Engineer John Mitchell has advised the County Board that there are numerous proposals for capital funding programs under discussion in Springfield that do not appear to include funding for local government road and bridge repairs; and

WHEREAS, the Legislative Subcommittee recommends that the County Board support a resolution advising the members of the General Assembly who represent the citizens of McLean County to make every effort to include funding for local government road and bridge repair projects in any capital funding program that is considered by the General Assembly; and

WHEREAS, the Legislative Subcommittee, at its meeting on April 24, 2008, recommended that the McLean County Board support said resolution; now, therefore,

BE IT RESOLVED by the McLean County Board, in regular session, that this 2008 Legislative Subcommittee recommendation is hereby adopted and that said resolution be sent to each State Representative and State Senator who represents McLean County, and to the Governor, respectfully requesting their support.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Anderson Legislative Consulting, and to Metro Counties of Illinois who represent McLean County's interests to the Illinois General Assembly and to the Offices, Departments and Agencies of the State of Illinois with the request that they give serious consideration to supporting this resolution.

ADOPTED by the County Board of McLean County, Illinois this 20th day of May, 2008.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the County Board,
McLean County, Illinois

Matt Sorensen, Chairman
McLean County Board

Minutes of the Legislative Subcommittee

The Legislative Subcommittee of the Executive Committee of the McLean County Board met on Tuesday, March 25, 2008 at 3:00 p.m. in Room 404, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Bob Nuckolls, Members Rick Dean (arrived at 3:15 p.m.), George Gordon, Stan Hoselton and Benjamin Owens

Members Absent: None

Staff Present: Mr. Terry Lindberg, Assistant County Administrator; Ms. Judith A. LaCasse, County Administrator's Assistant

Department Heads/
Elected Officials
Present:

Mr. Jack Mitchell, County Engineer, Highway Department

Others Present: Mr. Phil Rever, Normal; Mr. Francis Smith, LeRoy; Mr. Richard Miller, LeRoy; Mr. Ron Darnall, Bloomington; Ms. Susan J. Darnall, Bloomington; Ms. Caitlin Darnall, Bloomington; Mr. Bruce McIlvoy, Normal; Mr. Clif Cralley, Bloomington; Mr. Donald Wey, Heyworth; Mr. Jonathon Stachura, Normal; Judge Ron Dozier, Downs

Chairman Nuckolls called the meeting to order at 3:00 p.m.

Chairman Nuckolls indicated that, if there is no objection from the Committee, he will present informational item A.4.B., Second Amendment Resolution, for review. He acknowledged the attendance of several individuals regarding the Second Amendment Resolution and asked if the spokesperson for the group would like to address the Committee.

Chairman Nuckolls asked Mr. Lindberg to review the rules of a guest speaking before the Committee. Mr. Lindberg advised that it is up to the discretion of the Chairman of the Sub-Committee meeting. The Rules of the County Board are that an individual can speak for three minutes, an individual representing a group can speak for five minutes and the total testimony taken can be limited to 15 minutes.

Ms. Susan Darnall, Bloomington, distributed some information and addressed the Committee. She presented the following testimony:

"I came here today to ask you to review this resolution and ask for your support to make sure that the citizens of McLean County are guaranteed as an Individual Right under the Second Amendment to the United States Constitution – the Right to Keep and Bear Arms.

Along with the resolution, we are submitting petitions that have over 2800 signatures from concerned citizens who live in McLean County. Many of the signatures you will recognize: Dan Brady, Ron Dozier, Bill Yoder, Bill Brady and David Owens. These signatures were collected by a grassroots committee throughout the County and, to the best of our knowledge, are a true and correct sample of our citizens.

In the State of Illinois, 71 other Counties have passed the same resolution protecting the rights of the law abiding citizens of their Counties to Keep and Bear Arms for the defense of Life, Liberty and Property.

McLean County is in the center of the richest farmland in the state with many small towns and villages throughout the rural community. Many of the citizens come from farms with the rich heritage of our forefathers. Just because we are not Cook County or located in the heavy metropolis areas does not mean we are less likely to become a target.

My husband and I were both born in McLean County and have spent our entire life here raising our five children and operating our Gun Shop and Shooting Ranges.

We have had the opportunity over the last 40+ years to be able to meet the people who own firearms and enjoy all safe forms of firearms recreations, such as hunting, competition or just as a hobby. These people are family oriented, dedicated and take the responsibility of owning a firearm. They have taken all the steps necessary as required by Illinois laws to legally own, possess or use a firearm in Illinois.

I receive calls almost every day from concerned citizens who are worried about the escalation of crime and want to learn more about protecting their families. Because of the social breakdown in society, these law abiding citizens can become easy prey to the criminals who walk the streets of our community and roam our countryside. These predators have no conscience or second thoughts about taking a life or the damages they do to our families, financially or emotionally.

Our law enforcement departments cannot be everywhere. They respond as quickly as possible when called, but, unfortunately, it may not be in time.

We as citizens must be able to defend our homes and families when necessary as guaranteed under the Second Amendment.

We do not want McLean County to be known as a gun free zone. This is an open invitation to all types of criminals and predators in our society.

This resolution even benefits those who choose not to own a firearm. Now these criminals still have to assume that they may encounter an armed citizen when plying their trade.

Homeland Security begins at home!!! I am not here asking for anything more than what has already been guaranteed as an Individual Right under The Second Amendment to the United States Constitution and under the Constitution of the State of Illinois.

Thank you."

Ms. Darnall indicated that she is very adamant about shooting sports and passionate about getting young people involved in the sport in the correct manner.

Chairman Nuckolls asked if the Counties that have already passed this resolution did so recently. Ms. Darnall replied that they have passed within the last year.

Ms. Darnall stated that there are laws in the State right now that are attempting to take firearms away from citizens. She indicated that Illinois is not a pro-gun State.

Mr. Gordon asked for a couple of examples of the proposed ideas that would take away firearms. Ms. Darnall noted that one proposal is to require serial numbers on bullets.

Mr. Hoselton advised that he has been informed that Illinois has some of the strictest gun regulations in the United States.

Mr. Francis Smith, LeRoy, noted that Ms. Darnall has been recognized as an exceptional person who goes out of her way to train youth in the safe use of guns.

Mr. Smith pointed out the following information regarding gun laws:

- Only two states do not have a concealed carry law, namely Illinois and Wisconsin.
 - Wisconsin has tried to pass a concealed carry law three times, but the Governor vetoes the law every time.
 - All other 48 states have a concealed carry law.
 - Florida has a no retreat law where if someone confronts you, you can defend yourself on the spot.
- One proposed bill is to put serial numbers on every bullet.
- Many of the proposed laws are ineffective or do not really accomplish anything.
- One proposed law states that you can obtain only one gun a month.
 - If someone should inherit a gun collection, it would mean that person could not acquire the guns.

Mr. Gordon asked if that law refers to acquiring a gun or purchasing a gun. Judge Dozier replied that it would apply to purchasing guns as well as acquiring guns through an inheritance.

Mr. Smith noted that there is a proposed gun ban in Cook County that would eliminate the sales of guns in that area and all gun stores would have to be at least ten miles apart, and a certain number of miles away from a library, school or church. If this law is passed, it will adversely affect a new Cabela hunting and fishing store that opened in that area.

Mr. Smith stated that if McLean County and other Counties pass this proposed Resolution, it could be used as ammunition for our local legislators to fight some of these proposals.

Mr. Gordon thanked Mr. Smith for his input.

Judge Dozier indicated that he spoke with Mr. John Weaver yesterday who told him that some of the Counties made minor amendments to the resolution. Judge Dozier noted that he and Mr. Weaver feel that the last paragraph of the resolution is somewhat confrontational. He suggested that the last paragraph be changed to say "...do hereby oppose the enactment of any legislation that would unreasonably infringe upon the Right of the People to keep and bear arms." Judge Dozier stated that arguments made before the United States Supreme Court this week are so draconian that they ban possession of any hand guns even in one's own home. He indicated that he believes these will be deemed unconstitutional.

Judge Dozier noted that there are some reasonable restrictions on persons keeping and bearing arms. He stated that most reasonable people will acknowledge that there are no freedoms that we have that are absolutely unrestricted. Judge Dozier indicated that the right to protect one's own home is a basic right of humanity.

Mr. Gordon asked in what form was this Resolution when it went to the other Counties where it was proposed as pending action, passed or failed. Judge Dozier responded that he believes that most of the Counties passed the Resolution as it was presented in the packet, but some Counties may have made slight amendments.

Mr. Phil Rever, Normal, submitted a list of proposed laws that Chicago legislators are trying to get passed through the Legislature in Springfield. He reviewed a few more bills which he opposes, including a bill that prohibits guns within 100 miles of Cook County.

Mr. Jonathon Stachura, Normal, stated that he lived in Cook County most of his life. He indicated that they treat gun owners as criminals in Cook County, which prompted him to move his family to McLean County.

Mr. Hoselton asked how this Resolution will be passed through the County. Chairman Nuckolls responded that, at this time, this Resolution is an informational item only. Another Legislative Sub-Committee meeting will need to be held if the Committee determines that they wish to recommend the Resolution as an action item to the Board.

Mr. Gordon recommended that the Committee gather information from the members of the public, as well as other sources to be fully informed at the next meeting.

Ms. Darnall asked how they will be notified of the next meeting. Mr. Lindberg responded that he will contact Ms. Darnall when a meeting is scheduled.

Mr. Gordon advised that he passed out a copy of an annotated copy of the Second Amendment to the Constitution from the American Government textbook he uses in teaching. He noted that he has some concerns with the wording of the Resolution presented in the packet.

Mr. Gordon indicated that he found an article from the Associated Press pertaining to the Washington, D.C. gun ban. He stated that a comment was made in the article that the central question is whether the Second Amendment guarantees the right of individuals to bear arms or instead protects the collective right of States to maintain militias. Mr. Gordon pointed out that the Resolution is worded on the basis of one interpretation of the Second Amendment, which concerns him.

Chairman Nuckolls thanked the citizens attending the meeting for sharing their concerns on gun control.

Chairman Nuckolls announced that there are several items for action under the proposed 2008 Legislative Program.

Mr. Lindberg stated that the items approved by the Legislative Sub-Committee will become part of a Resolution adopting a legislative program that will go to our local Legislators and to Metro Counties. He further explained that if the Legislative Sub-Committee approves the items, they will be forwarded to the County Board for Board recommendation and then will be presented to the Legislators for their support.

Mr. Lindberg reviewed the first item, which is a request to support legislation to adequately fund Probation Services. He indicated that this item includes two bills, namely House Bill 5182 and Senate Bill 2181. House Bill 5182 will create the Illinois Office of Probation Services. The Synopsis as introduced is: *Amends the Unified Code of Corrections and the Probation and Probation Officers Act. Abolishes the Division of Probation Services of the Illinois Supreme Court. Transfers the Division's powers and duties to the Illinois Office of Probation Services. Transfers various functions relating to probation services from the Chief Judge of the Circuit Court or his or her designee to the County Board or the County Board Chairman or President.*

Mr. Lindberg pointed out that HB 5182 has currently been referred to the Rules Committee, which means it is basically a sidelined issue. He noted that this was an attempt to get the Probation Services costs out from under the Supreme Court budget so the County could get fully funded.

Mr. Hoselton asked if the Committee is strictly voting in support of the bills. Mr. Lindberg replied that the Committee is voting to support the bill. He pointed out that just because the Committee supports a bill, does not mean that it will become law.

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Mr. Owens advised that Probation Officers' salaries have been an on-going struggle. He asked if we, as citizens, have representation on the Supreme Court that can be contacted with our concerns. Mr. Lindberg replied that the last time the General Assembly reduced the request of the Supreme Court, the Justices sued to make sure that their salary raises were taken out before consideration of Probation Officers' reimbursement. He advised that the motive for this bill was to get it out from under the Supreme Court so that it could stand on its own.

Motion by Hoselton/Owens to Recommend the
McLean County Board Support HB 5182 – Create
Illinois Office of Probation Services.
Motion carried.

Mr. Lindberg advised that Senate Bill 2181 allows Counties to impose a special County Retailers' Occupation Tax for Probation Services. He indicated that this gives the County the option to raise the Sales Tax by quarter percent increments to fund Probation Services. Mr. Lindberg stated that this bill is on Second Reading, which means that it has come out of Committee and is on the floor. He indicated that it will come out of the Senate and go to the House.

Mr. Hoselton asked if this bill includes incorporated areas or only unincorporated areas. Mr. Lindberg replied that he believes it is an overall quarter percent across the County, with no distinction. He indicated that he will check on this issue and let the Committee know.

After a brief discussion, the Committee tabled this item and will make a recommendation at the next Legislative Sub-Committee meeting. Mr. Lindberg will determine if the tax covers everyone in the County, and if there is a cap on the tax.

Motion by Gordon/Dean to Recommend Tabling the
Recommendation on SB 2181 to the next meeting of
the Legislative Sub-Committee in order to garner
more information.
Motion carried.

Chairman Nuckolls presented the next item, namely a request for approval to support State Bill 2005 – Amendment to Inoperable Motor Vehicle Statute. The Synopsis as introduced is: *Amends the Counties Code. Provides that the definition of "inoperable vehicle" includes any motor vehicle that does not have a current license plate or current license tags attached to it if a current license plate or license*

tags are otherwise required under the Illinois Vehicle Code. Effective immediately. Senate Committee Amendment No. 1: Deletes everything after the enacting clause. Amends the Counties Code. Reinserts the substantive provisions of the introduced bill, and provides that those provisions apply in a non-home rule County with a population of more than 25,000. Effective immediately. Senate Committee Amendment No.2: Provides that, in a County with a population of more than 500,000 (instead of 250,000), the definition of "inoperable motor vehicle" includes a motor vehicle that does not have a current license plate or current license tags.

Mr. Lindberg advised that this bill was introduced by Senator Link from Lake County. He indicated that the bill started out to include in the definition of "inoperable motor vehicle" most of the vehicles with which McLean County has problems. Mr. Lindberg stated that Representative Brady was contacted to ask that he try to get the population down to include 150,000 or more. He added that a week later, a second amendment was introduced that increased the population to 500,000. Mr. Lindberg indicated that this bill is on its Third Reading, which means it is on its way from the House to the Senate.

Motion by Gordon/Owens to Recommend McLean County Board Support Senate Bill 2005 – provided that the proposed Legislation is amended to set the Population Threshold at 150,000 or more to Inoperable Motor Vehicle Statute.

Motion carried with Mr. Dean voting "no."

Chairman Nuckolls presented a request to support Amendments to the Emergency Telephone Systems Act. He noted that this item includes two House Bills. The first is HB 4505 – Allows ETSB funds to be spent for Emergency Warning System. Synopsis of HB 4505 as introduced: *Amends the Emergency Telephone System Act. Provides that moneys in an Emergency Telephone System Fund account established by a Municipality or County may be used to pay for costs associated with emergency warning systems. Effective immediately.*

Mr. Lindberg explained that the County could use ETSB funds to help improve the Emergency Warning Sirens used for tornadoes and other emergencies. He indicated that currently this is not included in the ETSB Act and this bill would include it in the ETSB Act.

Motion by Dean/Hoselton to Recommend McLean County Board Support HB 4505 – Allows ETSB funds to be spent for Emergency Warning System.

Motion carried.

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Chairman Nuckolls reviewed the second bill, which is HB 4725 – Allows County Board members to serve on ETSB. Synopsis: *Amends the Emergency Telephone System Act. Provides that County Board members may serve on an Emergency Telephone System Board.*

Motion by Owens/Gordon to Recommend McLean
County Board Support HB 4725 – Allows County
Board Members to Serve on ETSB.

Mr. Gordon asked Mr. Lindberg how staff feels about HB 4725. Mr. Lindberg replied that three bills were introduced to accomplish this same thing. Mr. Gordon asked what are the concerns regarding this bill. Mr. Lindberg responded that ETSB problems and issues come to the County Board all of the time. As such, the Board members would like more direct representation and involvement in those matters.

Mr. Owens suggested that it is important for Board members to have representation on the different authority boards.

Mr. Gordon expressed concerns with this issue. He asked if there is a prohibition in State law. Mr. Lindberg replied that State law delineates who can be appointed and it does not include members of the County Board.

Chairman Nuckolls called for a vote on the motion.

Motion carried with Mr. Gordon voting “no.”

Chairman Nuckolls presented a request for approval to support County Board authority to increase Court Fees. He stated that this item includes two bills. The first is House Bill 4956 – Allows County Board to increase Children’s Waiting Room Fee from \$5.00 to \$10.00. HB 4956 synopsis: *Amends the Clerks of Courts Act. Provides that a clerk may charge a Children’s Waiting Room fee of \$10.00 (instead of \$5.00). Effective immediately.*

Mr. Lindberg explained that support of this bill does not mean that staff is planning on asking the Board to increase the fees. However, he noted that any time the Legislature is willing to give the County some latitude; it would be prudent to accept.

Motion by Hoselton/Gordon to Recommend McLean County Board Support HB 4956 – Allows County Board to increase Children's Waiting Room Fee from \$5.00 to \$10.00.
Motion carried.

Chairman Nuckolls advised that the second bill under consideration is State Bill 2321 – Allows County Board to increase Law Library Fees. SB 2321 synopsis: *Amends the Counties Code. Provides that the County Board may authorize a County Law Library fee of not more than (i) \$18.00 in 2008, (ii) \$19.00 in 2009, and (iii) \$21.00 in 2010 and thereafter (now, \$13.00). Effective immediately.*

Motion by Owens/Dean to Recommend McLean County Board Support SB 2321 – Allows County Board to increase Law Library Fees.

Mr. Hoselton asked for clarification on this bill as it pertains to maintaining the Law Library for the use of attorneys. Mr. Lindberg replied that the Law Library is maintained for the use of anyone who wants to use the library. He indicated that the Law Library was started with a donation of books from the McLean County Bar Association ("Bar"). The books were subsequently destroyed and the Law Library became automated. Mr. Lindberg stated that the Bar discontinued paying its annual fee since the books were destroyed. An Agreement was made within the last few months for a reduced fee to the Bar.

Mr. Hoselton asked who will pay this fee. Mr. Lindberg replied that the fee is collected every time someone files a civil case.

Mr. Hoselton asked how often is the Law Library used. Mr. Lindberg replied that he does not know how often it is used. He noted that the Library is used by the following individuals:

- attorneys when they are in Court,
- citizens representing themselves in Court,
- indigent people dealing with Orders of Protection.

Chairman Nuckolls asked for a vote on the Motion.

Motion carried.

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Chairman Nuckolls reviewed a request to support HB 4599 – Allows Property Tax Assessments to be published via Internet. HB 4599 Synopsis: *Amends the Property Tax Code. Provides that in addition to or instead of publishing any property tax assessment in a newspaper, a County of less than 3,000,000 may publish the assessment on its internet website. Sets forth requirements for the Internet publication.*

Mr. Lindberg advised that this bill was Rule 19(a), which means that this bill is dead. He informed the Committee that the County paid \$136,000.00 in advertising in 2007.

Chairman Nuckolls reviewed SB 1965 – Increases State Reimbursement for Prisoner Medical Costs. SB 1965 Synopsis: *Amends the County Jail Act. Provides that if a person confined in a County Jail is in need of medical services and is determined eligible for medical assistance under the Illinois Public Aid Code at the time the person is detained (rather than has already been determined eligible for medical assistance under the Illinois Public Aid Code at the time the person is initially detained pending trial), the cost of such services, to the extent such cost exceeds \$500.00, shall be reimbursed by the Department of Healthcare and Family Services under that Code. Provides that "medical expenses" include medical and hospital services but do not include expenses incurred for medical care or treatment provided to a person on account of a self-inflicted injury incurred prior to or in the course of an arrest. Provides that when medical services are required by any person held in custody, the County, private hospital, physician, or any public agency which provides such services shall be entitled to obtain reimbursement from the County. Eliminates the ability of such entities to obtain reimbursement from the Arrestee's Medical Costs fund. Changes the name of the Arrestee's Medical Costs Fund to the County Jail Medical Costs Fund. Provides that in such cases, the County shall be entitled to obtain reimbursement from the County Jail Medical Costs Fund to the extent moneys are available from the Fund. Provides that moneys in the Fund shall be used solely for reimbursement to the County of costs for medical expenses and administration of the Fund. Effective immediately.*

Mr. Lindberg indicated that this would allow the County to request more Federal reimbursement for medical costs of the prisoners in the County Jail.

Motion by Dean/Owens to Recommend McLean
County Board Support SB 1965 – Increases State
Reimbursement for Prisoner Medical Costs.
Motion carried.

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Chairman Nuckolls presented a request for approval to oppose HB 1518 – Raises Juvenile Delinquent age from 17 years to 18 years. Mr. Lindberg explained that this bill would extend the privileges and benefits of being in the Juvenile System rather than the Adult System. He advised that the costs are almost four times per person to deal with a juvenile delinquent than to deal with an adult felon.

