

REPUBLICAN CAUCUS
302 North Chicago Street
County Board Committee Room
Joliet, IL

MINUTES
August 20, 2009
8:35 a.m.

CALL TO ORDER Mr. Bilotta called the meeting to order at 8:50 a.m.

ATTENDANCE TAKEN BY STAFF:

Present were: Bilotta, Blackburn, Dralle, Goodson, Gould, Konicki, Moustis, Riley, Rozak, Singer, B. Smith, L. Smith, Weigel and Wisniewski.

Ms. Goodson arrived at 8:55 a.m.; Ms. Konicki arrived at 9:00 a.m. and Mr. Blackburn arrived at 9:03 a.m.

Absent were: Kusta and Maher

Also Present: Assistant State's Attorney Mary Tatroe; County Board Deputy Chief of Staff Melissa Johannsen; County Executive Chief of Staff Matt Ryan

PLEDGE OF ALLEGIANCE

Matt Ryan led everyone in the pledge.

Approval of Minutes: None

Proclamations

Mr. Bilotta reviewed the proclamations being presented.

Land Use

Mr. Weigel stated there were 4 zoning cases and 2 resolutions. No one had any questions regarding these items.

Finance Committee

Deputy Chief of Staff Melissa Johannsen stated that if Mr. Kusta did not make the County Board meeting, Mr. Gould agreed to take care of that report.

Public Works

Mr. Bilotta indicated there were no issues in the Public Works resolutions.

Judicial Committee

Mrs. Dralle advised that a potential property has been identified for drug court and we will be attempting to purchase it.

Mr. Moustis advised that the property has public transportation available, is zoned residential but on a main street. The Public Building Commission has looked at the property and the costs for rehab are reasonable. I think they should move forward.

Mr. Moustis stated that the State's Attorney's office will be handling the purchase of this property.

Public Health & Safety Committee

Mr. Gould advised the Nuisance Fire Ordinance would be moving forward. It was narrowly passed out of committee. We have tried to compromise and have had speaker's from both sides, not just from the county board but the general public, public hearings and that we have heard from everyone.

Mr. Gould thanked Assistant State's Attorney Mary Tatroe for her assistance in drafting this ordinance. We tried to address some of the more grievous things that are going on and hopefully this draft form will get passed.

Mr. Gould stated that currently we do not have anything and the State's Attorney's office has advised us that what we had which was from years ago is unenforceable. This will at least give us something where today we have nothing.

Mr. Gould advised that there will be one amendment in Section 93.022 - Waste material regarding removing the "dry grass" which had been requested by Mr. Blackburn. The "dry grass" was deleted in one of the sections but was missed in this section. He believed that there is bi-partisan support.

Mr. Moustis stated that we accomplished what we needed; we are really trying to stop burning in subdivisions and more populated residential areas.

Ms. Goodson arrived at this juncture.

Mr. Gould stated that we did define not within 50 feet from neighboring structure.

Mr. Moustis stated he will be supporting this ordinance.

Mr. Bilotta stated that this ordinance is palatable and 50 feet from a neighboring structure is reasonable and this is a step forward.

Mr. Wisniewski advised that in Naperville there are a number of pockets of unincorporated area surrounded by mansions so every fall he is being contacted by unincorporated residents stating that the incorporated police are telling them they can't burn. These people are within the tolerances set by unincorporated Will County standards. Does this ordinance change or improve this type of situation.

ASA Tatroe replied that the statutory provision in the Environmental Protection Act that says villages and municipalities can regulate up to 1,000 feet. I also believe that provision has been found unconstitutional which makes sense because you have people that are not being represented.

Mr. Gould stated that he did not see where Naperville police have any jurisdiction over someone who lives in unincorporated Will County.

Mr. Wisniewski stated that the property butts up against incorporated property and the neighbors are complaining.

Ms. Konicki arrived at this juncture.

Mr. Gould clarified that we make ordinances for unincorporated Will County and if you are unincorporated then you are governed by this ordinance. If you live within a municipality you are not.

Mrs. Riley stated that under the old ordinance there was a number you could call at the Sheriff's Department where they would send someone out to talk with the individuals when she received calls on burning.

