

WILL COUNTY BOARD
EXECUTIVE COMMITTEE MEETING
MINUTES

December 10, 2009

10:00 a.m.

Will County Office Building
County Board Committee Room
302 North Chicago Street
Joliet, IL 60432

CALL TO ORDER

Mr. Moustis called the meeting to order at 10:40 a.m.

ROLL CALL

Present were Members: Bilotta, Adamic, Kusta, Stewart, Dralle, Goodson, Gould, Maher, Seiler, Weigel, Wisniewski and Moustis.

Absent were Members: Singer.

Present from State's Attorney's Office: M. Tatroe and M. Manning.

Also Present: Friefeld.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Adamic led the committee in the Pledge of Allegiance.

APPROVAL OF MINUTES

A motion was made by Mr. Maher, second by Mr. Kusta, to approve the minutes from the November 18, 2009 meeting. All in favor. MOTION CARRIES.

NEW BUSINESS

Tinley Park Development Request

Mr. Moustis stated this is regarding a very desirable piece of property in Tinley Park at 191st Street and Harlem Ave, right off the interchange. There have been various proposals for this; it has been difficult getting the right kind of development. Tinley Park would like to start working with a developer.

Mayor Zabrocki expressed thanks from the village to the Will County planning department and highway department; the relationship has been very positive. This property is owned by the Lincoln-Way School District and we have been working with them on this

purchase; this will be on their agenda tonight for their approval. It is our desire to annex that property into Tinley Park and plan development on it that will benefit Tinley Park and Will County. Once the property is developed, in excess of \$8.3 million will be coming into the area with the school district taking the major portion of that. We are entering into a 2-year agreement with the school district for the option on that property for approximately \$7.5 million. We hope to be able to attract a commercial development for that particular site. We are looking for the blessing from Will County and that you would like to see it developed that way.

Mr. Bilotta asked if the school district is a willing seller, if there is any tax abatement or TIF.

Mayor Zabrocki answered yes, they are willing seller; there is no reason to have a TIF on it; we feel as a whole it can be developed.

Mr. Adamic questioned if they have anyone in mind currently.

Mayor Zabrocki replied they are talking to 3 or 4 potential developers; it will be big box store. It is always a difficult situation when you buy a piece of property where it is vacant. We will work very closely with the neighbors regarding screening and retention.

Mr. Moustis commented he has heard from residents in the area that was some of the difficulty in getting it developed – some developers were not sensitive.

Mayor Zabrocki indicated with annexation we can use a much stronger hammer.

Mr. Moustis clarified you are looking for a resolution in favor of your efforts.

A motion was made by Mr. Adamic, second by Mr. Weigel, to place a resolution on the County Board Agenda supporting the agreement between Tinley Park and Lincoln-Way School District for the purchase of property at 191st Street and Harlem Avenue. All in favor.

MOTION CARRIES.

OLD BUSINESS

Ridgewood IEPA Loan

Mr. Palmer stated this has been a long-term project that many have been working on for a number of years. We have been fortunate to secure \$550,000 in Stag funds and also just under \$4 million in grants and IEPA loans.

Mr. Pullman indicated this is to extend sewer and water to the part of Ridgewood east of Walnut that encompasses Ridgewood Sanitary District. The terms of the loan have been agreed to in these 2 ordinances; the terms allow us to pay back the loan with block grant money over 20 years. We do have the option to establish an SSA. These ordinances set in motion the payment with the main option of block grant money of \$150,000 to be allocated for debt service on these two loans.

Mr. Bilotta asked how much we get each year.

Mr. Pullman answered \$1.4 million.

Mr. Bilotta indicated we will guarantee the loan to get it done but the homeowners should have some sort of repayment for this; we need to continue to explore that.

Mr. Pullman stated there are two elements; one is the installation of the sewer and water mains; that portion has been done through grants in the first two phases in the past. Years ago, we did charge back for the debt service in Clearview where they paid a portion through property taxes; that is an option here. The second element is actually connecting to the system itself; the average is \$10,000 for a home to connect - that is not covered by the grants or loans so there will be costs to the homeowners.

Mr. Maher questioned what we are on the hook for if in 20 years the grants go away.

Mr. Pullman replied \$150,000 per year; that is why we would suggest an SSA to have second resources should block grant money not be available.

