

**WILL COUNTY BOARD**  
**REPUBLICAN CAUCUS MEETING**  
**MINUTES**

**April 21, 2011**

**8:35 a.m.**

**Will County Office Building**  
**Will County Board Committee Room**  
**302 N. Chicago Street**  
**Joliet, IL**

**CALL TO ORDER**

Mr. Bilotta called the meeting to order at 8:40 a.m.

**ROLL CALL**

**Present were:** Argoudelis, Bilotta, Dralle, Goodson, Gould, Hart, Konicki, Kusta, Maher, McPhillips, Moustis, Rozak, B. Smith, L. Smith and Weigel.

**Absent were:** Singer

**Also Present:** Deputy Chief of Staff M. Johannsen, Chief Highway Engineer Bruce Gould and David DuBois from Land Use; Lee Addelman from Waste Management;

**Present from State's Attorney's Office:** Mary Tatroe.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Ms. Rozak led the caucus in the pledge of allegiance.

**APPROVAL OF MINUTES**

A motion was made by Mr. Moustis, second by Mr. Kusta, to approve the minutes from the March 17, 2011 meeting. All in favor. MOTION CARRIES.

**DISCUSSION OF APRIL 21, 2011 COUNTY BOARD AGENDA**

**PROCLAMATIONS**

Mr. Bilotta stated there were three proclamations for presentation and two that will be read into the record. 100<sup>th</sup> Anniversary of National Exchange Club will be done by Laurie McPhillips; Rhonda Novak's proclamation will be done by Sharon May; Neuqua Valley Special Olympics State Championship will be done by Chuck Maher. The Autism Awareness will be

done by Diane Seiler at her desk and Ed Kusta will be doing the Bolingbrook Girls Basketball Team at his desk.

### **LAND USE & DEVELOPMENT COMMITTEE**

Mr. Weigel advised that there are 4 zoning cases and 5 resolutions.

#### **Land Use Resolutions**

##### **Resolution #11-125**

Mr. Bilotta inquired about the resolution regarding the sprinkling codes for enclosed parking garages where we had a case about 2 months ago where someone was building a "man cave" and if this was something that pertained to him.

Mr. Weigel replied yes and the applicant changed the size of the building that could need sprinklers.

Mr. Bilotta asked what it was before this 12,000.

Brian Radner replied he believed it was much lower. The attorney requested that we address this situation. It references a newer international code than the current year. The County refers to a new year and for this particular case we are taking part of the newer code. It has to refer specific to that issue to pull from the newer code in referencing only that particular aspect.

Mr. Bilotta inquired if there was a reason why we are pulling only that particular aspect of the new code.

Mr. Weigel advised that every 3 or 4 years we update the codes. We are just doing this one section now.

Mr. Bilotta was concerned that we are only pulling that aspect out especially when we had this last zoning case where we can see how it can impact our residents. No one is ever against fire protection.

Ms. Rozak stated that if we were doing this a year from now this wouldn't be an issue because the code would have been adopted. It is already there we just haven't adopted it yet.

Mr. Bilotta asked why don't we wait until we adopt the full code then.

Mr. Weigel replied because the resident requested that we do it because they are building out there. It apparently saves him a lot of money.

Ms. Konicki stated that under the new code you have a lot more space without needing a sprinkler so we are lowering the standard.

Mr. Radner stated in this particular instance, the county enforces more stringent codes than the fire protection district codes. The attorney requested that this be addressed because the current county code requires sprinklers in the building under the square footage, which is about 11.4. In the IDC code, a 12,000 square foot threshold requires sprinkling so by adopting

this it accepts that threshold, this building does not exceed that and under county code this building would not require sprinklers.

### **Resolution #11-126**

Mr. Bilotta inquired if we are committing anything regarding CMAP 2040 plan or just technical assistance.

Mr. Weigel advised they will provide us with a planner for a year or two for this sub-area in Fairmont study at no cost to the county. They will bring the planner into our Land Use Department.

### **FINANCE COMMITTEE**

Mr. Kusta advised that the first resolution is a small budget cleanup and the second resolution is an emergency loan to the tort fund. We had to pay out on a big settlement. The third resolution is a change in the GASBE reporting so now we have to keep track of intangible assets. The fourth resolution is Dean Olson tightening up his budget for the Energy Efficiency & Conservation Block Grant Program

Ms. Konicki asked about Resolution #11-129, what is the tort settlement for?