Mr. Lindberg indicated that there may be some social benefit to this bill, but the cost implication is very severe for Counties.

Motion by Hoselton/Owens to Recommend McLean County Board Oppose HB 1518 which Raises the Juvenile Delinquent Age from 17 Years to 18 Years.
Motion carried.

Chairman Nuckolls presented a request for approval to oppose HB 4164 – Limits Special Use Permits to five years. HB 4164 Synopsis: *Amends the Counties Code and the Illinois Municipal Code. Provides that a special use permit may not be granted for a term of more than five years. Provides that special use permits granted before the effective date of the amendatory Act expire five years after that effective date. Denies home rule powers. Effective immediately.*

Mr. Lindberg explained that all Special Use Permits would be invalid after five years. He noted that people build houses and permanent structures with Special Use Permits, making this bill devastating.

Mr. Gordon asked if this bill were to pass, would a Special Use Permit granted in 2008 have to be re-filed with filing fees in 2013. Mr. Lindberg replied that there is no “grandfather clause” – any Special Use Permit on the books will expire five years after this bill passes. It specifically denies any home-rule authority to overrule the law.

Motion by Owens/Gordon to Recommend McLean County Board Oppose HB 4164 which limits Special Use Permits to Five Years.
Motion carried.

Chairman Nuckolls presented the Metro Counties Legislative Update Memo. Mr. Lindberg pointed out that the Memo lists bills that Metro Counties supports and opposes. He indicated that Metro Counties and the Legislative Subcommittee both oppose HB 1518 and HB 4164. Mr. Lindberg added that Metro Counties did not take a public position on SB 2250, SB 1958, SB 1959 and SB 1960.

Mr. Lindberg noted that the County does not support any bills that raise the employer's cost.

Mr. Lindberg reviewed a Resolution of the McLean County Board Supporting full Federal Funding for Veteran's Health Care. He noted that this informational Resolution was presented by Mr. Jerry Vogler, Veterans Assistance Commission, at the Tuesday, November 13, 2007 Executive Committee Meeting. Mr. Lindberg indicated that the version included in the packet on pages 56-57 is a version that Mr. Zeunik redrafted. He stated that the Executive Committee referred this Resolution to the Legislative Sub-Committee for consideration. Mr. Lindberg pointed out that minutes from the Executive Committee meeting are also included.

Mr. Hoselton indicated that he agreed with Mr. Selzer's comments in the Executive Committee Minutes that he does not know of any veteran injured in service that is not getting care. However, he expressed some concern that today's veterans may not be receiving adequate care.

Chairman Nuckolls recommended that this issue be referred to the next Legislative Sub-Committee.

Mr. Lindberg pointed out that the intent of the Resolution is to notify your representatives in the U.S. Congress that you want them to draft, sponsor, campaign for, and support such legislation so that the Federal Government adopts full funding for veterans health care as a mandatory budget item.

After a brief discussion, it was the consensus of the Committee to bring the resolution back as an action item for the next Legislative Sub-Committee meeting.

Chairman Nuckolls presented for discussion the "Illinois Works" Capital Construction Program.

Mr. Jack Mitchell, McLean County Engineer, advised that, over the last year, there has been discussion in Springfield for a Capital Bill to fund increased roadwork, schools and other infrastructures for the State of Illinois. He indicated that he does not believe this program has been introduced into the Legislature, but there probably will be a bill coming forth to fund a Capital Program.

Mr. Mitchell indicated that, in the past 30 years, when road funding has increased for the State, there is usually an equal increase in the level of road funding for Local Agencies. He expressed concern that this is not being discussed with the current Capital Bill.

Mr. Mitchell advised that County road construction costs have increased dramatically since the last funding increase in 1998. He indicated that asphalt resurfacing project costs have increased 118%. Mr. Mitchell reported that oil and chip construction and maintenance, which is the main work done on the 1,550 miles of Township Highways, has increased 94%. Bridge construction concrete has increased 134% since 1998. Mr. Mitchell stated that this means that the County can only resurface less than half the mileage of roads that could be resurfaced in 1998.

Mr. Mitchell indicated that he hopes there will be a Capital Bill that will have a Local Government share within the bill. He asked for the Committee's support in lobbying our legislature for increased funding for Local Highways when a Capital Bill emerges in the legislature. Mr. Mitchell stated that he wanted the Committee to be aware of this issue.

Mr. Owens asked if it was necessary to draft a resolution to be acted upon at the next meeting to be prepared in case it should come up in the legislature in the near future. Mr. Lindberg replied that he will work with Mr. Mitchell to draft a resolution requesting that the local delegation in Springfield make sure that any Capital Bills include Local Government Road and Bridge funding.

Chairman Nuckolls asked Mr. Owens to discuss the Federal Transportation Bill and Federal Bankruptcy Law. Mr. Owens indicated that these are information items. He distributed material that he received from the NACo Conference. Mr. Owens advised that NACo will be talking about funding a Capitol Program in transportation at both the State and Federal levels. He indicated that the material includes recommendations from a study. Mr. Owens noted that NACo will discuss this issue again in July. Mr. Owens pointed out the following questions NACo will discuss:

- Will they do away with the fuel tax and go with the miles traveled?
- How will alternative fuels be taxed?

Mr. Owens reviewed the Federal Bankruptcy Law, noting the concern with foreclosures nationwide. He stated that, when someone files bankruptcy, often the Bankruptcy Judge can renegotiate car loans, boat loans, etc. However, the Judge

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cannot negotiate the rate on home loans. Mr. Owens indicated that NACo is asking that Counties support legislation to allow Judges to negotiate the interest on home loans.

After a discussion, the Legislative Sub-Committee concurred that another meeting will be scheduled at a time and date to be determined.

There being no further business to come before the Committee, the meeting was adjourned at 4:35 p.m.

Respectfully submitted,



Ms. Judith A. LaCasse
Recording Secretary

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Minutes of the Legislative Subcommittee

The Legislative Subcommittee of the Executive Committee of the McLean County Board met on Thursday, April 24, 2008 at 4:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Bob Nuckolls, Members Dean, Gordon, and Hoselton

Members Absent: Member Owens

Staff Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator; Ms. Judith A. LaCasse, County Administrator's Assistant

Department Heads/
Elected Officials
Present:

Mr. Jerry Vogler, Director, Veterans Assistance Commission

Others Present:

Mr. Dale Hillard, LeRoy; Mr. Francis Smith, LeRoy; Mr. Ron Darnall, Bloomington; Ms. Susan J. Darnall, Bloomington; Mr. Phil Rever, Normal; Mr. John Weaver, Bloomington; Ms. Dixie Weaver, Bloomington; Retired Judge Ron Dozier, Downs; Mr. Bob Bradley, Normal; Mr. Denny Rogers, Bloomington; Mr. Walter Biesiada, Normal; Mr. Phil Boulds, Bloomington; Mr. Jonathon Stachura, Normal

Chairman Nuckolls called the meeting to order at 4:35 p.m.

Chairman Nuckolls presented a request for approval of a Resolution of the McLean County Board supporting full Federal funding for Veteran's Health Care. He noted that this Resolution was presented by Mr. Jerry Vogler, Veterans Assistance Commission, at the Tuesday, November 13, 2007 Executive Committee Meeting. Chairman Nuckolls invited Mr. Vogler to speak to the Committee.

Mr. Jerry Vogler, Director, Veterans Assistance Commission, thanked the Committee for the opportunity to speak to them regarding this Resolution. He pointed out that the intent of the Resolution is to notify representatives in the U.S. Congress that you want them to draft, sponsor, campaign for, and support such legislation so that the Federal Government adopts full funding for veterans health care as a mandatory budget item. He noted that the words were changed from "demands" in the original resolution to "respectfully requests" in the Resolution as presented in the Packet.

Mr. Vogler read a statement regarding the VA Mandatory Funding, as follows:

"Thank you for the opportunity to address the Legislative Committee of the McLean County Board. Last November, John Zeunik gave me the opportunity to review a letter and proposed resolution from Lt. Governor Patrick Quinn's office concerning placing a non-binding referendum on the election ballot in February 2008. This non-binding referendum was a request of the Federal Government to make mandatory the funding for the Veteran's Administration Health Care programs. Currently, the VA funding is discretionary and subject to the whims and pork barrel tactics of the politicians in Washington, D.C.

The effort to make VA spending mandatory has been a battle that has been fought for many years by the Veteran's organizations representing the approximately 20 million American Veterans.

After discussions with other VAC Superintendents and with leaders of the Veteran's organizations in Central Illinois, it was the consensus that the non-binding referendum was an insult to the intelligence of the Veterans and citizens in the State of Illinois because it did nothing substantive, cost additional tax dollars to implement and only gave political cover to those who do not really want to make VA Health Care funding mandatory. It was our recommendation, at that time, that the Lt. Governor's Resolution be rejected.

We, at the VAC, fully understand that it was difficult for our elected County officials to reject requests from the Lt. Governor, and especially it could make some believe that they do not care about the issues of Veteran's Health Care. It is for that reason that I drafted the alternate Resolution that you are considering and hopefully approving today.

The Resolution I have provided you reflects the comments and sentiments of the Lt. Governor's Resolution as far as support to move VA funding from discretionary to mandatory. However, the Resolution I offer does not request an expensive do-nothing, non-binding referendum. Instead, and I refer you to Section 1, at the bottom of the first page of the Resolution, the Resolution requests that the McLean County Board take a moral stand with the Veterans of McLean County and respectfully request, as our elected County officials, that our U.S. Senators and our local U.S. Representatives make mandatory the funding for VA Health Care which our Veterans so greatly need. I also want to clear up any confusion about what Mandatory Funding really is and is not. Mandatory Funding is not full

funding. Full funding is a term that has been misused and refers to Congress having to provide all of the funds requested by the VA. Mandatory Funding is simply taking the politics out of the funding process and putting VA Health Care funding on the same level of consideration as is Social Security and the Federal Entitlement programs.

The substantive parts of this Resolution are Sections 1 and Sections 2, which I would like to read, and then I would be glad to answer any questions before consideration of this Resolution.”

Mr. Vogler read Section 1 and Section 2, as follows:

“NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1: The McLean County Board respectfully requests that the Honorable United States Senators Richard Durbin and Barack Obama, and United States Congressmen Timothy Johnson and Jerry Weller, should create, sponsor, campaign for, and support such legislation as is necessary to result in the Federal Government adopting funding for Veteran’s Health Care, as a mandatory funding budget item in the most expeditious manner possible.

Section 2: This resolution shall be in full force and effect upon its passage and approval, and shall remain in full force and effect until a subsequent lawful action by the Federal Government results in the enactment of the aforementioned legislation, or until a subsequent lawful action by the McLean County Board to rescind this Resolution occurs. “

Mr. Dean commented that a lot of thought and effort was put into this Resolution. Mr. Vogler replied that veteran’s health care is a significant issue right now with the number of Iraq area veterans returning, many with unseen traumatic brain injuries (“TBI”).

Motion by Hoselton/Dean to Recommend approval of
a Resolution of the McLean County Board Supporting
full Federal Funding for Veteran’s Health Care.
Motion carried.

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

Chairman Nuckolls presented a request for approval of a Resolution of the McLean County Board Approving and Adopting Additional 2008 Legislative Subcommittee Recommendations – Second Amendment Rights.

Mr. John Weaver, Bloomington, advised that 77 Counties in Illinois have passed a Resolution supporting the Second Amendment. He noted that surveys he has conducted show that 50 Counties passed the Resolution without changing the wording of the proposed Resolution that was submitted at the March 25th Legislative Sub-Committee meeting as an informational item. Mr. Weaver indicated that he would like to see the same wording in the Resolution under consideration. He commented that he feels that American freedoms are being eroded. Mr. Weaver stated that it has not been proven that controlling guns will reduce crime, but it would burden legal citizens and take away their rights. Mr. Weaver asked that the Resolution be passed with its original wording.

Mr. Hoselton stated that he felt the material provided to the Committee by Mr. Weaver has been exceptional.

Mr. Gordon pointed out that the Resolution under consideration today was prepared by the Administrator's Office and is not the original Resolution that was discussed at the March 25th meeting.

Mr. Hoselton asked if the people who are present are aware of this revision. Mr. Lindberg replied that the original Resolution is included on page 14 of the packet. He noted that on pages 12-13 is the "boiler-plate" form by which most Resolutions are developed. Mr. Lindberg indicated that, from the third "Whereas" down to the first "Be it Resolved" is the meat of the Resolution. He stated that the wording is different than the original Resolution presented by the proponents of this issue. Mr. Lindberg noted that the revised Resolution was included in the Committee Packet and is available on the County website, but it was not passed out prior to the meeting.

Mr. Lindberg read the significant sections of the Resolution, as follows:

WHEREAS, the Second Amendment to the United States Constitution states, "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed" and;

WHEREAS, many residents of McLean County, Illinois, derive economic benefit from safe forms of firearms recreation, hunting, and shooting conducted within McLean County using firearms allowable under federal and state law, and;

WHEREAS, the McLean County Board, being elected to represent the citizens of McLean County and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Illinois, now, therefore;

BE IT RESOLVED that the McLean County Board, opposes any legislation that is found by a court of competent jurisdiction to be in violation of the Second Amendment to the United States Constitution.

Mr. Weaver responded that he would prefer the wording that was in the original Resolution, as the current wording dilutes the legal impact he wishes to convey. He noted that the changes also dilute the message that 77 Counties have passed this Resolution rather than a Resolution. Chairman Nuckolls pointed out that there have been modifications made on several of the Resolutions approved by those 77 Counties. Mr. Weaver replied that at least 50 Counties have maintained the original Resolution. He agreed that the intent in the modified Resolution is the same as the original Resolution, which he would still prefer, but he would support the Resolution in the packet.

Mr. Lindberg pointed out that the last paragraph of the original Resolution stated "Now, therefore, it be and is hereby resolved that the People of McLean County, Illinois, do hereby oppose the enactment..." He advised that a County Board Resolution can only be approved by the County Board and not the people of McLean County.

Ms. Susan J. Darnall, Bloomington, distributed a packet containing copies of the Resolutions passed by other Counties, as well as an updated map and the original Resolution.

Mr. Jonathon Stachura, Normal, indicated that he understands that minor changes needed to be made to the Resolution. However, he took exception to the phrase "be it resolved that the McLean County Board opposes any legislation that is found by a court of competent jurisdiction to be in violation of the Second Amendment..." Mr. Stachura noted that there have not been very many court rulings on gun control. He pointed out that the D.C. vs. Heller case, which the Supreme Court should rule on in June, will likely strike down certain bans on firearms.

The question presented by 07-290 District of Columbia vs. Heller is whether the Second Amendment forbids the District of Columbia from banning private possession of handguns while allowing possession of rifles and shotguns.

Mr. Stachura indicated that, until the Supreme Court decision is made, the legislature is hearing bills that would ban firearms. He noted that it could take years for the Court to strike down these laws.

Mr. Stachura advised that the economic impact of gun control in Illinois is detrimental to the State. He pointed out that, last year, Illinois Anglers and Hunters contributed \$2.1 billion to the Illinois economy. Mr. Stachura suggested that the Illinois legislature should be passing laws to encourage these activities, not restrict them. Mr. Stachura also noted that some of the finest firearm manufacturers are located in Illinois who may move their plants to other states if gun control laws are passed.

Retired Judge Ron Dozier reminded the Committee that he had made some suggested revisions to the Resolution at the Committee meeting last month. He pointed out that he felt the last part of the Resolution, which stated "...and consider such laws to be unconstitutional and beyond lawful Legislative Authority," was unnecessarily inflammatory and should be deleted from the Resolution. Retired Judge Dozier noted that, later, there was some discussion that perhaps the Resolution should have been left the way it was presented. He recognized that some legal changes to the language in the current Resolution were necessary. However, Retired Judge Dozier indicated that the language regarding "...a court of competent jurisdiction to be in violation..." in the current Resolution is a surprise to him. He stated that the biggest case on the Second Amendment in 100 years will be decided by the Supreme Court in June. Retired Judge Dozier noted that those people who are pro gun rights took heart from the arguments in front of the Supreme Court and some of the comments from some of the justices, and believe that something for gun rights will come out. He acknowledged that no rights, including the right of free speech and the right to bear arms, are totally unfettered. Retired judge Dozier indicated that people in the judiciary prefer to get their guidance from the public and not have the public waiting to be told what their rights are. He stated that he would prefer his above suggested change be incorporated into the current Resolution and the statement regarding "...a court of competent jurisdiction..." be removed.

Mr. Lindberg advised that Retired Judge Dozier's proposal was to change the last paragraph to say "...do hereby oppose the enactment of any legislation that would unreasonably infringe upon the Right of the People to keep and bear arms."

Mr. Gordon advised that if the proposed Resolution, including any changes, is approved by the Legislative Sub-Committee, it must then go to the Executive Committee for approval and then to the full Board for approval.

After a continued discussion, wording in the proposed Resolution was changed, as follows:

- Paragraph seven (the first "Be it Resolved") be changed to read: "BE IT RESOLVED that the McLean County Board, opposes any legislation that unreasonably infringes on the right of the people to keep and bear arms;"

Motion by Hoselton/Dean to Recommend Approval of a Resolution of the McLean County Board Approving and Adopting Additional 2008 Legislative Subcommittee Recommendations – Second Amendment Rights as amended.

Mr. Gordon reported that he opposes the deletion of the wording "...by a court of competent jurisdiction..." He indicated that nothing has been changed by taking out the wording as far as the role of the courts. What is reasonable is often a matter of the judgment of the people involved in passing legislation. Mr. Gordon stated that it is also very frequently challenged in court. He acknowledged that the Second Amendment has not been brought up in the courts very often.

Mr. Gordon called attention to a series of considerations regarding the Second Amendment prepared by a colleague of his at Illinois State University that makes a couple of points. He read the following:

"That the U.S. Supreme Court, most importantly, has never ruled that the Second Amendment grants an individual the right to keep and bear arms that is separate from the maintenance and effectiveness of the State's militia."

Mr. Gordon pointed out that the meaning of the Second Amendment is very significant. He noted that there are disagreements on what the Second Amendment means. Mr. Gordon stated that the language in the original Resolution does not reflect what he feels is the meaning of the Second Amendment. He indicated that he cannot define what is an "unreasonable infringement" any more than someone else can determine what is an unreasonable infringement on the right of the people to keep and bear arms. Mr. Gordon made the following statements regarding the Second Amendment:

- It was linked centrally to the role of the State Militia.
- It is related to the language of the time in which the Amendment was proposed.
- It was an assertion of State authority in the face of a new National Government that was not trusted.
- It was an affirmation of the role of the States under the new Federal system.

Mr. Gordon expressed his belief that the language of the Second Amendment means that:

- State Governments weren't going to hang on to the firearms;
- They were not going to stockpile the firearms needed in the event the State Militia's services were needed to protect the security of a free state;
- Individuals were going to be able to keep their firearms;
- Private ownership of muskets and other firearms of that period were well within bounds;
- When the service to the militia is completed, the people who were part of the militia can take their muskets home with them. That way there is no question about who owned the guns that would be put to the use of the State Militia.

Mr. Gordon stated that he believes it is premature for the County Board to enact any Resolution, no matter where it came from and in any language. He indicated that, since the Supreme Court has ruled infrequently on the meaning of the Second Amendment and because we are little more than two months away from what might be a landmark ruling by the U.S. Supreme Court, this Resolution should not be acted upon at this time. Mr. Gordon noted that the Court is always free to make a ruling that is applicable across the board and would become part of judicial precedent and the law of the land. He stated that the Court is free to make a decision on the District of Columbia versus Heller that applies only to the District of Columbia gun ban and the Court is absolutely free to say that this does not apply to anything else, it does not define any other meaning, and it has no further applicability other than the case at hand. He repeated that this Resolution is premature due to its timing. Mr. Gordon noted that the most definitive ruling by the Supreme Court in 1939 was that the Second Amendment did not protect the right of someone to keep and use shotguns.

Mr. Gordon stated that he would be more comfortable with the language in the proposed Resolution that was included in the packet. He would like to wait to see what the Supreme Court has to say about the District of Columbia vs. Heller before this Resolution is enacted.

Mr. Walter Biesiada, Normal, responded to Mr. Gordon's comments. He stated that the writers of the Constitution were capable individuals. Mr. Biesiada indicated that, based on the language usage at that time, "well regulated" did not mean the same as it means today. He advised that "well regulated" meant being able to do what you are supposed to do, not regulation from the top. Mr. Biesiada stated that "well regulated, in the case of the militia, meant being able to hit what you are aiming at. He noted that "being necessary to the security of a free State" does not mean the States themselves, but to the United States. Mr. Biesiada indicated that, because of the language changes over the years, the meaning of the different words gets misinterpreted.

Mr. Gordon advised that the usage of the phrase "bear arms" is almost always in the context of a collective military setting. Mr. Biesiada responded that the "right of the people to keep and bear arms" was meant specifically for the people to have the right to keep and bear arms, not for the collective state Militia or the collective U.S. Militia to keep and bear arms. Mr. Gordon pointed out that, since 1791 when the Bill of Rights, including the Second Amendment was ratified, the usage of the term "bear arms," has been used predominately with collective military activity in court cases and in statutes.