Mr. Palmer indicated this is a timing issue because the stimulus money was infused through IEPA.

Mr. Adamic asked if there will be any help with the \$10,000 to hook up.

Mr. Pullman answered we are hoping to allocate additional CDBG money on a case by case basis if the homeowner qualifies.

A motion was made by Mr. Adamic, second by Ms. Seiler, to place two ordinances on the County Board Agenda authorizing the loans with the IEPA for the Ridgewood project. All in favor. MOTION CARRIES.

OTHER OLD BUSINESS

NEW BUSINESS

Tinley Park Development Request

Mr. Moustis moved this item to the beginning of the agenda.

Replacement Hires for Sunny Hill Nursing Home

A motion was made by Mr. Gould, second by Mr. Stewart, to place the replacement hires for Sunny Hill on the County Board Agenda. All in favor. MOTION CARRIES.

Replacement Hire for Land Use Department

A motion was made by Mr. Weigel, second by Mr. Adamic, to place the replacement hire for the Land Use Department on the County Board Agenda. All in favor. MOTION CARRIES.

Appointments

A motion was made by Mr. Adamic, second by Mr. Maher, to place the Appointments by the County Executive on the County Board Agenda. All in favor. MOTION CARRIES.

Proclamations

Mr. Adamic stated there are two proclamations this month; one is for the 20th anniversary of the Will-Grundy Center for Independent Living; the other is for the JCA girls' volleyball championship.

Request for Public Building Commission to Coordinate and Oversee the Renovations of the Drug Court Recovery Home

Mr. Adamic stated there have been some neighbors who are not in favor of this recovery home.

Mrs. Tatroe indicated we have had community meetings and notices were sent through the mail to the neighbors.

Mrs. Dralle stated she attended those meetings. There were 60 to 70 people that came to the hearings and expressed their concern; it was a lengthy meeting. This recovery home is for people at the end of the process going through Drug Court.

Mr. Moustis commented there was a lot of discussion; it was a very open transparent process.

Mr. Adamic indicated he hopes they will be very good neighbors; he thinks there is some uneasiness right now. Some people will have to take a wait and see attitude. He hopes this is an asset.

Mr. Moustis stated Ms. McCabe took a lot of care looking at sites and in finding a home that would least impact the neighbors.

Mrs. Tatroe commented they have been looking at sites for over a year. They had to balance many concerns; it needed a bus route so the residents are able to get to their jobs and to appear for drug court for testing and other hearings.

Mrs. Dralle stated she believes this will be the first one in the state run by the county; it is something that is progressive and very innovative.

A motion was made by Mrs. Dralle, second by Mr. Stewart, to place a resolution on the County Board Agenda authorizing the PBC to coordinate and oversee the renovations for the Drug Court Recovery Home. All in favor. MOTION CARRIES.

Request for Consent to Include Unincorporated Parcels in Village of Rockdale
SSA

Mr. Shanahan, attorney for the Village of Rockdale stated the village is proposing a SSA to reconstruct Moen and Mound Road; there are a total of 100 parcels and 9 of these are not within the village. The statute says a municipality may create a SSA within a municipality and

the unincorporated area when the county consents to the creation. We are requesting consent from Will County to include these 9 parcels in the SSA.

Mr. Morgan indicated the Village of Rockdale has determined it is in the best interest of the property owners to create the SSA to improve the road; the plan is to totally reconstruct and widen the road.

Mr. Moustis asked if this is a voluntary or involuntary process. We have seen where a subdivision will come in and all homeowners will agree to create the SSA.

Mr. Shanahan answered we tried to do this on purely voluntary.

Mr. Morgan stated we met with the main users and it was brought up there was interest in a SSA. We were trying to get them to contribute for the costs of the road since they were causing most of the damage. It was decided it is not fair to single out a few companies but it would be more fair to include everyone along the road who would benefit.

Mr. Moustis questioned if the property owners are agreeing to going into this SSA.

Mr. Shanahan replied there will be a public hearing in the village; there is a provision where 60 days after they public hearing if they get 51% of the votes of the owners to turn it down then it would be no SSA.

Mr. Moustis commented he does not care for SSA's for public improvement; he is not objecting if people are agreeing to it. He has additional concerns about unincorporated owners and forcing them into an SSA with municipalities; if you get them on voluntarily – fine but he will not support forcing property owners in unincorporated areas into an SSA.