Mr. Kusta replied it was several cases.

ASA Tatroe stated that there is one particular case that the insurance company is not paying out stating that it is not their claim. We are fighting them in federal court and hoping to get that money back but in the interim we have paid that money out.

Mr. Bilotta stated that we discussed these cases in executive session but he wondered if we are allowed to talk about them in open forum.

ASA Tatroe recommended not discussing this because they are still in litigation.

Mr. Kusta suggested that if Ms. Konicki has any specific questions she should speak individually with ASA Tatroe.

Mr. Moustis stated that we are transferring the money but have not settled all the cases.

Ms. Konicki inquired if before these issues are finally settled, will they come back to us for approval of each settlement.

Mr. Moustis replied not necessarily.

Mr. Bilotta stated that parameters have been provided.

ASA Tatroe advised that one of the cases is the Fox case and that judgment is entered and is what we have paid. We are still litigating with the insurance company as our excess carrier is not paying out.

### **PUBLIC WORKS COMMITTEE**

Mr. Bilotta advised that a few months ago we passed a resolution regarding quick take powers. Springfield, Mr. Madigan, their legislative review board and their attorneys have

recommended changes in the resolution. We posted another public hearing, had several residents show up and answered their questions. It is a minor change that benefits us which is from the date that it is passed, we have 12 months to settle. We have already settled up to 15 out of the 33. We are just making some minor changes.

Mr. Smith arrived at this juncture.

### **JUDICIAL COMMITTEE**

Mrs. Dralle stated that the first resolution is regarding River Valley. There is a 5% increase and it is the third year renewal of a three year contract for River Valley Justice Facility. Each meal is an increase of 5 cents and snacks are 6 cents. We will be looking to go out for bid next year.

Ms. Johannsen advised that we need to start the bidding process this summer as it is a very lengthy process. It must go to the state for approval.

Mrs. Dralle advised the three remaining resolutions are regarding the administrative adjudication process. We are looking at 2 hearing officers and negotiations for software. It has been a long process. The County Executive will be negotiating for both the hearing officers and the software.

Mr. Bilotta inquired how are we funding this.

Mrs. Dralle replied that Ms. Lyne has provided a spreadsheet of our potential revenue based upon past cases with the Sheriff's Department, Land Use and Health Department will be coming to the hearing process. Initially, the money will come out of contingency, the County Board, but with the understanding that it will be paid back the first year.

Mr. Bilotta asked aren't we already receiving those revenues?

Mrs. Dralle replied no. From a cost savings perspective, you will not be tying up the courtrooms, a judge, a bailiff and a clerk for some of the more serious violations that no one has collected. She has projections that by FY 2015, we will have accumulated revenues of over a ½ million dollars after expenses.

Mr. Moustis stated that for the first year the County Board will fund it but moving forward is this under the Executive Branch or the County Board. Where will it get funded in the future, to where does the budget get appropriated.

Mrs. Dralle replied the Executive's Office.

Mr. Moustis inquired if the Executive's Office has any money in their budget. We will fund it on a pro-rata basis and then there will be an appropriation in the Executive's budget for this.

Mrs. Dralle advised, in response to Mr. Bilotta's question, that the start -up cost would be approximately \$200,000.00 for the entire year. The software will be our biggest issue.

It was advised that there are no other funds to take this from.

There was more discussion regarding the budgeting of this process and that there was not much left of contingency funds. It was agreed that there would be more discussion with the finance director.

The resolutions were reviewed and it was determined that “and execute” would be removed from the three resolutions, 2 covering the hearing officers and 1 covering the software. All three resolutions will state authorizing the County Executive to negotiate only, removing the “and execute”.

#### **PUBLIC HEALTH & SAFETY COMMITTEE**

Mr. Gould stated there are several grants which are additional funding on top of the regular grants that they receive. We are appropriating the additional funds.

#### **LEGISLATIVE COMMITTEE**

Ms. Goodson advised the CN decision that the US Court of Appeals ruled to uphold the STB’s decision on the merger. The attorney has provided written documentation with recommendations on whether we want to pursue anything additional.

There was a discussion regarding whether they were able to make a motion on the floor following the attorney’s recommendation with regard to CN and whether a resolution would be necessary.