Mr. Hoselton suggested that it is necessary to define the word Militia. Mr. Biesiada responded that every single person in the United States was a member of the Militia -- if they were male and above the age of 16 and below the age of 45. He noted that any other person could volunteer except for certain officials who were not able to be drafted.

Mr. Stachura stated that he disagrees with Mr. Gordon's interpretation of U.S. vs. Miller in 1939. He indicated that they did not say that Miller could not have a shotgun because he was not part of the militia; they said that he could not have a sawed off shotgun because they found that the shotgun was not purposely used in a militia. Mr. Stachura noted that Mr. Miller passed away before his case came before the court. He advised that they did not say that people who were not in a militia were not allowed to keep guns; they said that people who were are not in a militia are allowed to keep guns if they have use to a militia. Mr. Stachura indicated that the court would not have told Miller that he couldn't have the gun because he was not in a militia; they told him that the sawed off

shotgun had no apparent use for a militia; therefore, it is not protected under the Second Amendment. He stated that, had Mr. Miller been alive to have counsel, they would have been able to prove that shotguns have been used in a militia service since the Revolutionary War. Mr. Stachura indicated that there would have been a much different ruling in favor of Mr. Miller had he not passed away. Mr. Biesiada added that the attorney for Mr. Miller was never there to present evidence that sawed off shotguns were issued in World War I and were called trench guns. He reiterated that there was no judicial notice of a sawed off shotgun being a military or militia weapon because the lawyer was not there to present judicial notice.

Mr. Gordon indicated that the wording found in one part of the decision in the U.S. vs. Miller case in 1939 stated that:

"In the absence of any evidence tending to show that possession or use of a shotgun having a barrel of less than 18 inches in length at this time has some reasonable relationship to the preservation or efficiency of a well regulated militia. We cannot say that the Second Amendment guarantees the right to keep and bear such an instrument."

Mr. Stachura stated that what was being said is not that Mr. Miller couldn't keep that weapon because he is not in the militia; it is saying that the weapon has no bearing towards the militia so he can't keep it.

After additional discussion, Chairman Nuckolls asked for a vote on the Motion.

Motion carried with Member Gordon voting "no."

Chairman Nuckolls advised that this Resolution will be reviewed at the Executive Committee on May 13th at 4:30 p.m. He thanked the members of the public for their input.

Chairman Nuckolls presented a request for approval to support Senate Bill 2181, which allows Counties to impose Sales Tax for Probation Services.

Mr. Lindberg explained that this issue was discussed at the March 24th meeting. He reminded the Committee that they asked three questions, which he has answered as follows:

1. Would the tax permitted by SB 2181 apply to all sales, even those that take place within municipalities? Yes, it would. There are no exempt areas under the current proposal. We would expect to see resistance from home rule municipalities on this point.
2. The bill requires that the sales tax be applied in quarter cent increments. Is there a limit on the number of quarter cent increments that can be imposed? The current proposal does not limit the amount of tax that can be imposed, so long as it is done in quarter cent increments.
3. Is a referendum required to implement this tax? The current proposal provides that the tax can be imposed by a majority vote of the County Board, without referendum.

Mr. Lindberg advised that he was informed by the County's Metro Counties lobbyist that there is not a realistic chance of this bill becoming law. He noted that, even if it passed, the governor would likely veto SB 2181.

Chairman Nuckolls advised that there is no need to consider this issue.

Mr. Gordon asked how frequently, under current law, can such incremental sales tax increases occur. Mr. Lindberg replied that the County Board does not have the authority to raise sales taxes without legislation. Mr. Gordon asked how often, if approved, can increases occur. Mr. Zeunik replied that there are only two times during the year when, with legislative authority, sales tax can be increased, namely April 1st and October 1st.

Mr. Lindberg advised that SB 2181 addresses the problem of probation funding from the State. He noted that we still have a problem with probation funding. Mr. Lindberg stated that this fiscal year we will get about 48% of what we should receive.

Mr. Zeunik indicated that Board Chairman Sorensen suggested that Metro Counties support SB 2181. He suggested that the State may be willing to make a trade. Currently the State reimburses Counties at 48%. Mr. Zeunik noted that to do that the State must appropriate a significant amount of money in the State budget every year, which is not enough and does not meet State law. Mr. Zeunik indicated that it was recommended that the State keep that money and use it for whatever purpose it wants, in exchange for giving authority to the County to fund these services by increasing the sales tax.

Chairman Nuckolls reviewed a request for approval of a Resolution requesting that the Local Delegation in Springfield make sure that any Capital Bills include local Government Road and Bridge Funding.

Mr. Lindberg reminded the Committee that, over the last year, there has been discussion in Springfield for a Capital Bill to fund increased roadwork, schools and other infrastructures for the State of Illinois. He indicated that he does not believe this program has been introduced into the Legislature, but there probably will be a bill coming forth to fund a Capital Program.

Mr. Lindberg indicated that, in the past 30 years, when road funding has increased for the State, there is usually an equal increase in the level of road funding for Local Agencies. He expressed concern that this is not being discussed with the current Capital Bill.

Mr. Lindberg reiterated the concerns Mr. Mitchell expressed at the last meeting that County road construction costs have increased dramatically since the last funding increase in 1998.

Mr. Lindberg asked for the Committee's support in lobbying our legislature for increased funding for Local Highways when a Capital Bill emerges in the legislature.

Motion by Dean/Gordon to Recommend Approval of a Resolution requesting that the Local Delegation in Springfield make sure that any Capital Bills include Local Government Road and Bridge Funding.

Motion carried.

Chairman Nuckolls advised that the Resolution of the McLean County Board Approving and Adopting the 2008 Legislative Subcommittee Recommendations as approved at the April 15, 2008 County Board Meeting was included in the packet for informational purposes.

Mr. Lindberg informed the Committee that Mr. Bill Anderson who has been McLean County's lobbyist for more than ten years passed away last Saturday after a long bout with Cancer. He noted that Mr. Anderson was 43 years old and leaves behind a wife and two children.

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Mr. Lindberg advised that the Resolutions included in the packet will be amended from "...this resolution will be forwarded to Mr. William Anderson of Anderson Legislative Consulting..." to "...this Resolution will be forwarded to Anderson Legislative Consulting..."

Mr. Lindberg stated that Mr. Anderson was a true gentleman and he enjoyed a great deal of respect among his peers and among his opponents.

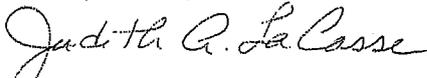
Mr. Gordon recommended that the Board consider a Resolution of Commendation to Mr. Anderson that will be given to his widow. Mr. Zeunik replied that it can be proposed to the Executive Committee.

Chairman Nuckolls presented the Minutes of the March 25, 2008 Legislative Subcommittee for approval.

Motion by Hoselton/Gordon to approve the Minutes of
the March 25, 2008 Sub-Committee Meeting.
Motion carried.

There being no further business to come before the Committee, the meeting was adjourned at 5:45 p.m.

Respectfully submitted,



Ms. Judith A. LaCasse
Recording Secretary

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MCLEAN COUNTY REVISED CODE BUDGET POLICY RESOLUTION

CHAPTER 12 - BUDGET

RESOLUTION ESTABLISHING THE BUDGET POLICY
FOR FISCAL YEAR 2009

WHEREAS, the *Rules of the County Board* provide that the Finance Committee exercise continuous review of revenues and expenditures and identify new or alternative revenue sources for the County; and

WHEREAS, the *Rules of the County Board* provide that the Executive Committee recommend each year to the County Board a Budget Policy for the preparation of the annual budget; and

WHEREAS, the Executive Committee has determined that the annual budget be considered as a policy document, an operations guide, the County financial plan, and an avenue of communications; and

WHEREAS, the Executive Committee has determined that, in order to achieve this end in all County programs, a three year budget be developed beyond the next subsequent Budget; and,

WHEREAS, based on the receipt of revenues anticipated for the next fiscal year and the need for careful study of both revenues and expenditures for the period 2010-2012, the Executive Committee recommended certain budget policies be adopted for Fiscal Year 2009; now, therefore,

BE IT RESOLVED by the County Board of McLean County, Illinois, that the following policies are hereby adopted and applied to all McLean County offices and departments for the submission, review and preparation of the Fiscal Year 2009 Budget and the proposed Three Year Budget.

12.21 COUNTY SERVICES

12.21-1 New Services shall be considered in the following order of priority:

- (A) State or federal law specifically mandates such action and imposes penalties on County government for failure to provide such services; or
- (B) The Oversight Committee and the Executive Committee recommend and the County Board approves the proposed new services and/or implementation of certain changes based upon analysis of existing programs, processes, and procedures.

12.22 REVENUE

12.22-1 Property Tax and Other Revenue

- (A) Real property taxes and all other 2009 revenues shall be sufficient to meet required expenditures for Fiscal Year 2009, with the following recommendation:

When preparing the Recommended Budget for Fiscal Year 2009, the County Administrator shall make every effort to hold the 2008 County overall property tax rate as close to the 2007 County overall property tax rate as possible.

12.22-2 User Fees and Charges

- (A) Every effort shall be made to identify and/or establish appropriate user fees for charges, as authorized by State law, for appropriate public services as recommended in the Fiscal Year 2009 Budget.

12.22-3 Intergovernmental Revenue

- (A) There shall be no new categorical grant programs considered in Fiscal Year 2009 that establish ongoing County funding obligations.
- (B) Each categorical grant which decreases in Fiscal Year 2009, thereby possibly increasing County funding obligations, shall be clearly identified so that the Oversight Committee and the Executive Committee may evaluate whether the present expenditure level should be maintained and/or increased.
- (C) Recognizing the unpredictability of future estimates of both revenues and expenditures, it is acknowledged that the proposed budget for Fiscal Year 2010, Fiscal Year 2011, and Fiscal Year 2012 may not reflect a balanced budget. Adjustments will be made to all projected future budgets, as any such estimated year becomes the next subsequent year for budgeting purposes.

12.22-4 Enterprise Fund - Nursing Home

- (A) Pursuant to the Resolution adopted by the McLean County Board on April 18, 1995, the private pay rate for the McLean County Nursing Home shall be calculated by dividing the annual operating budget by the number of patient days.

12.23 FUND BALANCES

12.23-1 Fund Balances

- (A) Recognizing the need for the County to maintain a sufficient unencumbered fund balance to meet necessary operating expenditures during the first five months of the fiscal year and to maintain fiscal stability, the County Board shall make every effort to maintain in the Corporate General Fund an unencumbered fund balance equal to 10% of the County's total Combined Annual Budget and Appropriation Ordinance.
- (B) Upon approval by the County Board, the aggregate amount of the unencumbered fund balance in the Corporate General Fund and the Working Cash Fund shall be available for transfer to other Special Revenue Funds, Fiduciary Funds and the Enterprise Fund in order to meet necessary operating expenditures during the first five months of the fiscal year and to maintain the fiscal stability of the Special Revenue Funds, Fiduciary Funds and Enterprise Fund.
- (C) If the unencumbered fund balance in the Corporate General Fund exceeds the recommended minimum level of not less than 10% of the County's total Combined Annual Budget and Appropriation Ordinance, after review of the audited accrued fund balance as reported in the Outside Auditor's Comprehensive Annual Financial Report for the prior fiscal year, and upon approval of the County Board at the regular meeting in June and/or July, these excess funds may be appropriated for specific capital improvement projects, including necessary repairs and improvements to County buildings and the Old Courthouse that houses the McLean County Museum of History, and for the annual debt service payment due to the Public Building Commission.
- (D) In the Special Revenue Funds, every effort shall be made to keep the year-end unencumbered fund balance at a minimum level taking into account the need for Working Cash.
- (E) In accordance with the provisions of the Downstate Working Cash Fund Act (55 ILCS 5/6-29001 - 29007), a Working Cash Fund line-item account may be established in the General Fund and the Special Revenue Funds where needed. Monies appropriated in this line-item account shall be transferred to the Working Cash Fund by action of the County Board.

(4)

- (F) In order to protect the long term viability of the Employee (Health) Benefit Fund, rate schedules for employees and the per capita cost assessed to each department shall provide sufficient funding to pay 100% of the expected claims' cost and/or the premium cost for the County's Employee Health Benefit Plan.

12.24 CONTINGENCY

12.24-1 Contingency

- (A) Upon the recommendation of the County Administrator, a contingency line-item account, not to exceed five percent (5%) of the total appropriations in each fund, may be established in each fund in the Fiscal Year 2009 Budget to cover emergencies and unanticipated expenditures.
- (B) The Executive Committee shall make recommendations for approval by the County Board on all transfers from the Contingency line-item account. The Contingency line-item account in each fund shall only be used as a transfer account.

12.25 CAPITAL IMPROVEMENTS AND CAPITAL EQUIPMENT PURCHASES

12.25-1 Capital Improvements

- (A) Recognizing the need for the County to plan for future capital improvement projects and the replacement of depreciated capital fixed assets, there shall be established as a part of the Fiscal Year 2009 Budget a Five-Year Capital Improvement Budget.
- (B) The County Administrator shall prepare the recommended Five-Year Capital Improvement Budget for review and approval by the Oversight Committees and County Board.
- (C) To establish and fund the Capital Improvement Budget, the County Board shall appropriate monies from the unencumbered fund balance of the Corporate General Fund and such other Special Revenue Funds as appropriate.

12.25-2 Capital Equipment Purchases

- (A) Recognizing the need for the County to purchase capital equipment in a cost effective and efficient manner, the purchase of the following capital

(5)

equipment items shall be consolidated in a single Countywide bid document:

- (1) Purchase of Furnishings/Office Equipment;
 - (2) Lease/Purchase of Office Equipment;
 - (3) Purchase of Computer Equipment;
 - (4) Lease/Purchase of Computer Equipment;
 - (5) Purchase of Computer Software;
- (B) Within the General Corporate Fund, the annual appropriation for the Purchase of Vehicles shall be consolidated in one line-item account in a Fleet/Vehicle Program in the departmental budget of the County Board. All County offices and departments within the General Corporate Fund shall be required to submit budget requests for the Purchase of Vehicles to the County Board.

Upon the approval and adoption of the Annual Budget, the County Board shall prepare one consolidated Bid Document for the purchase of all vehicles in the General Corporate Fund.

12.26 ADMINISTRATIVE FEES FOR SPECIAL REVENUE FUNDS

12.26-1 Administrative Fees for Special Revenue Funds

- (A) Administrative service fees or surcharges for central services (e.g. data processing, payroll, accounting, personnel, budgeting, records management) which are provided by County Offices/Departments in the General Fund shall be assessed to the Special Revenue funds.

12.27 PERSONNEL

12.27-1 Staffing Levels

- (A) Departmental staffing shall be identified in the proposed Fiscal Year 2009 Budget and shall be approved by each Oversight Committee and the Executive Committee, prior to final action by the County Board.

To prepare for a potential reduction in the overall growth of County revenues as a result of the national economic slowdown and recognizing the need to manage staffing levels, the County Administrator is hereby directed to evaluate all current full-time equivalent staffing levels in every County Office/Department and recommend adjustments in full-time equivalent levels.

(6)

The County Administrator shall review employee compensation and the associated costs of employee healthcare benefits and employee pension costs, specifically Social Security (F.I.C.A.) and Illinois Municipal Retirement Fund (I.M.R.F.).

Every County Office/Department should review its Fiscal Year 2008 Full-Time Equivalent Staffing levels with a goal of justifying every full-time equivalent position and identifying opportunities for savings in all personnel-related expenses.

12.27-2 Employee Compensation

- (A) The needs of the County to attract and retain qualified employees require that employee salaries be budgeted in accordance with the County's Personnel Policies and Procedures Ordinance.
- (B) Principles of equity vis-a-vis the approved contract increases for bargaining units in Fiscal Year 2009, the general impact of inflation and employee morale shall be considered in determining any increases in compensation.
- (C) The County's General Compensation Plan for Non-Union Employees, adopted by the County Board on May 16, 2000 and last amended on December 18, 2007, shall govern the preparation of the Fiscal Year 2009 Budget.
- (D) Employees who are not regularly scheduled may receive an increase if the department so requests, in accordance with Schedule A, the Calendar for Preparation of the Fiscal Year 2009 Budget, and the County Administrator's Office agrees with this request. Such requests shall be subject to the review and approval of the Finance Committee.
- (E) Employees who occupy exempt positions, as identified in the document entitled Position Classification and Pay Ranges for Fiscal Year 2008, adopted by the County Board on December 18, 2007, are considered salaried employees and thereby not entitled to additional compensation. The Treasurer shall deny any request for additional pay for an exempt employee without the specific approval of the Finance Committee.
- (F) The Oversight Committee for all personnel actions which impact on the County's Position Classification Schedules and Compensation System policies, such as reclassifications, salary re-grades, and the creation of new position classifications, shall be the Finance Committee. During the review and consideration of the Fiscal Year 2009 Budget, the Oversight Committee for all other personnel actions, such as the number of employees budgeted

(7)

within an existing position classification, shall be that department's regular Oversight Committee.

- (G) All requests for new positions shall be submitted in writing, using the New Position Request Form, to the Office of the County Administrator for evaluation and review. The Office of the County Administrator shall be responsible for reviewing and analyzing the request and the rationale of the department head, and recommending to the appropriate Oversight Committee and then to the Executive Committee that:
- (1) the request be approved and the reasons/justification for approval; or
 - (2) the request be denied and the reasons/justifications for denial at this time.
- (H) Requests for reclassifications of current positions shall be submitted in writing, using the Position Reclassification Form, to the Office of the County Administrator for evaluation and review. The Office of the County Administrator shall be responsible for reviewing and analyzing the request and the rationale of the department head, and recommending to the appropriate Oversight Committee and then to the Executive Committee that:
- (1) the request be approved and the reasons/justification for approval; or
 - (2) the request be denied and the reasons/justifications for denial at this time.
- (I) All requests for reclassification of current positions and/or salary regrade(s) shall be reviewed using the Position Appraisal Method (PAM) factors and methodology employed by Public Administration Service, Inc. (PAS) during their comprehensive study of the County's position classification system.
- (J) Any position which has been reclassified or has received a salary regrade during the Fiscal Year 2008 budget preparation cycle shall not be considered for reclassification or salary regrade during the Fiscal Year 2009 budget preparation cycle.
- (K) This policy shall also apply to any requests for new positions submitted at any time during the fiscal year. All such requests shall be reviewed by the Finance Committee prior to being recommended to the Executive Committee and the County Board.

12.28 COMPLIANCE WITH BUDGET PROCEDURES

- (A) All County offices and departments shall prepare and submit their Fiscal Year 2009 Budget requests in accordance with the Fiscal Year 2009 Budget Calendar (see Schedule A attached).
- (B) At any identified deadline, failure to provide the required data will result in a computer generated budget for that incomplete section(s), which will represent Fiscal Year 2008 budgeted expenditures/revenues less any known non-recurring expenditures.

12.29 FISCAL YEAR 2009 BUDGET ADOPTION

- (A) Pursuant to the *Rules of the McLean County Board*, the Executive Committee shall submit the Fiscal Year 2009 Budget to the County Board for adoption in accordance with the budget calendar.
- (B) In order to facilitate Committee deliberations, each Oversight Committee shall receive the complete proposed budget, including all departments and all funds, and any additional fiscal information deemed necessary and appropriate for budget review.

12.30 EFFECTIVE DATE AND REPEAL

- (A) This resolution shall supersede the Fiscal Year 2008 Budget Policy Resolution.

ADOPTED by the County Board of McLean County, Illinois, this 20th day of May, 2008.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the County Board
McLean County, Illinois

Matt Sorensen, Chairman
McLean County Board

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SCHEDULE A

CALENDAR FOR PREPARATION OF THE
FISCAL YEAR 2009 BUDGET,
FIVE YEAR CAPITAL IMPROVEMENT BUDGET,
AND RECOMMENDED THREE YEAR BUDGET

MONTH/DATE

ACTIVITY TO BE COMPLETED

May 20, 2008

County Board approves and adopts the Resolution Establishing the Budget Policy for Fiscal Year 2009

May 30, 2008

Department Head Meeting with Administrator - Distribution of Fiscal Year 2009 Budget Manual of Instructions

June 4-6, 2008

Training Meetings scheduled with Information Services staff for departmental personnel who will be entering budget requests into the computer.

Departments should review the Fiscal Year 2009 Budget Manual of Instructions and bring questions along with departmental budget worksheets to the training meetings.

PLEASE NOTE: Information Services will schedule individual department training sessions. Please call Information Services at ext. 5109 to schedule an appointment or use the departmental sign-up sheet.

June 9, 2008

Departments begin entering and revising Fiscal Year 2009 budget data, Five-Year Capital Improvement Budget, and the Recommended Three-Year Budget.

June 30, 2008

New Position(s) Requests and Justification for New Position(s) completed and submitted to the Administrator's Office.