Mr. Gould indicated he will support it – the road is in bad shape. What do you do when you have 8 out of 100 who refuse to annex into a village but yet those owners put most of the burden on the road and the municipality is forced to carry the cost.

Mr. Bilotta asked why not wait to see if you get the 51%.

Mr. Maher agreed with Mr. Bilotta; it is pretty much up to the residents – it is in their hands if they agree to the SSA.

Mr. Weigel asked if the road is in the village.

Mr. Shanahan answered the village limits stop and then it is a township road; we are trying to fix the entire road but a portion of it is township road.

Mr. Moustis commented since Troy Township has jurisdiction, he would like to hear from them.

Mr. Gould suggested advancing to the board floor and allowing the village to come in and explain it in more detail; they are trying to satisfy the requirement of the statute.

Mr. Moustis indicated he is hesitant; the village is holding public hearings for a township road; they are doing an SSA but they do not have jurisdiction of the road.

Mr. Gould commented it is more logical to fix the whole road.

Mr. Friefeld indicated you need the consent of the county before the SSA is created. Why do you have to create it in January? Can you move it to February?

Mr. Gould answered the design was to get the road improvements created in the next construction season; we are running out of time. We had a meeting with Joliet and Troy township commissioners; he believes they were supportive of this concept.

A motion was made by Mr. Gould, second by Mr. Stewart, to move the request for consent from the county to include unincorporated parcels in Village of Rockdale SSA.

Mr. Maher suggested coming back in January after their public hearing.

Mr. Friefeld indicated they cannot create the SSA until the county consents.

A motion was made by Mr. Maher, second by Mr. Adamic, to table this issue. On a roll call vote, Bilotta, Adamic, Kusta, Dralle, Goodson, Maher, Seiler and Moustis voting yes and Stewart, Gould, Weigel and Wilhelmi voting no. MOTION CARRIES.

Request for Modification of Workforce Development Contract with Joliet Junior

College

A motion was made by Mr. Wilhelmi, second by Mr. Gould, to place a resolution on the County Board Agenda modifying the Workforce Development contract with Joliet Junior College. All in favor. MOTION CARRIES.

Request to Renew Contracts for Mack & Associates; Smith, Dawson & Andrews and Lois Mayer

A motion was made by Mr. Weigel, second by Mr. Stewart, to amend the request to include contracts for Christopher B. Burke Engineering and William F. Mahar. All in favor.

MOTION CARRIES.

Mr. Friefeld stated the contract for Mack Communications decreased from \$100,000 to \$40,000; Smith, Dawson & Andrews there was no reduction of \$120,000 plus travel; Lois Mayer decreased from \$70,000 to \$50,000; C. Burke Engineering decreased from \$160,000 to \$90,000; Wm. Mahar decreased from \$60,000 to \$54,000.

Mr. Bilotta questioned why there was no decrease for Smith, Dawson & Andrews.

Mr. Ryan replied because of overhead and staff assignments. They have not received an increase in the four to five years we have retained them. We looked at the markets and their fee is significantly below what entities pay for lobbyists in Washington. They have produced

significant income for the county. The initial proposal was at \$10,000 per month for the first year; there was talk about increasing to \$12,000 per month but we did not do it.

Mr. Adamic asked how much have they brought into the county.

Mr. Ryan answered they have averaged about \$3 million to \$4 million per year.

Mr. Moustis stated the County Executive's Office and the County Board have been happy with them; Mr. Bilotta raises a legitimate question – we have cut everyone else.

Mr. Bilotta commented it has nothing to do with the quality of their work; everyone else agreed to a decrease.

Ms. Johannsen indicated the Christopher Burke contract was budgeted for \$60,000; Mr. Friefeld indicated the contract is for \$90,000. We will have to address that; the funding is not there.

Mr. Moustis stated we will leave it at \$90,000; he would rather deal with the budget than amend the contract later.

Mr. Friefeld indicated it is a not to exceed \$90,000 contract.

Mrs. Dralle asked if Ms. Mayer has been reimbursed for travel expenses.

Mr. Rafac answered it was budgeted but has not been requested in the past.

Mr. Moustis suggested taking it out if you have not requested her to travel; if it is money that the County Executive has control over it should be in your budget.