It was discussed what the length of time to file a response was.

Ms. Konicki was concerned that we don’t express our position until we try negotiating with CN for some concession for unincorporated Will County residents.

Mr. Moustis suggested discussing this matter with the State’s Attorney’s Office. Our intent was to go to CN to negotiate some of our crossings.

After a short discussion it was agreed that nothing would be announced at this time and that ASA Tatroe would review the matter and advise how best to proceed.

#### **HB1293-Foreclosure bill**

Ms. Goodson advised that HB1293, the foreclosure bill, has now passed over to the Senate and encouraged everyone to be in touch with their senators to help them understand what this bill means to the county. If this bill passes it not only affects the revenue but also the impact on our residents because a private company will be handling the foreclosures. The Sheriff’s Department will continue to handle the evictions. It is the integrity of the foreclosure and eviction process that they send a notice in the mail, not knowing if the residents receives, or if the resident is a renter and the owner is going through the process, the Sheriff’s Department ensures that the renter knows that this is happening so that they can make arrangements for

their future home. A private company will not do that. There are too many aspects of this bill that are bad for Will County and our residents. We need to reach out to the Senators.

Mr. Kusta inquired if there was a last minute change to the bill where the state would reimburse the loss to the Sheriff's Department.

Ms. Goodson stated that they received a copy of the amendment that would be added to the bill. It offered \$150.00 reimbursement to the Sheriff's Department. The amendment did not get filed and we made it clear that this wasn't any consideration at all. It is currently in the Senate. The House is on break this week and the Senate is on break this week and next week. We should be proposing an amendment or counter legislation.

Mr. Bilotta inquired if we can work on that and make it go back to the House again.

Ms. Goodson stated that it would have to be an amendment that first passed in the Senate and then go back to the House.

Mr. Argoudelis requested that Ms. Goodson e-mail them some bullet points because then we could get it out to a larger group of people so that we can then e-mail Senators.

Ms. Konicki inquired about the publishing fees and why would the publishing fees be any less.

Ms. Goodson replied that they don't have to publish in Will County.

Ms. Konicki recommended that would be an obvious amendment to be proposed; not only to keep the revenue local to our local business but to increase the odds that someone who is going to be evicted will see the notice. Something else could be inserted into the legislation requiring some personal delivery.

Ms. Goodson advised there are only 2 companies qualified to do it before the legislation passed.

### **CAPITAL IMPROVEMENTS COMMITTEE**

#### **EXECUTIVE COMMITTEE**

Mr. Moustis stated that under our agreement with Waste Management, we had asked them to speak with Laraway School and they did agree to give Laraway School \$500,000.00, \$50,000.00 a year for 10 years. Mr. Addelman from Waste Management has the check and he will allow him to present the check and say a few words.

Mr. Moustis advised that District 8 also has money that they receive from Waste Management that they give to local organizations.

Mr. Moustis stated the Reapportionment Committee has been working diligently and will be producing a map for the committee to work on next week.

Mr. Gould stated that the committee meets Wednesday at 1:00 p.m. and it would be great if everyone can make it. We have decided at the committee so far, that they are open to a

9 district, 3 member reapportionment plan or a 13 district, 2 members per district reappointment plan. The committee has ruled out single member districts. No plans have been introduced. He is planning on moving forward with a 9 member plan on Wednesday and if time permits he will include a 13 district. We have made clear that we have asked the County Executive's office to be part of this process.

Mr. Moustis stated he believed the Executive's office is moving forward with providing their own map. They will put something together with the GIS department.

Mr. Gould advised that the committee will discuss a plan, the County Executive intends to put his plan forward and in the end it will have to be some type of a compromise.

Mr. Moustis stated that they are trying to keep townships together. There is also the challenge of insuring that the minorities have a reasonable chance of participating.

Ms. Goodson advised everyone that the Illinois House Redistricting hearing is today at 4:00 p.m.

Mr. Friefeld advised that the 4-H club is set up outside of the County Board room so everyone can stop by and visit should they want.

**APPOINTMENTS – No Report**

**ADJOURNMENT**

A motion was made by Mr. Kusta, second by Ms. Goodson, to adjourn the meeting at 9:37 a.m. All in favor.

MOTION CARRIES.