PLEASE NOTE: Department personnel will **NOT** enter Personnel expenses (500 series line-item accounts) into the computer. The Assistant County Administrator will enter all Personnel expenses (500 series line-item accounts). Departments must submit Personnel budget requests to the Administrator's Office by June 30, 2008.

(2)

MONTH/DATE

ACTIVITY TO BE COMPLETED

July 11, 2008

Personnel expenses (500 series line-item accounts) will be entered into the computer by July 18, 2008 and transmitted to the departments during the week of July 21, 2008.

Department Narrative Description, Program Objectives completed.

Revenue (400 series line-item accounts) completed and entered into computer.

Materials and Supplies (600 series line-item accounts) completed and entered into computer.

Contractual Expenses (700 series line-item accounts) completed and entered into computer.

Capital Outlay (800 series line-item accounts) completed and entered into computer.

Recommended Three Year Budget for Fiscal Year 2010, Fiscal Year 2011, and Fiscal Year 2012 completed and entered into computer.

Five Year Capital Improvement Budget completed and submitted to the Administrator's Office.

July 11, 2008

Budget Data Entry System locked by Information Services. All Fiscal Year 2009 Budget data and Recommended Three Year Budget data should be completed and entered.

July 28, 2008
through
August 22, 2008

County Administrator reviews the departmental budget requests and meets with department heads to discuss their budget requests.

September 8, 2008

County Administrator advises departments of revenue/expenditure status.

(3)

MONTH/DATE

ACTIVITY TO BE COMPLETED

September 16, 2008

Recommended Fiscal Year 2009 Budget presented to the County Board.

September 17, 2008
through
November 7, 2008

Oversight Committees and Executive Committee review the Recommended Budget.

November 11, 2008

Review of Fiscal Year 2009 Recommended Budget, including all Oversight Committee recommendations, by the Executive Committee.

November 18, 2008

County Board approves and adopts Fiscal Year 2009 Combined Annual Budget and Appropriation Ordinance, 2008 Property Tax Levy Ordinance, and Amendment to the Full-Time Equivalent Positions Resolution for Fiscal Year 2009.

December 31, 2008

Fiscal Year 2009 Adopted Budget entered to create the Auditor's and Treasurer's record for the new fiscal year.



OFFICE OF THE ADMINISTRATOR
(309) 888-5110 FAX (309) 888-5111
115 E. Washington, Room 401 P.O. Box 2400 Bloomington, Illinois 61702-2400

May 1, 2008

Memo to: The Honorable Chairman and Members of the Finance Committee

From: John M. Zeunik 

Re: I.M.R.F. Early Retirement Incentive Program

In 1998, the McLean County Board authorized offering the I.M.R.F. Early Retirement Incentive Program (the "ERI") to County employees. Of the eligible employees in 1998, 23 employees took advantage of this program. At that time, the Finance Committee discussed offering ERI every 3-4 years as another way to retain employees. After offering ERI in 1998, the Finance Committee learned that the expense of ERI could not be fully recovered in 3-4 years and decided not to offer the program. Since then, County employees have asked the Administrator's Office if ERI would ever be offered again. In response to requests from employees to offer ERI again and as a part of the preparation for the fiscal year 2009 budget, the Administrator's Office has prepared an analysis of employee interest in an ERI program and the projected costs and benefits of offering an ERI program.

Section 7-41.1 of the Illinois Pension Code provides that the County Board may elect to adopt an early retirement incentive program offered by the Illinois Municipal Retirement Fund. To be eligible to retire under the ERI Program, the following conditions must be met:

- (1) The County Board must adopt the program.
- (2) An eligible employee must be participating in I.M.R.F. on the effective date of the ERI program.
- (3) An eligible employee must be at least 50 years old and have at least 20 years of service credit by the date of retirement.
- (4) Under I.M.R.F. rules, the employer must offer employees a window of 12 months for ERI, for example, a twelve month period beginning on May 31, 2008 and ending on May 31, 2009. An eligible employee's date of retirement must be no later than 12 months from the County's ERI program effective date.
- (5) An eligible employee cannot have previously received a pension using I.M.R.F. service credits.

The Honorable Chairman and Members of the Finance Committee
May 1, 2008
Page Two

According to the County's personnel records and I.M.R.F. eligibility list, there are 81 employees who would be eligible for ERI beginning on May 31, 2008 and ending on May 31, 2009. The County Administrator's Office sent a survey along with an ERI information packet to the 81 eligible employees. Of those eligible, 80 returned the survey and 41 employees indicated that, if the County offered ERI again, they would ABSOLUTELY or VERY LIKELY take advantage of this program. For each year of service credit an eligible employee decides to purchase under ERI, the employee will pay 4.5% (7.5% for Sheriff's Law Enforcement Personnel - SLEP) of the employee's highest 12 consecutive months of salary within the final rate of earnings period.

Using the County's eligibility list, I.M.R.F. prepared a cost estimate of the employer's cost if all of the eligible employees took advantage of the ERI. The I.M.R.F. analysis shows a total cost of \$8,731,058.00 if all eligible employees took advantage of ERI during the 12 month window. I.M.R.F. also estimated the employer's cost if the County elected to amortize the ERI cost over a period from 5 years up to 10 years. (See attached cost estimate and amortization schedules prepared by I.M.R.F.)

Using I.M.R.F.'s cost data, the Administrator's Office prepared an analysis of the ERI cost if the 41 employees who responded ABSOLUTELY or VERY LIKELY opted to retire under ERI. For the 41 employees who responded ABSOLUTELY or VERY LIKELY, the County's ERI Cost would be \$4,904,973.00. This ERI cost is the sum total of the actual cost for each employee as calculated by I.M.R.F. As noted in the I.M.R.F. actuarial analysis, this cost can be amortized over a period of time up to 10 years. In addition, I.M.R.F. actuarial analysis of the County's pension liability calculates that the County pension obligation to I.M.R.F. is funded at 106% of the actual liability. Under I.M.R.F. guidelines, the County can apply a portion of the excess funding to pay for the County's cost of offering ERI.

If all 41 employees take advantage of the ERI program, the additional I.M.R.F. expense that the County would be required to pay would be recovered within 6 years. The County recovers the ERI expense from salary savings that result when employees near the top of the salary range retire and are replaced with employees at a lower salary. Depending on the number of County employees who decide to take advantage of ERI, the program cost may be recovered sooner than 6 years or it may take longer to recover this expense. In addition to the projected salary savings, the County would also see a decrease in the annual F.I.C.A./Social Security expense as a result of the reduction in salary cost.

For budget purposes, offering an ERI program beginning on May 31, 2008 and ending on May 31, 2009 would result in salary savings in the current fiscal year and in fiscal year 2009 and in future fiscal years. As eligible employees take advantage of the ERI program, the County Board and the Administrator's Office can look for opportunities to

The Honorable Chairman and Members of the Finance Committee
May 1, 2008
Page Three

save additional salary expense by carefully considering each request to replace a retiring employee and by reviewing the salary of each employee hired or promoted to replace a retiring employee. Based on the number of eligible employees who take advantage of the ERI program during the 12 month window, the County's final ERI cost would be calculated as a part of the fiscal year 2010 I.M.R.F. rate for the regular and the SLEP employees.

For your information, in the past four years, the I.M.R.F. ERI program has been approved and offered in the following neighboring Counties: Champaign County, Peoria County and Tazewell County. Earlier this month, the City of Bloomington Council approved offering the ERI program to City employees who participate in I.M.R.F.

If you have any questions about the ERI program or the enclosed analysis, please do not hesitate to contact me by phone or E-Mail.

Thank you.

County Office/Department	Eligible Employees
County Board 0001	1
County Administrator 0002	1
County Auditor 0003	0
County Treasurer 0004	0
County Clerk 0005	0
County Recorder 0006	0
Merit Commission 0008	0
Circuit Clerk 0015	5
Circuit Court 0016	3
Jury Commission 0018	1
State's Attorney 0020	10
Public Defender 0021	0
Court Services 0022	10
Sheriff's Department 0029	13
Coroner's Office 0031	0
Building and Zoning 0038	1
Parks and Recreation 0040	0
Facilities Management 0041	4
Information Services 0043	3
Emergency Management 0047	1
Supervisor of Assessments 0049	3
MetCom	4
Health Department	10
Highway Department	7
Nursing Home	4
	81

Actuarial Analysis of
The Potential Effect of
IMRF's Early Retirement Incentive Program

For

03041 - MCLEAN COUNTY

(Regular Members)

1 Year Window Beginning

05/31/2008

IMRF Retirement Incentive 5-Year Window Program
 Actuarial Analysis for
03041 - MCLEAN COUNTY
 (Regular Members)
 Summary of Valuation Data and Input Variables
 Window Period: 05/31/2008 Through 05/31/2009

<u>EMPLOYEES AFFECTED BY WINDOW *</u>	
1. Presently eligible to retire with full or reduced benefits	
a. Number	39
b. Annual payroll	\$2,238,828
2. Number newly eligible to retire	
a. Number	39
b. Annual payroll	\$1,999,688
<u>INPUT VARIABLES</u>	
3. Employees presently eligible to retire, who:	
a. Would have retired without this window	0
b. Are induced to retire during this window **	39
4. Employees newly eligible to retire who are induced to retire during window period **	39
5. Total number assumed to retire during window period: (3a) + (3b) + (4)	78
6. Total across-the-board pay increase since 12/31/06	4.00 %

* Persons covered by Elected County Official benefit provisions with this employer were not included in this study.

** Inducement to retire is consistent with the assumptions for the Reserve Transfer Program.

IMRF Retirement Incentive 5-Year Window Program

Actuarial Analysis for

03041 - MCLEAN COUNTY

(Regular Members)

Summary of Valuation Results

Window Period: 05/31/2008 Through 05/31/2009

<u>IMRF COSTS</u>						
	5 Years	6 Years	7 Years	8 Years	9 Years	10 Years
1. Additional Liability Created by Window	\$8,140,218					
2. Schedule of Increase in Employer Contribution to IMRF based on indicated amortization of liability increase	Amortization Years					
	5 Years	6 Years	7 Years	8 Years	9 Years	10 Years
First Year	\$1,801,132	\$1,525,242	\$1,328,386	\$1,180,923	\$1,066,395	\$974,923
Second Year	\$1,873,197	\$1,586,234	\$1,381,513	\$1,228,163	\$1,109,056	\$1,013,925
Third Year	\$1,948,122	\$1,649,700	\$1,436,757	\$1,277,282	\$1,153,421	\$1,054,487
Fourth Year	\$2,026,046	\$1,715,686	\$1,494,243	\$1,328,358	\$1,199,550	\$1,096,669
Fifth Year	\$2,107,117	\$1,784,313	\$1,554,010	\$1,381,506	\$1,247,518	\$1,140,529
Sixth Year		\$1,855,711	\$1,616,170	\$1,436,764	\$1,297,432	\$1,186,136
Seventh Year			\$1,680,840	\$1,494,234	\$1,349,328	\$1,233,594
Eighth Year				\$1,554,025	\$1,403,300	\$1,282,936
Ninth Year					\$1,459,453	\$1,334,253
Tenth Year						\$1,387,643

Actuarial Analysis of
The Potential Effect of
IMRF's Early Retirement Incentive Program
For
03041 - MCLEAN COUNTY
(SLEP Members)

1 Year Window Beginning
05/31/2008

IMRF Retirement Incentive 5-Year Window Program
Actuarial Analysis for
03041 - MCLEAN COUNTY
(SLEP Members)
Summary of Valuation Data and Input Variables
Window Period: 05/31/2008 Through 05/31/2009

<u>EMPLOYEES AFFECTED BY WINDOW *</u>	
1. Presently eligible to retire with full or reduced benefits	
a. Number	4
b. Annual payroll	\$261,861
2. Number newly eligible to retire	
a. Number	0
b. Annual payroll	\$0
<u>INPUT VARIABLES</u>	
3. Employees presently eligible to retire, who:	
a. Would have retired without this window	0
b. Are induced to retire during this window **	4
4. Employees newly eligible to retire who are induced to retire during window period **	0
5. Total number assumed to retire during window period: (3a) + (3b) + (4)	4
6. Total across-the-board pay increase since 12/31/06	4.00 %

* Persons covered by Elected County Official benefit provisions with this employer were not included in this study.

** Inducement to retire is consistent with the assumptions for the Reserve Transfer Program.

IMRF Retirement Incentive 5-Year Window Program
 Actuarial Analysis for
 03041 - MCLEAN COUNTY
 (SLEP Members)
 Summary of Valuation Results
 Window Period: 05/31/2008 Through 05/31/2009

<u>IMRF COSTS</u>							
1. Additional Liability Created by Window	\$590,840						
2. Schedule of Increase in Employer Contribution to IMRF based on indicated amortization of liability increase		Amortization Years					
		5 Years	6 Years	7 Years	8 Years	9 Years	10 Years
First Year	\$130,731	\$110,706	\$96,418	\$85,715	\$77,402	\$70,763	
Second Year	\$135,962	\$115,133	\$100,274	\$89,144	\$80,498	\$73,594	
Third Year	\$141,400	\$119,740	\$104,284	\$92,709	\$83,719	\$76,538	
Fourth Year	\$147,056	\$124,529	\$108,456	\$96,416	\$87,067	\$79,599	
Fifth Year	\$152,941	\$129,510	\$112,794	\$100,274	\$90,548	\$82,783	
Sixth Year		\$134,693	\$117,306	\$104,284	\$94,171	\$86,093	
Seventh Year			\$122,000	\$108,456	\$97,938	\$89,538	
Eighth Year				\$112,796	\$101,856	\$93,119	
Ninth Year					\$105,931	\$96,844	
Tenth Year						\$100,719	

RESOLUTION OF THE McLEAN COUNTY BOARD ADOPTING AN EARLY RETIREMENT INCENTIVE PROGRAM

WHEREAS, Section 7-141.1 of the Illinois Pension Code provides that a participating employer may elect to adopt an early retirement incentive program offered by the Illinois Municipal Retirement Fund (IMRF) by adopting a resolution or ordinance; and

WHEREAS, the goal of adopting an early retirement program is to realize a substantial savings in personnel costs by offering early retirement incentives to employees who have accumulated many years of service credit; and

WHEREAS, Implementation of the early retirement program will provide a budgeting tool to aid in controlling payroll costs; and

WHEREAS, The McLean County Board has determined that the adoption of an early retirement incentive program is in the best interests of McLean County; now, therefore

BE IT RESOLVED by the McLean County Board that:

(1) The McLean County Board does hereby adopt the Illinois Municipal Retirement Fund early retirement incentive program as provided in Section 7-141.1 of the Illinois Pension Code. The early retirement incentive program shall take effect on May 31, 2008.

(2) In order to help achieve a true cost savings, a person who retires under the early retirement incentive program shall lose those incentives if he or she later accepts employment with any IMRF employer in a position for which participation in IMRF is required or is elected by the employee.

(3) In order to utilize an early retirement incentive as a budgeting tool, McLean County will use its best efforts either to limit the number of employees who replace the employees who retire under the early retirement program or to limit the salaries paid to the employees who replace the employees who retire under the early retirement program.

(4) The effective date of each employee's retirement under this early retirement program shall be set by McLean County and shall be no earlier than the effective date of the program and no later than one year after that effective date; except that the employee may require that the retirement date set by the employer be no later than the June 30 next occurring after the effective date of the program and no earlier than the date upon which the employee qualifies for retirement.

(5) To be eligible for the early retirement incentive under this Section, the employee must have attained age 50 and have at least 20 years of creditable service by his or her retirement date.

(6) The McLean County Board hereby directs the County Clerk to forward a certified copy of this Resolution to the County Treasurer's Office, the County Administrator's Office, and the Trustees of the Illinois Municipal Retirement Fund.

ADOPTED by the McLean County Board this 20th day of May, 2008.

ATTEST:

APPROVED:

Peggy Ann Milton,
Clerk of the McLean County Board

Matt Sorensen, Chairman
McLean County Board

Employer IMRF Number

e:john/cobd/res_ERI_May_08



OFFICE OF THE ADMINISTRATOR
(309) 888-5110 FAX (309) 888-5111
115 E. Washington, Room 401 P.O. Box 2400 Bloomington, Illinois 61702-2400

Memorandum

To: Chairman and Members, Finance Committee
From: Terry Lindberg, Assistant County Administrator 
Date: April 24, 2008
Re: Proposed Ordinances Setting Salaries for Elected Officials and County Board

Enclosed for your consideration is an ordinance setting salaries for the four Countywide Elected Officials whose terms will begin this December, and another ordinance setting salaries for County Board Members whose terms will begin this December.

State Law provides that the County Board must set the salary of an Elected Official not less than 180 days prior to the beginning of their term in office (50 ILCS 145/2). The Circuit Clerk, Coroner, County Auditor and Recorder will all take office this December. The County Board passed an ordinance setting the salaries for these offices from 2005 through 2008, and now must pass an ordinance setting the salaries for 2009 through 2012. Salaries for the Sheriff, Treasurer and County Clerk are set through their current terms, which expire in December of 2010, so no action can be taken regarding those offices at this time.

The County Administrator's Office gathered 2008 salary data from nine comparable Illinois counties (Exhibit A). McLean County ranks 4th in population among the nine-county group. 2008 salaries for the seven Elected Officials rank from 2nd to 6th. The bottom table on Exhibit A shows salaries per capita and corresponding rankings. Since all counties are on the same timetable for the salary setting process, we have no information as to what the other counties will enact for 2009-2012 salaries.

Exhibit B shows the salary history of the Countywide Elected Officials and County Board Members since 2005. The figures in bold print show the annual salaries and percentage increases proposed by the two ordinances. For Elected Officials, the

proposed ordinance provides a 4.00% annual increase for 2009 and 2010, and a 4.50% annual increase for 2011 and 2012. The County Board will be asked to set salaries for the Sheriff, Treasurer and County Clerk for 2011 through 2014 in May of 2010.

For County Board Members, salaries for members whose terms run through 2010 have already been set by ordinance as shown on Exhibit B. However, the proposed ordinance needs to be enacted to set salaries for Members elected to serve a term running from 2009 through 2012. Continuing with the process established in 2004, the ordinance proposes a 2.50% annual increase in County Board Members salaries.

Please contact the County Administrator at 888-5110 if you have any questions or would like any additional information. Thank You.