ASA Tatroe advised that the enabling statute that we relied on for the old ordinance had been repealed. It had been repealed probably a decade ago but no one realized that. There is also the penalty provision within our ordinance referred to a section that provided no penalty for burning.

Mr. Bilotta asked why it was repealed.

ASA Tatroe stated she can only speculate but believed that the Environmental Protection Act was passed at the same time and it placed the regulatory powers on burning with the Environmental Protection agency. That was my original opinion that it usurped our power to regulate this. It was an informal Attorney General opinion that was issued that said because we have a health department we can regulate anything that can affect public health. We are citing the statute that allows us to pass ordinances because we have a health department.

Ms. Goodson inquired if there was a consideration based on acreage.

Mr. Gould replied absolutely but that the problem was where we had smaller subdivisions within the county a lot of them platted in the '50 and '60's where people have very wooded lots.

Mr. Blackburn arrived at this juncture.

Mrs. Dralle stated that previously we did not have much enforcement but now that we are looking at a hearing officer at Judicial Committee, this will be one of the areas where we will have a mechanism to enforce the ordinance through the Sheriff's office.

Legislative Committee

Ms. Goodson advised that SB189 creating an act and a new division at the Attorney General's office for compliance regarding open meetings act and FOIA's. There will be more stringent criteria, for example, we previously had 7 days to respond but now it will be 5 days.

Ms. Goodson stated that we will have to talk with staff for educational items we need to do to inform the board.

Ms. Goodson stated this affects the Attorney General's Act, the Open Meetings Act, FOIA's and creates a Public Access counselor. This is the person who is authorized to issue binding opinions on the public bodies that we comply with the Open Meetings Act or denial of access when requested. The bill also provides for administrative review of that counselor's opinion.

Capital Improvements

Mrs. Dralle advised that the first Tuesday in September the Capital Improvement meeting will be held after Finance. We are flipping the times of these committees as

Capital Improvement Committee will be touring Sunny Hill, the Health Department and TB Clinic. If any member is interested in attending please let Melissa know.

Mrs. Dralle stated that the needs assessment is progressing. The Will County Office building and the courthouse have had in depth physical inspections. More general inspections have occurred at Executive Center and the annex. Interviews with each department have been completed and they will be looking at doing more demographic work.

Executive Committee

Mr. Moustis advised that there is a Highway hire this month. There is some concern that we should not be hiring anyone who is not crucial to the operation.

Mr. Ryan advised that they post jobs in consultation with Bruce, it is a budget position and it doesn't have any impact on our corporate budget.

Mr. Moustis advised that they are discussing the policy on posting and we will address that as a separate issue.

Bruce Gould advised that we are filling an open position of a truck driver so that we have a complete compliment of drivers. We have short down times and then we have more active times like the winter and such times as the storm last night. We had crews out last night because of the storm. During the winter we have to have a complete compliment to plow our streets.

Don Gould inquired if Highway Department would be participating in the furlough program.

Bruce Gould replied yes, he would be addressing his department tomorrow, August 21, 2009 and they would be participating in both the furlough and severance programs.

Don Gould asked if filling this position would run contrary to having them participate in the furlough program.

Bruce Gould replied no, because during our down time, the slow times would be when we would be furloughing our individuals and absolutely not during the winter months. We don't allow vacation time during the winter because we need those drivers.

Mr. Moustis stated with the furlough/severance package initiatives our intent is for those that take the severance to not fill that position for a period of time.

Mr. Moustis asked Bruce Gould if there were any drivers who are interested in taking this, especially in the winter, if he felt that he would have to replace them immediately.

Bruce Gould replied he would be addressing his department tomorrow and there is a questionnaire that has to be completed by August 28th. At that time he would have a better idea who is interested in the furlough/severance package. He stated it would be essential that we need a driver during the winter.

Mr. Bilotta stated that if this happened in the winter, someone still would not be hired until spring because of the process, interviews and coming to County Board.

Mr. Moustis stated that we may need some flexibility with the contract for the highway department, like the state does, to bring in snowbirds (people who work seasonally). I believe the Executive's office would like some of that flexibility for the Highway Department and now is the time to address this.

A motion was made by Mrs. Rozak, second by Ms. Konicki to adjourn the meeting at 9:15 a.m. All in favor.

MOTION CARRIES