Mrs. Dralle questioned with Mack reduced to \$40,000 will we receive the same service.

Mr. Moustis replied we will receive the same core services that we are interested in receiving. We will have to make a determination on when we will be using them; for our newsletter, assistance on the website, help on press releases or press conferences.

Mr. Mack stated we intend to provide the same level of service as well as some additional features that we will put in.

Mr. Adamic commented we appreciate you being able to work with us.

A motion was made by Ms. Seiler, second by Mr. Maher, to place the contracts on the County Board Agenda for renewal: Mack & Associates; Smith, Dawson & Andrews; Lois Mayer; Christopher B. Burke Engineering; William F. Maher. All in favor. MOTION CARRIES.

Discussion of Recovery Zone Facility Bonds Allocation Process

Mr. Rafac stated the county has received bonding authority for \$27.424 million in recovery zone economic development bonds, which we will use for ourselves. We were also given \$41.137 million in bonding authority under the recovery zone for facility bonds that we can direct to for-profit entities so they can borrow at the non taxable rate. He provided a draft from McHenry County for their bond application process. We would have the ability if we had a

private developer who would come in and develop something for us; we could direct it towards them or towards municipalities through a private developer who would be doing something in a specific municipality. He also reviewed the Cook County application process and it is a much longer and much more cumbersome; this is more to the point of what is needed. In this process, it does talk about the county's current schedule of charges for bond related services. When we have been a pass-through agency we have charged an amount.

Mr. Moustis commented it was a small amount; maybe 25 or 30 basis points.

Mr. Rafac indicated that is something we would need to formally decide; we could also charge an application fee. We would need to decide if we want specific bond counsel. He envisions this process that we would set an application deadline; determine the number of days in which we will make a decision on allocating the money. They also provided for a financial advisor to receive any confidential tax information or financial statements; we can do the same thing.

Mr. Moustis stated he would like to see this at the finance committee for further discussion. We can check on what we charged for the private facility bonds; regarding bond counsel we would provide a list of 3 or 4 firms - some firms that we are comfortable with.

A motion was made by Mr. Adamic, second by Mr. Kusta, to move this issue to the finance committee. All in favor. MOTION CARRIES.

Ms. Goodson left at this juncture.

**Discussion of County Policy for Performance Bond Requirement/Other
Acceptable Surety Re: SCI Communications**

Mr. Moustis stated our purchasing policy requires a performance bond and this firm asked if we would take a letter of credit. That can be just as good; it secures a certain level of money. We do not know if we can do it for this contract but this is something that we can review and make amendments to the policy.

Ms. Weiss indicated if we are going to waive or change it, it has to be written out in the bid. The concern at this point is the stipulation within the bid documents, which could incur different costs for each vendor who has bid on this project.

Mr. Moustis asked the State's Attorney's Office to review the ordinance. In this particular case do we go back and look at allowing a letter of credit, which is easier.

Mr. Gould questioned if it ensures the same level of security what is the difference.

Mr. Rafac replied the difference is a performance bond uses an insurance carrier and with a letter of credit the bank acts as the bearer of risk.

Mrs. Johannsen stated in the past we have made the determination before the bid was let; we are changing the rules if you allow it now.

Mr. Moustis indicated times change and our purchasing ordinance should have some flexibility in it that recognizes market changes and economy changes. He asked Mrs. Tatroe to look at this – letter of credit versus performance bond.

Mrs. Tatroe commented the issue in this particular case is because the bid went out, which required a performance bond. If you allow this bidder to change, does it put other bidders at a disadvantage?

Mr. Moustis asked Mrs. Tatroe to define performance bond.

Ms. Seiler left at this juncture.

Mrs. Tatroe answered she will check the legal definition.

Ms. Weiss questioned how this affects the bid in question.

Mr. Moustis replied if he is willing to put up his own money.

Mrs. Tatroe indicated we have precedent where we have denied bids that have not provided the right form of surety.

Mr. Moustis commented we have made exceptions based on market.

No action taken on this item.

Request to Declare Surplus Items for Recycle/Disposal

A motion was made by Mr. Kusta, second by Mr. Weigel, to place a resolution on the County Board Agenda declaring various items as surplus and authorizing their disposal. All in favor. MOTION CARRIES.