**EXHIBIT A
NINE COUNTY SALARY COMPARISON
ELECTED OFFICIALS 2008**

2008

Title	(Rank)	Sheriff	Treasurer	Clerk	Circuit Clerk	Coroner	Auditor	Recorder
		(6)	(3)	(3)	(2)	(3)	(3)	(3)
McLean	(4)	\$86,207	\$80,350	\$80,350	\$80,350	\$76,524	\$76,524	\$76,524
Champaign	(2)	\$97,208	\$77,738	\$77,738	\$68,790	\$61,327	\$61,327	\$61,327
Kankakee	(9)	\$91,000	\$61,193	\$61,193	\$61,193	\$57,915	\$56,722	\$57,915
LaSalle	(7)	\$63,000	\$51,000	\$51,000	\$51,000	\$51,000	\$51,000	\$51,000
Macon	(8)	\$79,653	\$64,321	\$64,321	\$62,447	\$62,447	\$62,447	\$62,447
Peoria	(3)	\$98,748	\$82,078	\$82,078	\$75,886	\$75,886	\$75,886	\$75,886
Rock Island	(5)	\$87,500	\$77,830	\$77,830	\$77,830	\$77,830	\$77,830	\$77,830
Sangamon	(1)	\$95,000	\$80,575	\$80,575	\$90,000	\$77,400	\$77,400	\$77,400
Tazewell	(6)	\$78,023	\$57,742	\$57,742	\$57,742	\$50,963	\$53,214	\$50,963

Population
USC-2004 Est
158,006

salary per capita	per cap (Rank)	Sheriff	Treasurer	Clerk	Circuit Clerk	Coroner	Auditor	Recorder
		(6)	(4)	(4)	(4)	(4)	(4)	(4)
McLean		0.5456	0.5085	0.5085	0.5085	0.4843	0.4843	0.4843
Champaign		0.5272	0.4216	0.4216	0.3731	0.3326	0.3326	0.3326
Kankakee		0.8490	0.5709	0.5709	0.5709	0.5403	0.5292	0.5403
LaSalle		0.5608	0.4540	0.4540	0.4540	0.4540	0.4540	0.4540
Macon		0.7177	0.5796	0.5796	0.5627	0.5627	0.5627	0.5627
Peoria		0.5413	0.4500	0.4500	0.4160	0.4160	0.4160	0.4160
Rock Island		0.5921	0.5267	0.5267	0.5267	0.5267	0.5267	0.5267
Sangamon		0.4947	0.4196	0.4196	0.4686	0.4030	0.4030	0.4030
Tazewell		0.6042	0.4472	0.4472	0.4472	0.3947	0.4121	0.3947

**EXHIBIT B
PROPOSED SALARIES
ELECTED OFFICIALS
2009-2012**

Office	Term Expires	Salary 2005	% Increase	Salary 2006	% Increase	Salary 2007	% Increase	Salary 2008	% Increase	Salary 2009	% Increase	Salary 2010	% Increase	Salary 2011	% Increase	Salary 2012	% Increase
Sheriff	2010	\$ 76,638	4.00%	\$ 79,704	4.00%	\$ 82,891	4.00%	\$ 86,207	4.00%	\$ 89,655	4.00%	\$ 93,241	4.00%				
Treasurer	2010	\$ 71,431	4.00%	\$ 74,288	4.00%	\$ 77,261	4.00%	\$ 80,351	4.00%	\$ 83,565	4.00%	\$ 86,908	4.00%				
Clerk	2010	\$ 71,431	4.00%	\$ 74,288	4.00%	\$ 77,261	4.00%	\$ 80,351	4.00%	\$ 83,565	4.00%	\$ 86,908	4.00%				
Circuit Clerk	2008	\$ 71,431	4.00%	\$ 74,288	4.00%	\$ 77,261	4.00%	\$ 80,351	4.00%	\$ 83,565	4.00%	\$ 86,908	4.00%	\$ 90,818	4.50%	\$ 94,905	4.50%
Coroner	2008	\$ 68,030	4.00%	\$ 70,751	4.00%	\$ 73,581	4.00%	\$ 76,524	4.00%	\$ 79,585	4.00%	\$ 82,769	4.00%	\$ 86,493	4.50%	\$ 90,386	4.50%
Auditor	2008	\$ 68,030	4.00%	\$ 70,751	4.00%	\$ 73,581	4.00%	\$ 76,524	4.00%	\$ 79,585	4.00%	\$ 82,769	4.00%	\$ 86,493	4.50%	\$ 90,386	4.50%
Recorder	2008	\$ 68,030	4.00%	\$ 70,751	4.00%	\$ 73,581	4.00%	\$ 76,524	4.00%	\$ 79,585	4.00%	\$ 82,769	4.00%	\$ 86,493	4.50%	\$ 90,386	4.50%
Board Chair	2008-2010	\$8,500	0.00%	\$8,500	0.00%	\$8,713	2.50%	\$8,930	2.50%	\$9,153	2.50%	\$9,382	2.50%	\$9,617	2.50%	\$9,857	2.50%
Exec. Comm.	2008-2010	\$5,000	0.00%	\$5,000	0.00%	\$5,125	2.50%	\$5,253	2.50%	\$5,384	2.50%	\$5,519	2.50%	\$5,657	2.50%	\$5,798	2.50%
Bd. Member	2008-2010	\$4,000	0.00%	\$4,000	0.00%	\$4,100	2.50%	\$4,203	2.50%	\$4,308	2.50%	\$4,416	2.50%	\$4,526	2.50%	\$4,640	2.50%

4/24/2008

**AN ORDINANCE OF THE McLEAN COUNTY BOARD
ESTABLISHING THE ANNUAL SALARY
OF THE CIRCUIT CLERK, CORONER, COUNTY AUDITOR, AND RECORDER**

WHEREAS, pursuant to 50 ILCS 145/2, the McLean County Board must set the annual salary of the Circuit Clerk, Coroner, County Auditor and the Recorder at least 180 days before the beginning of their terms of office; and

WHEREAS, after a thorough review of those County Officials whose salaries can be fixed by the County Board, the Finance Committee, at its regular meeting on Wednesday, May 7, 2008, recommended to the Executive Committee approval of the following salaries for said County Officials; and,

WHEREAS, the Executive Committee, at its regular meeting on Tuesday, May 13, 2008, recommended approval of the following salaries for said County Officials; now, therefore,

BE IT ORDAINED by the McLean County Board as follows:

1. That the annual salary for the Circuit Clerk shall be as follows:

a)	January 1 - December 31, 2009	\$83,565
	January 1 - December 31, 2010	\$86,908
	January 1 - December 31, 2011	\$90,818
	January 1 - December 31, 2012	\$94,905

2. That the annual salary for the Coroner shall be as follows:

a)	January 1 - December 31, 2009	\$79,585
	January 1 - December 31, 2010	\$82,769
	January 1 - December 31, 2011	\$86,493
	January 1 - December 31, 2012	\$90,386

3. That the annual salary for the County Auditor shall be as follows:

a)	January 1 - December 31, 2009	\$79,585
	January 1 - December 31, 2010	\$82,769
	January 1 - December 31, 2011	\$86,493
	January 1 - December 31, 2012	\$90,386

(2)

4. That the annual salary for the Recorder shall be as follows:

a)	January 1 - December 31, 2009	\$79,585
	January 1 - December 31, 2010	\$82,769
	January 1 - December 31, 2011	\$86,493
	January 1 - December 31, 2012	\$90,386

For purposes of computing the salaries of the above Elected Officials:

1. The annual salaries stated above shall be divided by 26 to determine the biweekly salary.
2. Regardless of the days actually worked, pay shall be based upon the 10 week days (Monday through Friday) of each biweekly period if a proration of salary is necessitated by election, resignation, death, or any other reason which results in the elected official no longer holding the office to which he/she was elected.

BE IT FURTHER ORDAINED this 20th day of May, 2008, the salaries as set forth above are hereby established for these Elected Officials. Any salary not set shall be as provided by Statute.

BE IT FURTHER ORDAINED that any and all Ordinances previously adopted, which set the salaries for the aforementioned Officials, are hereby rescinded to the extent such Ordinances conflict with this Ordinance. The articles, provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

ADOPTED by the County Board of McLean County, Illinois this 20th day of May, 2008.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the McLean
County Board
McLean County, Illinois

Matt Sorensen, Chairman
McLean County Board

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**AN ORDINANCE OF THE McLEAN COUNTY BOARD
SETTING SALARIES OF THE MEMBERS
OF THE McLEAN COUNTY BOARD**

WHEREAS, 55 ILCS 5/2-3008 enables the County Board to change the basis of payment or amount of compensation of its members by ordinance or resolution; and,

WHEREAS, the County Board shall determine whether the salary paid to its members be on a per diem basis, annual basis, or combined per diem and annual basis; and,

WHEREAS, Chapter 5, Section 5.05 of the McLean County Code, provides that the County Board may change the amount of compensation of its members by Ordinance; and

WHEREAS, at the regular meeting of the Executive Committee on Tuesday, May 13, 2008, the Executive Committee recommended that the annual salary of a County Board member, of the Vice Chairman, the Chairman of each of the regular Standing Oversight Committees and the Members of the Executive Committee of the Board, and of the Chairman of the County Board be and continue to be increased by 2.5% annually; and,

WHEREAS, the Executive Committee further recommended that the proposed salaries of the eligible members of the McLean County Board become effective on the first day of January in the year 2009; and,

WHEREAS, the Executive Committee recommended to the County Board approval of the proposed salaries of the members of the McLean County Board; now, therefore,

BE IT ORDAINED AND ORDERED by the McLean County Board that the compensation of the members of the McLean County Board shall be as follows:

The members of the McLean County Board, including its Chairman of the Board, its Vice Chairman of the Board, each Chairman of the regular Standing Oversight Committees of the Board, and each at-large Member of the Executive Committee of the County Board shall be compensated on an annual salary basis as follows:

- (1) All members of the County Board, other than the Chairman of the County Board, the Vice Chairman of the County Board, the Chairman of each of the regular Standing Oversight Committees of the County Board, and the at-large Members of the Executive Committee of the County Board, shall receive an annual salary of \$4,308.00, effective January 1, 2009, an annual salary of \$4,416.00 effective January 1, 2010, an annual salary of \$4,526.00 effective January 1, 2011, and an annual salary of \$4,640.00 effective January 1, 2012.
- (2) The Chairman of each of the regular Standing Oversight Committees of the Board, and each at-large Member of the Executive Committee of the County Board, as established by *The Rules of the McLean County Board* as adopted, and the Vice Chairman of the County Board shall receive an annual salary an annual salary of

\$5,384.00, effective January 1, 2009, an annual salary of \$5,519.00 effective January 1, 2010, an annual salary of \$5,657.00 effective January 1, 2011, and an annual salary of \$5,798.00 effective January 1, 2012.

- (3) The Chairman of the County Board shall receive an annual salary of \$9,153.00, effective January 1, 2009, an annual salary of \$9,382.00 effective January 1, 2010, an annual salary of \$9,617.00 effective January 1, 2011, an annual salary of \$9,857.00 effective January 1, 2012.

3. That any and all ordinances and resolutions previously adopted that set the salaries for the aforementioned officials are hereby rescinded to the extent such ordinances and resolutions conflict with this ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the McLean County Board that the County Clerk shall forward a certified copy of this Ordinance to the County Treasurer, County Administrator, and the Civil First Assistant State's Attorney.

ADOPTED by the McLean County Board this 20th day of May, 2008.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the
McLean County Board
McLean County, Illinois

Matt Sorensen, Chairman
McLean County Board

McLEAN COUNTY - GRANT INFORMATION FORM

General Grant Information

<u>Requesting Agency or Department:</u> McLean County Sheriff's Department		<u>This request is for:</u> <input type="checkbox"/> A New Grant <input checked="" type="checkbox"/> Renewal/Extension of Existing Grant	
<u>Granting Agency:</u> Department of Justice Bureau of Justice Assistance		<u>Grant Type:</u> <input checked="" type="checkbox"/> Federal, CFDA #: 16.607 <input type="checkbox"/> State <input type="checkbox"/> Other	<u>Grant Date:</u> Start: 1/1/2008 End: 12/31/2008
<u>Grant Title:</u> Bulletproof Vest Partnership			
<u>Grant Amount:</u> \$4,110.00		<u>Grant Funding Method:</u> <input checked="" type="checkbox"/> Reimbursement, Receiving Cash Advance <input type="checkbox"/> <input type="checkbox"/> Pre-Funded	
<u>Match Amount (if applicable):</u> Required Match :\$4,110.00 Overmatch: \$0.00		<u>Expected Initial Receipt Date:</u>	
<u>Grant Total Amount:</u> \$8,220.00		<u>Source of Matching Funds (if applicable):</u> N/A	
<u>Will it be likely to obtain this grant again next FY?</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>Equipment Pass Through?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <u>Monetary Pass Through?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Grant Costs Information

<u>Will personnel be supported with this grant:</u> <input type="checkbox"/> Yes (complete personnel portion below) <input checked="" type="checkbox"/> No		<u>A new hire will be responsible for financial reporting:</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																									
<table border="1"> <thead> <tr> <th colspan="2">Grant Expense Chart</th> </tr> <tr> <th>Personnel Expenses</th> <th>Costs</th> </tr> </thead> <tbody> <tr> <td>Number of Employees:</td> <td></td> </tr> <tr> <td>Personnel Cost</td> <td>\$</td> </tr> <tr> <td>Fringe Benefit Cost</td> <td>\$</td> </tr> <tr> <td>Total Personnel Cost</td> <td>\$</td> </tr> <tr> <td colspan="2"><u>Additional Expenses</u></td> </tr> <tr> <td>Subcontractors</td> <td>\$</td> </tr> <tr> <td>Equipment</td> <td>\$</td> </tr> <tr> <td>Other</td> <td>\$8,220.00</td> </tr> <tr> <td>Total Additional Expenses</td> <td>\$</td> </tr> <tr> <td>GRANT TOTAL</td> <td>\$8,220.00</td> </tr> </tbody> </table> <p><i>Grant Total must match "Grant Total Amount" from General Grant Information.</i></p>		Grant Expense Chart		Personnel Expenses	Costs	Number of Employees:		Personnel Cost	\$	Fringe Benefit Cost	\$	Total Personnel Cost	\$	<u>Additional Expenses</u>		Subcontractors	\$	Equipment	\$	Other	\$8,220.00	Total Additional Expenses	\$	GRANT TOTAL	\$8,220.00	<u>Description of equipment to be purchased:</u> N/A <u>Description of subcontracting costs:</u> N/A <u>Other requirements or obligations:</u> Purchase of approved Bulletproof Vests.	
Grant Expense Chart																											
Personnel Expenses	Costs																										
Number of Employees:																											
Personnel Cost	\$																										
Fringe Benefit Cost	\$																										
Total Personnel Cost	\$																										
<u>Additional Expenses</u>																											
Subcontractors	\$																										
Equipment	\$																										
Other	\$8,220.00																										
Total Additional Expenses	\$																										
GRANT TOTAL	\$8,220.00																										

Responsible Personnel for Grant Reporting and Oversight:

Sheriff Mike Purney
Department Head Signature

4/28/08
Date

Grant Administrator/Coordinator Signature (if different)

Date

OVERSIGHT COMMITTEE APPROVAL	
_____ Chairman	_____ Date



Bulletproof Vest Partnership PROGRAM FACT SHEET

History

The Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998 (Public Law 105-181) and reauthorized by the BVP Act of 2000 (Public Law 106-517), is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement.

Since 1999, over 11,500 jurisdictions have participated in the BVP Program, with \$118 million in federal funds committed to support the purchase of an estimated 450,000 vests. The Office of Justice Programs' Bureau of Justice Assistance (BJA) administers the BVP Program.

Eligibility

Eligible jurisdictions include general purpose units of local government such as cities, counties, parishes, and municipalities; federally recognized Indian Tribes; the 50 states; the District of Columbia; American Samoa; Guam; the Northern Mariana Islands; Puerto Rico; and the U.S. Virgin Islands.

Eligible law enforcement officers for BVP Program purposes include police officers; sheriff deputies; correctional officers; parole and probation agents; prosecutors; and judicial officials.

Funding

BVP funds up to 50 percent of the cost of each vest purchased or replaced by law enforcement applicants. Only vest models that comply with the requirements of the Office of Justice Programs' National Institute of Justice (NIJ) may be purchased with BVP Program funds.

The BVP Act of 1998 requires that at least half of all appropriated funds support applications from jurisdictions with populations under 100,000 people. When the BVP Program was reauthorized for an additional three years (FY 2002 – 2004), a new allocation principle required funding the full 50 percent of requested vest needs for applications from jurisdictions under 100,000, with any remaining funds available for applications from jurisdictions over 100,000 people.

Vest Selection

In November 2003, Attorney General John Ashcroft announced a Body Armor Safety Initiative in response to the failure of a bullet-resistant vest worn by a police officer in Pennsylvania. NIJ was directed to initiate an examination of Zylon[®]-based bullet-resistant vests (both new and used) and to review the existing program by which bullet-resistant vests are tested to determine if the program needs modification.

Having completed its latest phase of ballistic and mechanical properties testing, NIJ has determined that used Zylon[®] - containing vests may not provide the intended level of ballistic resistance. In response to this determination, NIJ has issued a body armor standard advisory notice concerning Zylon[®], and has issued new interim requirements for its body armor compliance testing program that will become effective on September 26, 2005. Until the effective date of the interim requirements, jurisdictions that participate in the

BVP program will be ineligible to receive payment for new orders placed for any body armor vest that contains Zylon®.

A list of vest models that comply with the NIJ interim requirements will be maintained at:
<http://www.iustnet.org>.

Additional Funds for FY 2005

Pursuant to the FY 2005 Department of Justice Appropriations Act, \$23.6 million was made available for the purchase of vests through the annual BVP Program application process. Further to the Body Armor Safety Initiative, to better meet the vest replacement needs of America's law enforcement agencies this year, Attorney General Alberto Gonzales will make an additional \$10 million available immediately. This additional funding will be available through a special BVP solicitation that will open on August 24, 2005 and close on September 22, 2005.

How to Apply

The entire BVP application and payment process occurs online at <https://vests.ojp.gov>.

Related Links

[FY 2005 BVP Payments](#)

Contact

Linda Hammond-Deckard, Program Manager
Bureau of Justice Assistance
Office of Justice Programs
U.S. Department of Justice
810 Seventh Street NW
Washington, DC 20531
1-877-758-3787
Linda.Hammond-Deckard@usdoj.gov

Section Status > Current Status > Jurisdiction Current Status

OMB #1121-0235
(Expires: 10/31/2006)

MCLEAN COUNTY, IL

This "Status" page shows any pending actions that must be completed prior to program deadlines. It also provides you with payment(s) status for tracking your requests for approved funds.

- Red X's indicate your attention is needed in order to complete a task for action.

Current Activity Status

Application Sent for BVP Approval

[View Details](#)

Payments Request \$1,257.55 on December 06, 2007 from Regular Fund

Payment Requested from BVP

Balance Summary

Total Amount Awarded	\$6,199.98
Total Payments Made	\$4,942.43
Payments on Hold	\$0.00
Total Unpaid Requests to Date	\$1,257.55
Amount Available for Additional Requests	\$0.00

Section Application > Review Application > Review BVP Application for Funding

OMB #1121-0235
(Expires: 10/31/2006)

Below is the current status of your application.

Jurisdiction:	MCLEAN COUNTY
Jurisdiction's <u>Vest Replacement Cycle</u> :	5 Years
<u>Unspent BVP Funds Remaining</u>	\$0.00
Unspent BVP Funds <u>Obligated</u> for Vest Purchases:	N/A
<u>Emergency Replacement Needs</u> :	0

Review BVP Application for Funding

Applicant	Quantity	Total Cost	Date Submitted	Application Status
MCLEAN COUNTY	15	\$8,220.00	04/08/08	Sent for BVP Approval
Grand Totals:	15	\$8,220.00		

Section Receipts > Receipt Reports > Receipt Report List

OMB #1121-0235
(Expires: 10/31/2006)

There are no receipts reported at this time.

Total Approved Amount (All Years)	\$6,199.98
Total Payments Made to Date	\$0.00
Total Payments on Hold	\$0.00
Total Unpaid Requests to Date	\$1,257.55
Amount Available for Additional Requests - Regular Fund	\$0.00

Receipt Report List

Jurisdiction/Agency	Funds Source	Report Date	Retail Total Cost	Discount Total Cost	Maximum BVP Payment	Actions
Total Costs			\$0.00	\$0.00	\$0.00	
BVP Portion of Payment Requested					\$0.00	

Return to Manage Receipts

BVP Portion of Payment Requested is paid in full only if the Amount Available for Additional Requests is greater than or equal to funds remaining. **Important:** Vests ordered before April 1, 2006 are only eligible for drawdown against funds from 2005 and earlier. Vests must also have met the NIJ requirements as of the order date.

Section Payment > Payment History

Payments Pending

Date Requested	Total Reported	Amount Requested	Receipt Details
12/06/2007	\$5,020.00	\$1,257.55	View Details

Payments on Hold

There are no payments on hold by BVP

Payments made by BVP

Date Requested	Total Reported	Amount Requested	Paid Amount	Payment Date	Receipt Details
11/01/2001	\$11,732.00	\$5,866.00	\$4,197.13	11/30/2001	View Details
03/19/2007	\$1,512.00	\$745.30	\$745.30	04/20/2007	View Details

Section Status > Application History

OMB #1121-0235
(Expires: 10/31/2006)

Program	Date Approved	Previous Applications		Deobligation Date	Action
		Amount Approved	Funds Available		
2007 Regular Solicitation	09/13/2007	1,257.55	0.00	09/30/2011	View Details
2006 Regular Solicitation	02/06/2007	745.30	0.00	09/30/2010	View Details
2001 Regular Solicitation	05/15/2001	4,197.13	0.00	09/30/2005	View Details
	Totals:	\$6,199.98	\$0.00		

2007

Section Status > Application History > Application Details

OMB #1121-0235
(Expires: 10/31/2006)

Application Profile

Jurisdiction's Vest Replacement Cycle: 5 Years
 Unspent BVP Funds Obligated for Vest Purchases: \$0.00
Emergency Replacement Needs: 0

Application Details

NIJ#	Quantity	Unit Price	Extended Cost	Tax Shipping and Handling	Total Cost
HC-5105-II	13	\$499.00	\$6,487.00	\$130.00	\$6,617.00
Grand Totals	13		\$6,487.00	\$130.00	\$6,617.00

Award Summary for FY2007 Regular Solicitation

Funds Type	Eligible Amount	Award	Date Approved	Status
Regular Fund	\$6,617.00	\$1,257.55	09/13/07	Approved By BVP
Grand Totals:	\$6,617.00	\$1,257.55		

[Return](#)

Section Status > Application History > Application Details

OMB #1121-0235
(Expires: 10/31/2006)

Application Profile

Jurisdiction's Vest Replacement Cycle: 5 Years
 Unspent BVP Funds Obligated for Vest Purchases: \$0.00
Emergency Replacement Needs: 0

Application Details

NIJ#	Quantity	Unit Price	Extended Cost	Tax Shipping and Handling	Total Cost
SMF-II+L 507120	13	\$535.00	\$6,955.00	\$104.00	\$7,059.00
Grand Totals	13		\$6,955.00	\$104.00	\$7,059.00

Award Summary for FY2006 Regular Solicitation

Funds Type	Eligible Amount	Award	Date Approved	Status
Regular Fund	\$7,059.00	\$745.30	10/19/06	Approved By BVP
Grand Totals:	\$7,059.00	\$745.30		

[Return](#)

McLEAN COUNTY - GRANT INFORMATION FORM

General Grant Information

<u>Requesting Agency or Department:</u> McLean County Sheriff's Department	<u>This request is for:</u> <input checked="" type="checkbox"/> A New Grant <input type="checkbox"/> Renewal/Extension of Existing Grant	
<u>Granting Agency:</u> Illinois Department of Transportation	<u>Grant Type:</u> <input type="checkbox"/> Federal, CFDA #: <input type="checkbox"/> State <input type="checkbox"/> Other	<u>Grant Date:</u> Start: 10/1/2008 End: 9/30/2009
<u>Grant Title:</u> Holiday Mobilization 2009		
<u>Grant Amount:</u> \$22,176.00	<u>Grant Funding Method:</u> <input checked="" type="checkbox"/> Reimbursement, Receiving Cash Advance <input type="checkbox"/> <input type="checkbox"/> Pre-Funded Expected Initial Receipt Date:	
<u>Match Amount (if applicable):</u> Required Match :\$ Overmatch: \$		
<u>Grant Total Amount:</u> \$22,176.00	<u>Source of Matching Funds (if applicable):</u> N/A	
<u>Will it be likely to obtain this grant again next FY?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Equipment Pass Through?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <u>Monetary Pass Through?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Grant Costs Information

<u>Will personnel be supported with this grant:</u> <input checked="" type="checkbox"/> Yes (complete personnel portion below) <input type="checkbox"/> No	<u>A new hire will be responsible for financial reporting:</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																								
<table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="2">Grant Expense Chart</th> </tr> <tr> <th style="width:70%;">Personnel Expenses</th> <th>Costs</th> </tr> </thead> <tbody> <tr> <td>Number of Employees:</td> <td></td> </tr> <tr> <td>Personnel Cost</td> <td>\$22,176.00</td> </tr> <tr> <td>Fringe Benefit Cost</td> <td>\$</td> </tr> <tr> <td>Total Personnel Cost</td> <td>\$22,176.00</td> </tr> <tr> <td colspan="2">Additional Expenses</td> </tr> <tr> <td>Subcontractors</td> <td>\$</td> </tr> <tr> <td>Equipment</td> <td>\$</td> </tr> <tr> <td>Other</td> <td>\$</td> </tr> <tr> <td>Total Additional Expenses</td> <td>\$</td> </tr> <tr> <td>GRANT TOTAL</td> <td>\$22,176.00</td> </tr> </tbody> </table>	Grant Expense Chart		Personnel Expenses	Costs	Number of Employees:		Personnel Cost	\$22,176.00	Fringe Benefit Cost	\$	Total Personnel Cost	\$22,176.00	Additional Expenses		Subcontractors	\$	Equipment	\$	Other	\$	Total Additional Expenses	\$	GRANT TOTAL	\$22,176.00	<u>Description of equipment to be purchased:</u> N/A
Grant Expense Chart																									
Personnel Expenses	Costs																								
Number of Employees:																									
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Fringe Benefit Cost	\$																								
Total Personnel Cost	\$22,176.00																								
Additional Expenses																									
Subcontractors	\$																								
Equipment	\$																								
Other	\$																								
Total Additional Expenses	\$																								
GRANT TOTAL	\$22,176.00																								
	<u>Description of subcontracting costs:</u> N/A																								
	<u>Other requirements or obligations:</u> 																								

Grant Total must match "Grant Total Amount" from General Grant Information.

Responsible Personnel for Grant Reporting and Oversight:

Sheriff Mike Curney
 Department Head Signature

4/28/08
 Date

 Grant Administrator/Coordinator Signature (if different)

 Date

OVERSIGHT COMMITTEE APPROVAL	
_____ Chairman	_____ Date



MAILED 3-28-08

1A. GRANTEE: McLean County Sheriff's Office	2A. Project Title: 2009 Holiday Mobilization Plus	
1B. Address: 104 W. Front St. Rm 105 P.O. Box 2400 Bloomington IL. 61702 FEIN: 37-6001569	2B. Project Number:	2C. PSP Task Number(s):
	2D. PSP Title:	2E. CFDA Number and Name:
1C. County: McLean 1D. Population: 161,202		
5A-E. Project Description: See attached <i>It is understood and agreed by the GRANTEE that this project is subject to Sections 5A-5E of the attached Project Description.</i>	3. Starting Date: October 1, 2008 4. Expiration Date: September 30, 2009	

5F. Project Description Summary: These funds will allow the agency to conduct special enforcement for alcohol mobilizations and/or occupant protection mobilizations during one or more of the following campaigns: 1. Thanksgiving Campaign, 2. Christmas/New Years Campaign, 3. Super Bowl Campaign, 4. St. Patrick's Day Campaign, 5. Cinco de Mayo Campaign, 6. Memorial Day Campaign, 7. July 4th Campaign, 8. Labor Day Campaign, 9. Additional RSC's and 10. Additional SBEZ's.

5G. Proposed Project Personal Services Budget	Federal Funds
Thanksgiving Campaign	\$693.00
Christmas and New Year's Campaign	\$2,849.00
Super Bowl Campaign	\$1,886.50
St. Patrick's Day Campaign	\$2,849.00
Cinco de Mayo Campaign	\$2,849.00
Memorial Day Campaign	\$1,155.00
Independence Day Campaign	\$3,773.00
Labor Day Campaign	\$3,773.00
Additional RSC's Plus	\$2,348.50
Additional SBEZ's Plus	\$0.00
Total	\$22,176.00

6A. It is understood and agreed by the undersigned GRANTEE that this project is subject to all attached Highway Safety Project Agreement Conditions and Certifications in Section 8, 9 and 10 and any other attachments as required.
 6B. Obligation of the State of Illinois and the Illinois Department of Transportation shall cease immediately, without penalty or further payment required if, in any fiscal year, the Illinois General Assembly or federal funding source fails to appropriate or otherwise make available funds for this agreement.
 6C. By signing this Highway Safety Project Agreement, the undersigned affirms that he or she is authorized by the Grantee to legally bind the Grantee to each and every item in the Highway Safety Project Agreement, Conditions and Certifications and has read and will comply with and assures continued compliance with each of the attached conditions and certifications, that the required responses and communications with the DEPARTMENT are true and correct and that the signatures below constitute an endorsement and execution of each condition and certification and assurance as though each was individually signed.

7A. GRANTEE Project Director: Name: Brent Wick Title: Lieutenant Address: 104 W. Front St. Rm 105 Bloomington IL. 61702 Phone: 309 888-5034 Fax: 309 888-5072 E-mail: brent.wick@mcleancountyil.gov <i>Brent Wick</i> Signature Date: 3-28-08	7B. GRANTEE Authorizing Representative: Name: Mike Emery Title: Sheriff Address: 104 W. Front St. Rm 105 Bloomington IL. 61702 Phone: 309 888-5034 Fax: 309 888-5072 E-mail: mike.emery@mcleancountyil.gov <i>Mike Emery</i> Signature Date: 3-28-08
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7C. Illinois Department of Transportation:

 Michael R. Stout, Director, Division of Traffic Safety Date

Instructions for TS08a

Attached are the 2009 Fiscal Year, Holiday Mobilization Plus Highway Safety Project Agreement and campaign request forms. To participate in the campaigns, type in the requested information in the grey boxes following each title throughout the document. To be sure you fill in each required field, hit the "Tab" key on your keyboard and it will take you to each grey box. IDOT will insert the information in 2B, 2C, 2D and 2E. If you would like to include additional information for any of the campaigns, please attach a separate page to the back of the application. On Page 1, the Project Director (7A) and Authorizing Representative (7B) must be two different people. The person signing as the Authorizing Representative must affirm that he or she is authorized by the Grantee to legally bind the Grantee to each and every term in the Highway Safety Project Agreement, Conditions and Certification. Further, the Personal Services (5G) dollar figure should be the sum of the totals from each mobilization campaign. Once the packet is completed, print, sign Page 1, then mail the entire packet (original and one (1) copy) to the following address:

Law Enforcement Liaison Program
Holiday Mobilization Grant Request
3215 Executive Park Drive
P.O. Box 19245
Springfield, IL 62794-9245

All mobilization requests must be received at the Division of Traffic Safety no later than April 3, 2008. If you have questions while completing the package, call (217) 782-1805.

If selected for participation your agency will receive approval from the Director of the Division of Traffic Safety. Attached will be a copy of the Highway Safety Project Agreement, Conditions and Certifications and campaign sheets detailing the approved amount of funding.

Requirements

Participation in the Labor Day and Memorial Day Campaigns is mandatory for an agency to receive a Holiday Mobilization Plus grant.

Agencies may hold additional Roadside Safety Checks (RSC's) equal to the number of hours they utilize for the Labor Day Campaign during non-holiday time periods. Schedules for those RSC's shall be provided to the assigned Law Enforcement Liaison (LEL) as soon as available.

Agencies may hold additional Safety Belt Enforcement Zones (SBEZ's) equal to the number of hours they utilize for the Memorial Day Campaign during non-holiday time periods. Schedules for those additional SBEZ's shall be provided to the assigned LEL as soon as available.

The Cinco de Mayo mobilization requires specific information documenting a significant Hispanic population, a special celebration or event in or near your jurisdiction, or last year's holiday statistics demonstrate a need for extra patrols. This section must be reviewed and approved by the Division of Traffic Safety before funding will be granted for Cinco de Mayo.

All personnel participating in alcohol-related grant activities must be trained in the Standardized Field Sobriety Tests. Approved training in this area consists of the 24-hour NHTSA, DWI Detection and Standardized Field Sobriety Testing course (24-hour course) or the IDOT-DTS created 8-hour refresher. Those personnel attending an ILETSB accredited academy or a 24-hour course provided by one of the MTUs since 01/01/2005 have satisfied this requirement (any SFST course shorter than 24 hours will not qualify for this requirement). Those personnel who have not received the 24-hour course since 01/01/2005, but who have taken an ILETSB accredited academy or a 24-hour course provided by one of the MTUs prior to 01/01/2005, may satisfy the requirement by attending either the 24-hour course or the 8-hour refresher created by IDOT-DTS. These courses must be taught by certified SFST instructors.

SBEZ's for the Thanksgiving and Memorial Day Holidays plus any additional SBEZ's must have a minimum of 25% of the zones conducted between 9 pm and 6 am.

RSC's, Flexible RSC's and Roving Saturation Patrols must take place between 11 pm and 6 am.

Restrictions - Flexible Roadside Safety Check

"Flexible Roadside Safety Checks" will again be offered during the alcohol-related campaigns. The intent of this option is to create the illusion of a Roadside Safety Check without the staffing commitment of an actual Roadside Safety Check. This tactic has successfully affected the public perception in other parts of the country. Advance public notice is not required. The following requirements must be met to conduct this detail, sometimes referred to as a "Phantom RSC". It is important to remember that this is not an actual RSC detail.

- Must be conducted on a date when a Roadside Safety check is being conducted within ten miles of the intended area for the Flexible RSC. The regularly scheduled RSC does not have to be conducted by the agency planning the Flexible RSC.
- One or two officers only.
- Three hours in duration overlapping the regularly scheduled RSC.
- Must move at least once for a minimum of two locations during the three hours.
- Must prominently display RSC signs where they can be seen by the public. (These signs can be borrowed from the Division of Traffic Safety.)
- Overhead rotating squad car lights must be operating during the detail to attract attention and provide for safety.
- Traffic should not be impeded or blocked.
- No cars are to be checked or stopped unless officers observe a violation that would warrant enforcement action under normal patrol conditions.
- Consider supplementing the detail with regular patrol units to stop drivers who violate traffic laws avoiding the detail location.

**Memorial Day Mobilization
May 15 – May 31, 2009**

Safety Belt Enforcement Zones (SBEZ's)

Indicate the number of Night Time or Day Time SBEZ's your agency will conduct (not # of officers).

Day Time Safety Belt Enforcement Zone(s)
3

Night Time (9 pm - 6 am) Safety Belt Enforcement Zone(s) - (minimum 25%)
2

# of Officers (per detail) 3	<table border="1"> <tr> <td align="center">Total Hours (officers x hours x details)</td> <td align="center">30</td> </tr> </table>	Total Hours (officers x hours x details)	30	X	<table border="1"> <tr> <td align="center">Average Overtime Rate</td> <td align="center">\$38.50</td> </tr> </table>	Average Overtime Rate	\$38.50	=	<table border="1"> <tr> <td align="center">TOTAL</td> <td align="center">\$1,155.00</td> </tr> </table>	TOTAL	\$1,155.00
Total Hours (officers x hours x details)		30									
Average Overtime Rate		\$38.50									
TOTAL	\$1,155.00										
# of Hours (per detail) 2											
# of Details (total for campaign) 5											

**Thanksgiving Campaign
November 14 – November 30, 2008**

Safety Belt Enforcement Zones (SBEZ's)

Indicate the number of Night Time or Day Time SBEZ's your agency will conduct (not # of officers).

Day Time Safety Belt Enforcement Zone(s)
2

Night Time (9 pm to 6 am) Safety Belt Enforcement Zone(s) - (minimum 25%)
1

# of Officers (per detail) 3	<table border="1"> <tr> <td align="center">Total Hours (officers x hours x details)</td> <td align="center">18</td> </tr> </table>	Total Hours (officers x hours x details)	18	X	<table border="1"> <tr> <td align="center">Average Overtime Rate</td> <td align="center">\$38.50</td> </tr> </table>	Average Overtime Rate	\$38.50	=	<table border="1"> <tr> <td align="center">TOTAL</td> <td align="center">\$693.00</td> </tr> </table>	TOTAL	\$693.00
Total Hours (officers x hours x details)		18									
Average Overtime Rate		\$38.50									
TOTAL	\$693.00										
# of Hours (per detail) 2											
# of Details (total for campaign) 3											

**Additional Safety Belt Enforcement Zones (SBEZ's)
Dates to be Determined by the Local Agency**

Indicate the number of Night Time or Day Time SBEZ's your agency will conduct (not # of officers). Dates of SBEZ's must be approved by the assigned DTS LEL in advance of the detail. The number of hours utilized for these checks cannot exceed the number of hours utilized for the Memorial Day Campaign.

Day Time Safety Belt Enforcement Zone(s)
0

Night Time (9 pm to 6 am) Safety Belt Enforcement Zone(s) - (minimum 25%)
0

# of Officers (per detail) 0	<table border="1"> <tr> <td align="center">Total Hours (officers x hours x details)</td> <td align="center">0</td> </tr> </table>	Total Hours (officers x hours x details)	0	X	<table border="1"> <tr> <td align="center">Average Overtime Rate</td> <td align="center">\$</td> </tr> </table>	Average Overtime Rate	\$	=	<table border="1"> <tr> <td align="center">TOTAL</td> <td align="center">\$0.00</td> </tr> </table>	TOTAL	\$0.00
Total Hours (officers x hours x details)		0									
Average Overtime Rate		\$									
TOTAL	\$0.00										
# of Hours (per detail) 0											
# of Details (total for campaign) 0											

Christmas & New Year's Campaign
December 19, 2008 – January 4, 2009

Roadside Safety Checks

Indicate how many of the following Roadside Safety Checks will be administered by your agency (not # of officers).

Stand Alone 6-7 Officers	Joint with Agency 6-7 Officers	Joint with ISP 1-6 Officers
		2

# of Officers (per detail) 5	Total Hours (officers x hours x details) 50	X	Average Overtime Rate \$38.50	=	TOTAL \$1,925.00
# of Hours (per detail) 5					
# of Details (total for campaign) 2					

Indicate how many of the following Flexible Roadside Safety Checks will be administered by your agency (not # of officers).

Flexible RSC Restrictions Apply

# of Officers (per detail)	Total Hours (officers x hours x details) 0	X	Average Overtime Rate \$	=	TOTAL \$0.00
# of Hours (per detail)					
# of Details (total for campaign) 0					

Indicate how many of the following Roving Saturation Patrols will be administered by your agency (not # of officers).

Roving Saturation Patrols
2

# of Officers (per detail) 3	Total Hours (officers x hours x details) 24	X	Average Overtime Rate \$38.50	=	TOTAL \$924.00
# of Hours (per detail) 4					
# of Details (total for campaign) 2					

GRAND TOTAL OF ALL PATROL TYPES

The grand total should be the total of the 3 "total" boxes above.
This will be your requested amount for this campaign.

GRAND TOTAL
\$2,849.00

Super Bowl Campaign
January 30 – February 15, 2009

Roadside Safety Checks

Indicate how many of the following Roadside Safety Checks will be administered by your agency (not # of officers).

Stand Alone 6-7 Officers	Joint with Agency 6-7 Officers	Joint with ISP 1-6 Officers
		1

# of Officers (per detail) 5	Total Hours (officers x hours x details) 25	X	Average Overtime Rate \$38.50	=	TOTAL \$962.50
# of Hours (per detail) 5					
# of Details (total for campaign) 1					

Indicate how many of the following Flexible Roadside Safety Checks will be administered by your agency (not # of officers).

Flexible RSC Restrictions Apply

# of Officers (per detail)	Total Hours (officers x hours x details) 0	X	Average Overtime Rate \$	=	TOTAL \$0.00
# of Hours (per detail)					
# of Details (total for campaign) 0					

Indicate how many of the following Roving Saturation Patrols will be administered by your agency (not # of officers).

Roving Saturation Patrols
2

# of Officers (per detail) 3	Total Hours (officers x hours x details) 24	X	Average Overtime Rate \$38.50	=	TOTAL \$924.00
# of Hours (per detail) 4					
# of Details (total for campaign) 2					

GRAND TOTAL OF ALL PATROL TYPES

The grand total should be the total of the 3 "total" boxes above.
This will be your requested amount for this campaign.

GRAND TOTAL \$1,886.50

St. Patrick's Day Mobilization
March 6 - 22, 2009

Roadside Safety Checks

Indicate how many of the following Roadside Safety Checks will be administered by your agency (not # of officers).

Stand Alone 6-7 Officers	Joint with Agency 6-7 Officers	Joint with ISP 1-6 Officers
		2

# of Officers (per detail) 5	Total Hours (officers x hours x details) 50	X	Average Overtime Rate \$38.50	=	TOTAL \$1,925.00
# of Hours (per detail) 5					
# of Details (total for campaign) 2					

Indicate how many of the following Flexible Roadside Safety Checks will be administered by your agency (not # of officers).

Flexible RSC **Restrictions Apply**

# of Officers (per detail)	Total Hours (officers x hours x details) 0	X	Average Overtime Rate \$	=	TOTAL \$0.00
# of Hours (per detail)					
# of Details (total for campaign) 0					

Indicate how many of the following Roving Saturation Patrols will be administered by your agency (not # of officers).

Roving Saturation Patrols
2

# of Officers (per detail) 3	Total Hours (officers x hours x details) 24	X	Average Overtime Rate \$38.50	=	TOTAL \$924.00
# of Hours (per detail) 4					
# of Details (total for campaign) 2					

GRAND TOTAL OF ALL PATROL TYPES

The grand total should be the total of the 3 "total" boxes above.
This will be your requested amount for this campaign.

GRAND TOTAL \$2,849.00

Cinco de Mayo Mobilization
April 24 – May 10, 2009

Roadside Safety Checks

Indicate how many of the following Roadside Safety Checks will be administered by your agency (not # of officers).

Stand Alone 6-7 Officers	Joint with Agency 6-7 Officers	Joint with ISP 1-6 Officers
		2

# of Officers (per detail) 5	$\begin{matrix} \diagup \\ \diagdown \end{matrix}$	Total Hours (officers x hours x details) 50	X	Average Overtime Rate \$38.50	=	TOTAL \$1,925.00
# of Hours (per detail) 5						
# of Details (total for campaign) 2						

Indicate how many of the following Flexible Roadside Safety Checks will be administered by your agency (not # of officers).

Flexible RSC **Restrictions Apply**

# of Officers (per detail) 0	$\begin{matrix} \diagup \\ \diagdown \end{matrix}$	Total Hours (officers x hours x details) 0	X	Average Overtime Rate \$	=	TOTAL \$0.00
# of Hours (per detail) 0						
# of Details (total for campaign) 0						

Indicate how many of the following Roving Saturation Patrols will be administered by your agency (not # of officers).

Roving Saturation Patrols
2

# of Officers (per detail) 3	$\begin{matrix} \diagup \\ \diagdown \end{matrix}$	Total Hours (officers x hours x details) 24	X	Average Overtime Rate \$38.50	=	TOTAL \$924.00
# of Hours (per detail) 4						
# of Details (total for campaign) 2						

Please include below why your agency would benefit from this particular campaign; include any special celebrations or events, surrounding Hispanic population data or previous years' statistics:

According to the 2006 census, McLean County has a Hispanic population of 5,295 or 3.3% for the county. During a previous campaign the Sheriff's Office made the following arrests, 4 DUI, 3 DWLS/ DWLR and 1 criminal arrest. We also issued 5 safety belt citations and 4 citations for no insurance.