Request to Re-Award 2010-03 Refuse & Recycle Bid

A motion was made by Mr. Wilhelmi, second by Mr. Stewart, to place a resolution on the County Board Agenda re-awarding the bid for refuse and recycling for three outlying sites only to Allied Waste. All in favor. MOTION CARRIES.

Request for Water Issues Consulting Contract

A motion was made by Mr. Weigel, second by Mrs. Dralle, to place a resolution on the County Board Agenda authorizing a consulting contract for water issues. All in favor. MOTION CARRIES.

Request to Approve and Execute Proposed Traffic Control Agreement with Gateway Homes, LLC

A motion was made by Mr. Weigel, second by Mr. Maher, to place a resolution on the County Board Agenda authorizing the County Executive to execute the proposed traffic control agreement with Gateway Homes, LLC. All in favor. MOTION CARRIES.

Request for Resolution Approving Intergovernmental Agreement for Law Enforcement Services with Godley Park District

A motion was made by Mr. Weigel, second by Mr. Kusta, to place a resolution on the County Board Agenda authorizing the County Executive to execute an intergovernmental agreement for law enforcement services with Godley Park District. All in favor.

MOTION CARRIES.

Discussion Re: \$100 Million Build Will Bond Issue

Mr. Moustis stated we already approved the ability to executive the \$100 million bond issue for the Build Will program. Mr. Chang and Mr. Rafac have informed us that the interest rate environment is so good right now, now would be the time to move forward so we will do that.

Mr. Chang stated the county passed an ordinance in September of 2008 to do a \$100 million bond with the principle paid by the RTA tax. Focusing on Build Will and specifically the road improvements, this bond will be structured in three different pieces. One piece will be the recovery zone, which the federal government gives you a .45 rebate back on every interest dollar. The other piece will be Build American bonds where the federal government gives you a .35 rebate on every dollar. Then we will do a small piece that is tax exempt. The whole purpose is to actually fit the structure so that your borrowing costs are the lowest as possible. We are predicting that the cost will be less than 4%, hopefully around 3.75%. That is what the current market is demanding – we are hoping to get into the market before something happens to the market; it is very volatile. In the beginning of the year it happens to be a very attractive market for those who want to do long term type of issuance. We are looking at borrowing 20-year money.

Mr. Moustis commented we will be dedicating for debt service approximately \$6.5 million of the RTA money.

Mr. Change indicated it is closer to \$7 million; we have the RTA coming in at about \$18 million so there is plenty of coverage. You are required to have a 1.25 times coverage; basically you have 2.5 times coverage. There is plenty of money or resources for this debt service. It will be built so it is a level debt service; you will be paying the same amount each year.

Mr. Moustis stated this gives us the ability to do some additional bonding. This money has to be spent by 2013; the feds are hoping this will be short-term stimulus

Mr. Change commented these programs end at the end of 2010.

A motion was made by Mr. Adamic, second by Mr. Kusta, to place a resolution on the County Board Agenda providing for the issuance of not to exceed \$100 general obligation bonds. All in favor. MOTION CARRIES.

Other New Business

COMMITTEE REPORTS

Land Use & Development – T. Weigel

Mr. Weigel stated Case 5884 is requesting 3 variances for a swimming pool, which has been a controversial case.

Finance – E. Kusta

Public Works & Transportation – J. Bilotta

Judicial – A. Dralle

A motion was made by Mrs. Dralle, second by Mr. Maher, to remove the request for the intergovernmental agreement for law enforcement services with Godley Park District and send it to the judicial committee. All in favor. MOTION CARRIES.

Public Health & Safety – D. Gould

Legislative & Policy – L. Goodson

Capital Improvements – C. Maher

Executive – J. Moustis

ANNOUNCEMENTS BY THE COUNTY BOARD CHAIRMAN

APPROVAL OF THE DECEMBER 17, 2009. COUNTY BOARD AGENDA

A motion was made by Mr. Kusta, second by Mr. Maher, to approve the December 17, 2009 County Board Agenda, as amended. All in favor. MOTION CARRIES.

EXECUTIVE SESSION

ADJOURNMENT

A motion was made by Mr. Adamic, second by Mr. Maher, to adjourn the meeting at 12:30 p.m. All in favor. MOTION CARRIES.