GRAND TOTAL OF ALL PATROL TYPES

The grand total should be the total of the 3 "total" boxes above.
This will be your requested amount for this campaign.

GRAND TOTAL
\$2,849.00

Independence Day Campaign
June 19 – July 6, 2009

Roadside Safety Checks

Indicate how many of the following Roadside Safety Checks will be administered by your agency (not # of officers).

Stand Alone 6-7 Officers	Joint with Agency 6-7 Officers	Joint with ISP 1-6 Officers
		2

# of Officers (per detail) 5	<table border="1"> <tr> <td>Total Hours (officers x hours x details)</td> <td rowspan="3">X</td> <td rowspan="3"> <table border="1"> <tr> <td>Average Overtime Rate</td> <td rowspan="3">=</td> <td rowspan="3"> <table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td align="right">\$1,925.00</td> </tr> </table> </td> </tr> <tr> <td>50</td> <td> <table border="1"> <tr> <td>\$38.50</td> </tr> </table> </td> </tr> <tr> <td></td> <td></td> </tr> </table> </td> </tr> <tr> <td># of Hours (per detail) 5</td> <td></td> <td></td> <td></td> </tr> <tr> <td># of Details (total for campaign) 2</td> <td></td> <td></td> <td></td> </tr> </table>	Total Hours (officers x hours x details)	X	<table border="1"> <tr> <td>Average Overtime Rate</td> <td rowspan="3">=</td> <td rowspan="3"> <table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td align="right">\$1,925.00</td> </tr> </table> </td> </tr> <tr> <td>50</td> <td> <table border="1"> <tr> <td>\$38.50</td> </tr> </table> </td> </tr> <tr> <td></td> <td></td> </tr> </table>	Average Overtime Rate	=	<table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td align="right">\$1,925.00</td> </tr> </table>	TOTAL	\$1,925.00	50	<table border="1"> <tr> <td>\$38.50</td> </tr> </table>	\$38.50			# of Hours (per detail) 5				# of Details (total for campaign) 2			
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# of Hours (per detail) 5																						
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Indicate how many of the following Flexible Roadside Safety Checks will be administered by your agency (not # of officers).

Flexible RSC Restrictions Apply

# of Officers (per detail)	<table border="1"> <tr> <td>Total Hours (officers x hours x details)</td> <td rowspan="3">X</td> <td rowspan="3"> <table border="1"> <tr> <td>Average Overtime Rate</td> <td rowspan="3">=</td> <td rowspan="3"> <table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td align="right">\$0.00</td> </tr> </table> </td> </tr> <tr> <td>0</td> <td> <table border="1"> <tr> <td>\$</td> </tr> </table> </td> </tr> <tr> <td></td> <td></td> </tr> </table> </td> </tr> <tr> <td># of Hours (per detail)</td> <td></td> <td></td> <td></td> </tr> <tr> <td># of Details (total for campaign) 0</td> <td></td> <td></td> <td></td> </tr> </table>	Total Hours (officers x hours x details)	X	<table border="1"> <tr> <td>Average Overtime Rate</td> <td rowspan="3">=</td> <td rowspan="3"> <table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td align="right">\$0.00</td> </tr> </table> </td> </tr> <tr> <td>0</td> <td> <table border="1"> <tr> <td>\$</td> </tr> </table> </td> </tr> <tr> <td></td> <td></td> </tr> </table>	Average Overtime Rate	=	<table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td align="right">\$0.00</td> </tr> </table>	TOTAL	\$0.00	0	<table border="1"> <tr> <td>\$</td> </tr> </table>	\$			# of Hours (per detail)				# of Details (total for campaign) 0			
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Indicate how many of the following Roving Saturation Patrols will be administered by your agency (not # of officers).

Roving Saturation Patrols
3

# of Officers (per detail) 4	<table border="1"> <tr> <td>Total Hours (officers x hours x details)</td> <td rowspan="3">X</td> <td rowspan="3"> <table border="1"> <tr> <td>Average Overtime Rate</td> <td rowspan="3">=</td> <td rowspan="3"> <table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td align="right">\$1,848.00</td> </tr> </table> </td> </tr> <tr> <td>48</td> <td> <table border="1"> <tr> <td>\$38.50</td> </tr> </table> </td> </tr> <tr> <td></td> <td></td> </tr> </table> </td> </tr> <tr> <td># of Hours (per detail) 4</td> <td></td> <td></td> <td></td> </tr> <tr> <td># of Details (total for campaign) 3</td> <td></td> <td></td> <td></td> </tr> </table>	Total Hours (officers x hours x details)	X	<table border="1"> <tr> <td>Average Overtime Rate</td> <td rowspan="3">=</td> <td rowspan="3"> <table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td align="right">\$1,848.00</td> </tr> </table> </td> </tr> <tr> <td>48</td> <td> <table border="1"> <tr> <td>\$38.50</td> </tr> </table> </td> </tr> <tr> <td></td> <td></td> </tr> </table>	Average Overtime Rate	=	<table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td align="right">\$1,848.00</td> </tr> </table>	TOTAL	\$1,848.00	48	<table border="1"> <tr> <td>\$38.50</td> </tr> </table>	\$38.50			# of Hours (per detail) 4				# of Details (total for campaign) 3			
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GRAND TOTAL OF ALL PATROL TYPES

The grand total should be the total of the 3 "total" boxes above.
This will be your requested amount for this campaign.

GRAND TOTAL
\$3,773.00

Labor Day Campaign
August 21 – September 7, 2009

Roadside Safety Checks

Indicate how many of the following Roadside Safety Checks will be administered by your agency (not # of officers).

Stand Alone 6-7 Officers	Joint with Agency 6-7 Officers	Joint with ISP 6-7 Officers
		2

# of Officers (per detail) 5	Total Hours (officers x hours x details) 50	X	Average Overtime Rate \$38.50	=	TOTAL \$1,925.00
# of Hours (per detail) 5					
# of Details (total for campaign) 2					

Indicate how many of the following Flexible Roadside Safety Checks will be administered by your agency (not # of officers).

Flexible RSC **Restrictions Apply**

# of Officers (per detail)	Total Hours (officers x hours x details) 0	X	Average Overtime Rate \$	=	TOTAL \$0.00
# of Hours (per detail)					
# of Details (total for campaign) 0					

Indicate how many of the following Roving Saturation Patrols will be administered by your agency (not # of officers).

Roving Saturation Patrols
3

# of Officers (per detail) 4	Total Hours (officers x hours x details) 48	X	Average Overtime Rate \$38.50	=	TOTAL \$1,848.00
# of Hours (per detail) 4					
# of Details (total for campaign) 3					

GRAND TOTAL OF ALL PATROL TYPES

The grand total should be the total of the 3 "total" boxes above.
This will be your requested amount for this campaign.

GRAND TOTAL \$3,773.00

Additional Roadside Safety Checks (RSC's)
 Dates to be Determined by the Local Agency

Roadside Safety Checks

Indicate how many of the following Roadside Safety Checks will be administered by your agency (not # of officers).

Stand Alone 6-7 Officers	Joint with Agency 6-7 Officers	Joint with ISP 1-6 Officers
		1

# of Officers (per detail) 5	<table border="1"> <tr> <td>Total Hours (officers x hours x details)</td> <td rowspan="3">X</td> <td rowspan="3"> <table border="1"> <tr> <td>Average Overtime Rate</td> <td rowspan="3">=</td> <td rowspan="3"> <table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td>\$962.50</td> </tr> </table> </td> </tr> <tr> <td>25</td> </tr> <tr> <td></td> </tr> </table> </td> </tr> <tr> <td># of Hours (per detail) 5</td> </tr> <tr> <td># of Details (total for campaign) 1</td> </tr> </table>	Total Hours (officers x hours x details)	X	<table border="1"> <tr> <td>Average Overtime Rate</td> <td rowspan="3">=</td> <td rowspan="3"> <table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td>\$962.50</td> </tr> </table> </td> </tr> <tr> <td>25</td> </tr> <tr> <td></td> </tr> </table>	Average Overtime Rate	=	<table border="1"> <tr> <td>TOTAL</td> </tr> <tr> <td>\$962.50</td> </tr> </table>	TOTAL	\$962.50	25		# of Hours (per detail) 5	# of Details (total for campaign) 1	
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Indicate how many of the following Flexible Roadside Safety Checks will be administered by your agency (not # of officers).

Flexible RSC Restrictions Apply

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Roving Saturation Patrols
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GRAND TOTAL OF ALL PATROL TYPES

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GRAND TOTAL
\$2,348.50

FFY 2009 Campaign Consolidation Dates

Campaign	Campaign Emphasis	Pre Enforcement PI&E Start Date	Paid Advertising Campaign	Press Release Date	Enforcement	Post Enforcement Media Release	Data Collection Form Due
<i>Thanksgiving Holiday Campaign</i>	Safety Belt Enforcement	November 10	Yes	November 26	November 14 - 30	December 1 - 7	December 10
<i>Christmas & New Year's Campaign</i>	Alcohol Enforcement	December 8	Yes	December 23	December 19 - January 4, 2008	January 5 - 11	January 10
<i>Super Bowl Holiday Campaign</i>	Alcohol Enforcement	January 26	No	January 31	January 30 - February 15	February 16 - 22	March 10
<i>St. Patrick's Day Holiday Campaign</i>	Alcohol Enforcement	March 9	No	March 16	March 6 - 22	March 23 - 29	April 10
<i>Cinco de Mayo Holiday Campaign</i>	Alcohol Enforcement	April 27	No	May 1	April 24 - May 10	May 11 - 17	June 10
<i>Memorial Day Holiday Campaign</i>	Safety Belt Enforcement	May 11	Yes	May 21	May 15 - 31	June 8 - 15	June 10
<i>July 4th Holiday Campaign</i>	Alcohol Enforcement	June 15	Yes	July 2	June 19 - July 6	July 7 - 13	August 10
<i>Labor Day Holiday Campaign</i>	Alcohol Enforcement	August 17	Yes	September 3	August 21 - September 7	September 8 - 14	September 10

8. Highway Safety Project Agreement Conditions and Certifications

The following certifications, assurances, general conditions of approval and procedural guidelines constitute a part of the Highway Safety Project Agreement. Signatories of the Highway Safety Project Agreement Conditions and Certifications agree that these conditions and procedures will be adhered to unless amended in writing. Any State or Federal statute, administrative rule, regulation or other publication referred to in this agreement may not contain the complete language. The official published text, which is incorporated herein by reference, shall be the controlling authority for this agreement.

State of Illinois Certifications, Assurances and Conditions of Approval

- A. Laws of Illinois. The Highway Safety Project Agreement ("AGREEMENT") between the Applicant Agency ("GRANTEE") and the Illinois Department of Transportation ("DEPARTMENT") shall be governed in all respects by the laws of the State of Illinois.
- B. Agreement Alterations or Modifications. All alterations or modifications to the AGREEMENT provisions, conditions or certifications must be requested in writing and must be approved by the DEPARTMENT in writing, before work is started, to become effective and part of the AGREEMENT. No oral understanding or agreement shall be binding upon either party.
- C. Procurement Procedures. All procurement transactions for contractual services, commodities and equipment shall be conducted in a manner that provides maximum open and free competition. The GRANTEE shall also meet the following minimum procedural requirements, as well as any specific procedures written into the narrative of this agreement.
 1. Solicitations of offers shall include a description of the technical requirements for the products or service to be procured.
 2. Awards shall be made only to responsible bidders that can meet the preceding requirements.
 3. Small purchase procedures, which consist of obtaining verbal or written price or rate quotations from at least three qualified sources, may be used for products or services having a total value of not more than \$10,000.00. Purchase is to be made from vendor with lowest quote.
 4. Formal advertising procedures shall be used for products, which may include associated nonprofessional services having a total value of more than \$10,000.00. An invitation for bids, with item specifications and supplier requirements, shall be publicly advertised. In addition, bids shall be solicited from an adequate number of known suppliers. Bids shall be opened publicly and a fixed-price contract award made to that responsible bidder whose bid, conforming to the invitation for bids, is lowest, unless that bid is rejected because of sound and documented business reasons to further the best interest of the project.
 5. Competitive negotiation procedures shall be used to procure services having a total value of more than \$10,000.00. The Request for Proposal shall be publicized and proposals shall be solicited from an adequate number of qualified sources. Negotiations are normally conducted with more than one source and a cost-reimbursement contract shall be awarded based on a technical evaluation of the proposals received. Award may be made to the responsible offeror whose proposal will be most advantageous to the procuring party, price and other factors considered. Unsuccessful offerors should be notified promptly.
 6. Non-competitive negotiation, the procurement through solicitation of a proposal from one source, is allowed if the products or services are available only from a single source or, if after a number of sources have been solicited, competition is determined inadequate. The DEPARTMENT must authorize this procedure.
 7. The GRANTEE will take all necessary affirmative steps to assure that minority firms, women's business enterprises and labor surplus area firms are used when possible.
 8. The GRANTEE shall maintain records sufficient to detail the significant history of procurement. These records shall include, but are not necessarily limited to, information pertinent to: rationale for the method of procurement, selection of contract type, contractor selection or rejection and basis for the cost or price.

9. No employee or representative of the DEPARTMENT or the GRANTEE shall participate in the procurement of products or services if a conflict of interest, real or apparent, would be involved. Nor shall such persons solicit or accept anything of monetary value from bidders or suppliers.
 10. The GRANTEE must comply with any special conditions detailed in the contract, the Illinois Procurement Code (30 ILCS 500) and any local ordinances or regulations.
- D. Requirements for Consultant Contracts and Subcontracts. After a consultant and/or subcontractor is selected in accordance with all requirements of this AGREEMENT including the Section titled Procurement Procedures, as detailed herein, the consultant contract or subcontract shall be submitted to the DEPARTMENT for approval prior to execution. The GRANTEE and consultant and/or subcontractor are subject to all conditions and certifications of this AGREEMENT and 49 CFR Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Government or 49 CFR Part 19 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations, whichever is applicable.
- E. Travel Out of State. All out of state travel requires specific approval from the DEPARTMENT on a case by case basis. To allow adequate time for approval, out of state travel must be submitted for approval at least 30 days prior to the planned trip.
- F. Method of Payment. Funds shall not be advanced to the GRANTEE but rather reimbursed for actual expenditures upon submission of proper supportive documentation. Copies of the original source records which evidence all expenditures shall be submitted with claims for reimbursement of costs. Only those costs incurred within the approved project period and budget are eligible for reimbursement.
1. Because the DEPARTMENT is responsible for obtaining federal reimbursement for project expenditures, it is necessary that the DEPARTMENT monitor all procedures and documents which will be used to claim and support project related expenditures. Original documentation to verify the amounts, uses and recipients of all disbursements of funds shall be retained in accordance with 49 CFR Part 18, Subpart A, Section 18.42 and shall be available for audit at any time during the project and retention period.
 2. Proper supportive documentation required for costs incurred is described in the guidelines entitled, "Procedures for Submittal of Claims for Reimbursement", incorporated herein by reference and which shall be furnished by the DEPARTMENT to the GRANTEE with the executed AGREEMENT.
 3. Claims for reimbursement shall be in accordance with the rates established in the Proposed Project Budget established in this AGREEMENT and shall be submitted on a monthly or quarterly basis. All claims shall be signed by both the Project Director and the GRANTEE'S Authorizing Representative. The final claim for reimbursement must be received by the DEPARTMENT by November 1st or within 30 days following the expiration of the grant, whichever is earlier, to receive payment.
 4. Claims for reimbursement by the GRANTEE to the DEPARTMENT pursuant to this AGREEMENT shall be sent to your assigned Department contact.
- G. Allocation of Grant Funds.
1. The GRANTEE may spend only those funds which are eligible for reimbursement by the DEPARTMENT. This grant authorizes the GRANTEE to request reimbursement for no more than the limits established by the Proposed Project Budget.
 2. Prior approval from the DEPARTMENT is required for all fund transfers between cost categories of the Proposed Project Budget. The GRANTEE must submit a written request to the DEPARTMENT detailing the amount of transfer, the cost categories from and to which the transfer is to be made, and the rationale for the transfer.

H. Termination or Cancellation of the Highway Safety Project Agreement. No termination or cancellation of the AGREEMENT shall be effective unless the following conditions are met.

1. The obligation of the State of Illinois and the DEPARTMENT shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or Federal funding source fails to appropriate or otherwise make available funds for the contract.
2. This AGREEMENT may be terminated or cancelled by either party upon thirty (30) days written notice.
3. Failure to carry out the conditions set forth herein shall constitute a breach of the AGREEMENT and may result in termination of the AGREEMENT or such remedy as appropriate. Upon termination, the GRANTEE will be paid for work satisfactorily completed prior to the date of termination.

I. Project Monitoring.

1. The GRANTEE agrees to submit a report monthly or as otherwise stipulated in the AGREEMENT of all safety activities related to the grant and/or contract using the template provided by the DEPARTMENT. Additionally the GRANTEE must inform the DEPARTMENT as soon as possible of any issues/events that may have significant impact on grant activity or accomplishment.
2. The GRANTEE agrees to attend quarterly progress meetings upon request of the DEPARTMENT to provide information and discuss the accomplishments and expectations of the Highway Safety Project.
3. The DEPARTMENT may conduct periodic on-site reviews of all ongoing highway safety projects to monitor adherence to the AGREEMENT and to review progress, procedures and claims for reimbursement.
4. The final report shall be submitted to the DEPARTMENT within 30 days after the expiration date of the project or as stipulated in this AGREEMENT.
5. GRANTEE will obtain prior approval from the DEPARTMENT with respect to all enforcement locations.

J. Prior Approval of Media and Ownership of Data and Creative Material.

1. All articles, publications, news releases, exhibits, video, audio materials, reports and all other work products produced by the GRANTEE under this grant and/or contract shall be submitted to the DEPARTMENT for approval prior to development and shall become and remain the property of the DEPARTMENT.
2. All articles, publications, news releases, exhibits, video or audio materials prepared by the GRANTEE shall use the DEPARTMENT'S logo and shall identify the DEPARTMENT as the funding source by including the statement: "This project is funded by the Illinois Department of Transportation".
3. The DEPARTMENT reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for State or Federal government purposes: (a) the copyright in any work developed under a grant, subgrant, or contract under a grant or subgrant; and (b) any rights of copyright to which a GRANTEE, subgrantee, or a contractor purchases ownership with grant support.
4. TDD. All printed, visual and auditory materials, which contain a phone number, must also contain a TDD number. The Ameritech relay number (800) 526-0844 (TDD only) may be used to fulfill this requirement.
5. Closed Captioning. All public service announcements funded, in whole or in part, through this Federal highway safety program must be closed-captioned for the hearing impaired.
6. GRANTEE will invite members of the DEPARTMENT to attend media events.
7. GRANTEE will coordinate with the DEPARTMENT to arrange photographic opportunities for major events.

- K. Illinois Human Rights Act. The GRANTEE will comply with the Illinois Human Rights Act (775 ILCS 5/1-101 et. seq.) with respect to public contracts, including equal employment opportunity, refraining from unlawful discrimination and having a written sexual harassment policy.
- L. Safety Belt Use Requirements.
1. In accordance with the Illinois Mandatory Seat Belt Law (625 ILCS 5/12-603.1) the GRANTEE shall establish a safety belt use policy requiring employees to use the appropriate occupant restraint protection devices as provided in the vehicle being driven while on official business.
 2. A copy of the safety belt policy shall be retained locally in the project file and available for review by representatives of the DEPARTMENT.
- M. Indemnification. Unless prohibited by State law, the GRANTEE agrees to hold harmless the DEPARTMENT, its officials, employees and agents, from any and all losses, expenses, damages (including loss of use), suits, demands and claims arising from any work or services associated with this Agreement, and shall defend any suit or action, whether at law or in equity, based on any alleged injury or damage of any type arising from the actions or inactions of the GRANTEE and/or the GRANTEE'S employees, officials, agents, contractors and subcontractors, and shall pay all damages, judgments, costs, expenses and fees, including attorney's fees, incurred by the DEPARTMENT and its officials, employees and agents in connection therewith.
- N. Illinois Grant Funds Recovery Act. Grant Funds are available for expenditure or obligation by the GRANTEE for the time period of this AGREEMENT. If the GRANTEE received reimbursement for an obligation that was either cancelled or refunded, those funds must be returned to the State within 45 days of the end of the AGREEMENT or expiration of the time period grant funds are available for expenditure or obligation by the GRANTEE. Any grant funds which have been misspent or are being improperly held are subject to recovery in accordance with the "Illinois Grant Funds Recovery Act". (30 ILCS 705).
- O. Educational Loan Default Act. The GRANTEE certifies that he/she is not in default on an education loan as provided in the Educational Loan Default Act. (5 ILCS 385/0.01 et seq.)
- P. Property and Equipment.
1. The GRANTEE shall maintain and inventory all property and equipment purchased under this AGREEMENT. The requirements relative to equipment inventory, use and disposition are detailed in the publication "Property Management Standards" furnished upon request by the DEPARTMENT.
 2. The property and equipment purchased under this grant must be utilized by the GRANTEE for the sole purpose of furthering the safety project as defined in the project description for its entire useful life.
 3. The DEPARTMENT and National Highway Traffic Safety Administration (NHTSA) retain title interest in all property and equipment purchased under this grant. In the event that the GRANTEE fails or refuses to comply with the provisions or terminates this AGREEMENT, the DEPARTMENT, at its discretion, may take either of the following actions: (a) Require the GRANTEE to purchase the property or equipment at fair market value or other mutually agreed upon amount; or (b) require the GRANTEE to transfer the property or equipment and title, if any, to the DEPARTMENT, or to another party, as directed by the DEPARTMENT.
 4. Nonexpendable property, defined as property having an acquisition cost of \$5,000.00 or more with a life expectancy of more than one year is subject to periodic inspection by the DEPARTMENT. Non-expendable property purchased under this AGREEMENT shall not be sold, traded, or disposed of in any manner without the express written permission of the DEPARTMENT.

- Q. Official Misconduct and Interference with Public Contracting. The GRANTEE certifies that he/she has not been convicted of Official Misconduct under Section 720 ILCS 5/33-1 for bribery or attempting to bribe an officer or employee of the State of Illinois, nor has the GRANTEE made an admission of guilt of such conduct which is a matter of record, nor has an official, agent or employee of the GRANTEE been so convicted nor made an admission of bribery. Further, the GRANTEE certifies that he/she is not barred from contracting as a penalty for Interference with Public Contracting under Section 720 ILCS 5/33-e-1, et seq.
- R. Equal Pay Act of 2003. No employer may discriminate between employees on the basis of sex by paying wages to an employee at a rate less than the rate at which the employer pays wages to another employee of the opposite sex for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions subject to exceptions under Section 820 ILCS 112 as implemented by 56 Ill. Admin. Code Part 320.
- S. Debt Certification. The GRANTEE and its affiliates certify they are not delinquent in the payment of any debt to the State of Illinois (or if delinquent have entered into a deferred payment plan to pay the debt), and GRANTEE and its affiliates acknowledge the DEPARTMENT may declare the AGREEMENT void if this certification is false (30 ILCS 500/50-11) or if GRANTEE or an affiliate later becomes delinquent and fails to enter into a payment plan upon request. (30 ILCS 500/50-60.)
- T. Traffic Stop Statistical Study. If the GRANTEE is a law enforcement agency required to participate in the Traffic Stop Statistical Study, the GRANTEE certifies their compliance with all requirements in accordance with 625 ILCS 5/11-212 and the procedures adopted by the DEPARTMENT.

9. Federal Certifications, Assurances and Conditions of Approval

The GRANTEE assures that in carrying out any project supported by federal funds it will comply with all applicable federal statutes, regulations, executive orders, National Highway Traffic Safety Administration (NHTSA) guidelines, Federal Transit Administration (FTA) Circulars, Office of Management and Budget (OMB) Circulars and other federal requirements as referenced in the NHTSA Highway Safety Grant Management Manual available at:

http://www.nhtsa.dot.gov/nhtsa/whatsup/tea21/GrantMan/HTML/00_ManI_Contents1_01.html

This Grant is funded by federal funds. The Catalog of Federal Domestic Assistance number for the funds supporting this grant is listed on the signature page of this agreement. Further information can be found at:

<http://12.46.245.173/cfda/cfda.html>

The GRANTEE recognizes that federal laws, regulations, policies, and administrative practices may be modified from time to time and those modifications may affect project implementation. The GRANTEE agrees that the most recent federal requirements will apply to the project.

- A. Non-Discrimination and Equal Opportunity Assurances in Federally Assisted Programs. The GRANTEE hereby assures to observe and comply with all provisions of Federal and State Constitutions, statutes and implementing regulations pertaining to non-discrimination and equal employment opportunity during the period in which federal assistance is extended to the project, or the project property is used for a purpose for which the federal assistance is extended or for another purpose involving the provision of similar services or benefits, or as long as the GRANTEE retains ownership or possession of the project property, whichever is longer. These assurances of nondiscrimination include but are not limited to:
1. Title VI of the Civil Rights Act of 1964. (42 U.S.C. 2000d et seq. as amended). Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin. Implemented by 49 CFR Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964.

2. Non-Discrimination in Employment and Business Opportunities. (49 U.S.C. 5332 as amended). A person may not be excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance under this chapter because of race, color, creed, national origin, sex, or age. If a person does not comply with the nondiscrimination provision within a reasonable time after receiving notice the DEPARTMENT can withhold further financial assistance, refer the matter to the Attorney General and proceed under Title VI. This section is in addition to Title VI.
 3. Title IX of the Educational Amendments of 1972. (20 U.S.C. 1681 et seq. as amended). No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Implemented by 49 CFR Part 25, Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
 4. Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. (29 U.S.C. 794 as amended). No otherwise qualified individual with a disability in the United States, as defined in Section 705(20) of this title, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Implemented by 49 CFR Part 27, Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.
 5. Age Discrimination Act of 1975. (42 U.S.C. 6101-6107 as amended). No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.
 6. Drug Abuse Office and Treatment Act of 1972. (21 U.S.C. 1174 as amended). Relating to nondiscrimination on the basis of drug abuse and treatment.
 7. Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1972. [(P.L. 92-616) as amended)]. Relating to nondiscrimination on the basis of alcohol abuse.
 8. Sections 523 and 527 of the Public Health Service Act of 1912. (42 U.S.C. 290 et seq. as amended). Relating to nondiscrimination on the basis of substance abuse and the confidentiality of records.
 9. Title VIII of the Civil Rights Act of 1968. (42 U.S.C. 3601 et seq. as amended): Relating to nondiscrimination in the sale, rental or financing of housing.
- B. Disadvantaged Business Enterprises Program Participation Assurance. In accordance with 49 CFR 26.13(b), as amended, the GRANTEE assures that it shall not discriminate on the basis of race, color, national origin, or sex in the implementation of the project. The GRANTEE further assures it shall take all necessary and reasonable steps as set forth in 49 CFR Part 26 as amended, to ensure nondiscrimination in the award and administration of all third party contracts and subagreements. Implementation of the Disadvantaged Business Enterprise (DBE) program is a legal obligation of the DEPARTMENT, and failure by the GRANTEE to carry out the applicable requirements of 49 CFR Part 26 as amended and any requirements of the DEPARTMENT'S DBE program shall be treated as a material breach of this AGREEMENT which may result in the termination of this AGREEMENT or such other remedy as the DEPARTMENT deems appropriate.
- C. Document Retention and Access. The GRANTEE certifies that it will comply with the retention and access requirements for records established by 49 CFR Part 18, Subpart A, Section 18.42. The required records and documentation relating to the grant and/or contract shall be retained for a minimum of three years after the starting date of the retention period as defined in Section 18.42. The DEPARTMENT or their authorized representative shall have the right of access to any books, documents, papers, or other records of grantees, subgrantees, contractors and subcontractors which are pertinent to the grant and/or contract, in order to make audits, examinations, excerpts and transcripts. The right of access is not limited by the required retention period and shall last as long as the records are retained.

D. Control of Property. GRANTEE certifies that the control, utilization and disposition of property or equipment acquired using federal funds is maintained according to the provisions of OMB Circular A-102 Grants and Administrative Requirements for State and Local Governments or OMB Circular A-110 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, whichever is applicable.

E. Certification Regarding Lobbying – Certification for Contracts, Grants, Loans and Cooperative Agreements.

1. The GRANTEE shall not use any funds appropriate under this AGREEMENT for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities.
2. As required by the United States Department of Transportation (USDOT) regulations, "New Restrictions on Lobbying", at 49 CFR 20.110, the GRANTEE'S authorized representative certifies to the best of his or her knowledge and belief that for each agreement for federal assistance exceeding \$100,000.00:
 - a. No federal appropriated funds have been or will be paid, by or on behalf of the GRANTEE, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement or the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.
 - b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the GRANTEE shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with instructions.
 - c. The GRANTEE shall require the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grant, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. The GRANTEE understands that this certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 for each such failure.

F. Certification Regarding Debarment and Suspension. GRANTEE shall comply with Debarment provisions as contained in 49 CFR Part 29, including Appendices A and B as amended. GRANTEE certifies that to the best of its knowledge and belief, GRANTEE and GRANTEE'S principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency.
2. Within a three-year period preceding this AGREEMENT have not been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction, violation of federal or state anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property.
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in subsection (1) above.
4. Have not within a three-year period preceding this AGREEMENT had one or more public transactions (federal, state or local) terminated for cause or default.

The inability of a prospective GRANTEE to certify to the certification in this section will not necessarily result in denial of participation in this AGREEMENT. The prospective GRANTEE shall submit an explanation of why it cannot provide the certification in this section. This certification is a material representation of fact upon which reliance was placed when the Department determined whether to enter into this transaction. If it is later determined that GRANTEE knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Department may terminate this Agreement for cause. The GRANTEE shall provide immediate written notice to the Department if at any time the GRANTEE learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this Part shall have the meaning set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549.

The GRANTEE agrees that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized, in writing, by the Department. The GRANTEE agrees that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction", provided by the Department, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. The GRANTEE may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible or voluntarily excluded from the covered transaction, unless GRANTEE knows the certification is erroneous. GRANTEE may decide the method and frequency by which it determines the eligibility of its principals. Each GRANTEE may, but is not required to, check the Nonprocurement List. If a GRANTEE knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible or voluntarily excluded from participation, in addition to other remedies available to the federal government, the DEPARTMENT may terminate this AGREEMENT for cause or default.

Nothing contained in this section shall be construed to require establishment of a system of records in order to render in good faith the certification required by this section. The knowledge and information of a GRANTEE is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

G. Drug Free Workplace Act of 1988 – Certification for Drug-Free Workplace. The GRANTEE certifies that it will comply with 49 CFR Part 29 Subpart F to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the GRANTEE'S workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Establish a drug-free awareness program to inform employee about the dangers of drug abuse, the GRANTEE'S policy of maintaining a drug-free workplace, available employee assistance programs and penalties for violating the policy.
3. Abiding by the notification provisions regarding any criminal drug statute convictions for a violation occurring in the workplace.

H. Single Audit Act Certification. The Illinois Department of Transportation is the agency responsible for administering Illinois' federal highway safety funds on behalf of the Governor. Federal funds are provided for this project by the United States Department of Transportation. This program is listed in the Catalog of Federal Domestic Assistance (CFDA) as "State and Community Highway Safety 20.600-605". The records and supportive documentation for all completed projects are subject to an on-site audit and the DEPARTMENT reserves the right to inspect and review during normal working hours the work product of any independent auditor in support of their audit.

The GRANTEE certifies that it will comply with The Single Audit Act of 1984 (31 U.S.C. 7501 et seq.), as amended, which requires the following:

1. State or local governments that receive \$500,000.00 or more a year in federal financial assistance shall have an audit made in accordance with the Office of Management and Budget (OMB) Circular No. A-133.
2. State or local governments that receive less than \$500,000.00 a year shall be exempt from compliance with the Act and other federal audit requirements.
3. Nothing in this paragraph exempts State or local governments from maintaining records of federal financial assistance or from providing access to such records to Federal Agencies, as provided for in federal law or in Circular A-133 "Audits of States, Local Governments and Non-Profit Organizations".
4. A copy of the audit report must be submitted to the DEPARTMENT within 30 days after completion of the audit, but no later than one year after the end of the local government's fiscal year.
5. One copy of the audit report shall also be sent to: Bureau of Census, Single Audit Clearing House, 1201 East 10th Street, Jefferson, IN 47132.

10. Federal Taxpayer Identification Number.

For individuals and sole proprietors, list Social Security Number. For other entities, list Employer Identification Number. Federal Employer Identification Number (FEIN) must NOT be used for sole proprietorships. Under penalties of perjury, The GRANTEE certifies that 37-600156 is its correct Federal Taxpayer Identification Number.

The GRANTEE is doing business as (please check one):

- | | | |
|--|---|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Real Estate Agent | <input type="checkbox"/> Sole Proprietorship |
| <input checked="" type="checkbox"/> Government Entity | <input type="checkbox"/> Partnership | <input type="checkbox"/> Tax Exempt Organization (IRC-501 (a) only) |
| <input type="checkbox"/> Medical and Health Care | <input type="checkbox"/> Not-for-Profit Corporation | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Services Provided Corporation | <input type="checkbox"/> Trust or Estate | <input type="checkbox"/> Limited Liability Corporation (LLC) |

If you fail to furnish your correct taxpayer identification number to the DEPARTMENT, you are subject to an IRS penalty of \$50.00 for each such failure unless such failure is due to reasonable cause and not to willful neglect. Willfully falsifying certifications or affirmations may subject you to criminal penalties, fines and/or imprisonment.

STATE OF ILLINOIS

FIRST RENEWAL OF THE INTERGOVERNMENTAL AGREEMENT

between the

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

and

MCLEAN COUNTY OFFICE OF THE CHIEF JUDGE

Intergovernmental Agreement 2008-55-008-K2

WHEREAS, the parties to Intergovernmental Agreement 2008-55-008, acting by and through the Illinois Department of Healthcare And Family Services ("Department") located at 201 South Grand Avenue East, Springfield, Illinois 62703 and the McLean County Office of the Chief Judge ("County") located at the Law and Justice Center, Bloomington, Illinois 61702-2400, desire to renew their Agreement, and

WHEREAS, pursuant to Article 2.2 (Renewal), the Agreement may be renewed for additional periods; and

NOW THEREFORE, the Intergovernmental Agreement shall be renewed for the period July 1, 2008 through June 30, 2009 as the first renewal of this Intergovernmental Agreement.

All terms and conditions shall remain in effect.

In Witness Whereof, the parties have hereunto caused this Renewal to be executed by their duly authorized representatives.

Illinois Department of Healthcare
and Family Services

McLean County Office of the Chief Judge

By: _____
Barry S. Maram
Director

By: _____
Elizabeth A. Robb
Chief Judge of Eleventh Judicial Circuit

Date: _____

Date: _____

APPROVED:

By: _____
Matt Sorensen
Chairman, McLean County Board

Date: _____

OFFICE OF THE CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT

Elizabeth A. Robb
Chief Judge

William Scanlon
Trial Court Administrator
Kay Mitchell
Administrative Assistant



Law & Justice Center
104 W. Front Street RM 511
Bloomington, IL 61701
(309) 888-5254
(309) 888-5266 (TCA)
(309) 888-5602 FAX

Counties of:
Ford, Livingston, Logan,
McLean, and Woodford

February 19, 2008

Yvette Perez-Trevino, Agreement Manager
Division of Child Support Enforcement
Illinois Department of Healthcare and Family Services
32 West Randolph Street, 16th Floor
Chicago, IL 60601

In RE: Renewal of Agreement Between McLean County Circuit Court and the
Illinois Department of Healthcare and Family Services
Agreement # 2008-55-008-K

Dear Ms. Trevino:

Pursuant to Article 2, Section 2.2 of the above agreement, I, Chief Judge Elizabeth A. Robb,
on behalf of the McLean County Circuit Court, am submitting a request for renewal of the
agreement for FY 2009.

Thank you for your prompt consideration of this matter.

Sincerely,

Elizabeth A. Robb, Chief Judge
Eleventh Judicial Circuit

cc: Sandra Thompson, McLean County State's Attorney's office
Sandra Parker, McLean County Circuit Clerk
Christine Eggan, Child Support Hearing Officer
William Scanlon, Trial Court Administrator

EXHIBIT 1

McLEAN COUNTY CIRCUIT COURT
EXPEDITED CHILD SUPPORT PROGRAM
HEARING OFFICER BUDGET

FY 2009 (July 1, 2008 – June 30, 2009)

DIRECT COSTS	BUDGET
Personnel Services	
Salaries	\$33,000.00
Fringe Benefits	0.00
Subtotal:	\$33,000.00
 Non-Personnel Services	
Telephone	\$400.00
Subtotal:	\$400.00
 PERSONNEL SERVICES SUBTOTAL:	\$33,000.00
NON-PERSONNEL SERVICES SUBTOTAL:	\$400.00
 GRAND TOTAL:	\$33,400.00



Facilities Management

104 W. Front Street, P.O. Box 2400

Bloomington, Illinois 61702-2400

(309) 888-5192 voice

(309) 888-4120 FAX jack.moody@mcleancountyil.gov

To: The Honorable Chairman and Members of the Property Committee
Mr. John M. Zeunik, County Administrator

From: Jack E. Moody, CFM *Jack Moody*
Director, Facilities Management

Date: April 21, 2008

Subj: **Phase 2 Restoration of the McLean County Museum of History**

Attached please find a letter from Mr. Ed Gerns, Project Manager, Wiss, Janney, Elstner, Associates, Inc., regarding the Phase 2 Restoration of the McLean County Museum of History located at the old McLean County Courthouse.

The February, 2008, McLean County Board awarded Otto Baum's contract for the Phase 2 Restoration work of \$1,015,854.00. This work began a few weeks ago. There have been no change order requests to date.

At the regular project meeting held on April 14, 2008, Mr. Ed Gerns and Mr. Dan Bagley of Otto Baum explained a few concealed areas that need attention and will require change order approval. These areas have been concealed and were not subject to inspection during bid document development by WJE.

Mr. Ed Gerns is requesting that the County authorize \$70,000.00 be set aside for covering the repairs outlined in his letter. He is here this evening to explain these repairs and answer any questions. Mr. Greg Koos and I are in total agreement with this need.

I therefore request and recommend that \$70,000.00 from the total capital budget of \$1,750,000.00 be approved for these change order requests and that I be authorized to work with Mr. John M. Zeunik, County Administrator, as each one is presented by WJE for our consideration and approval. WJE does not anticipate needing to use this entire amount. In order for this project to proceed and not be delayed, these change orders need to be authorized as soon as the WJE and Otto Baum documents are presented to us.

Thank you for your kind consideration of this request.

enclosure

APR 21 2008

Facilities Mgt. Div.

Via: E-mail and Regular Mail

April 21, 2008

Mr. Jack Moody
Facilities Manager
McLean County
104 W. Front Street
P.O. Box 2400
Bloomington, Illinois 61702-2400

Re: Phase 2 Restoration of the Old McLean County Courthouse Museum- Expanded Scope of Repairs
WJE No. 2007.1018

Dear Mr. Moody:

At your request, Wiss, Janney, Elstner Associate, Inc. (WJE) is providing this letter to update the progress of the work performed to date on the Phase 2 Restoration of the Old McLean County Courthouse Museum. As of our April 14, 2008 progress meeting, the following is a summary of the work performed to date by Otto Baum:

1. Cataloged, removed and stored the serpentine stone in the east and west vestibules.
 - WJE subsequently evaluated the substrate conditions which had previously been concealed to modify the new support system.
 - WJE revised the support system to re-anchor the serpentine panel.
2. Demolished the exterior limestone clad wing walls which flank the stairs on the north, east, west and south facades.
 - WJE subsequently evaluated the substrate conditions which had previously been concealed to determine extent of deterioration of remaining areas of the walls which support the treads and landings.
3. Removed the exterior light fixtures from piers at the ends of the wing walls on the four facades of the building.
 - WJE subsequently evaluated the structural support for the light fixture, which had previously been concealed, and developed repair details.
4. Removed treads and landing at the north exterior stair for reinstallation.
5. Removed approximately 75 percent of the damaged areas of limestone on the main facades of the building.
6. Removed mortar from approximately 75 percent of the joints in the limestone on the main facades building.
7. Pinned approximately 95 percent of the limestone balusters at the perimeter of the main roof.

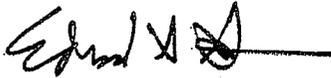
The work outlined above represents the majority of demolition and disassembly which was included in the Phase 2 work as defined in the contract documents dated November 22, 2007. Otto Baum is currently developing costs to address the previously concealed conditions described in Items 1 through 3.

As has previously been discussed, when establishing the scope of work for the restoration of historic buildings, all unknown conditions and extent of deterioration cannot be fully assessed until all disassembly and demolition has been completed. Therefore, WJE recommended that a contingency of at least 25 percent be established to address unanticipated conditions which were likely to be encountered during the execution of the repair work. Based on the conditions revealed to date, we do not anticipate that the full contingency will be necessary. However, there are several conditions which have been previously concealed which should be included in the current repair work. Preliminary cost projections by Otto Baum and WJE to address the previously concealed conditions is anticipated to be approximately 4 percent of the contract amount (9 percent of the contingency) or approximately \$45,000. To address additional unknown conditions which may be revealed during remaining disassembly and to minimize additional minor change orders, we recommend that \$70,000 of the contingency be released for current change orders and potential additional change orders related to the exterior portion of the Phase 2 restoration work.

Please feel free to call if you have any questions or require additional information.

Sincerely,

WISS, JANNEY, ELSTNER ASSOCIATES, INC.



Edward Gerns
Principal and Project Manager

EAG:jh

cc. Greg Koos