

**WILL COUNTY BOARD**  
**EXECUTIVE COMMITTEE MEETING**  
**MINUTES**

**May 14, 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 11:25 a.m.

**ROLL CALL**

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

**Absent were Members:** Singer.

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

**Also Present:** Friefeld.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF MINUTES**

No minutes were presented for approval.

**OLD BUSINESS**

**S.B. 1607 Re: Amendments to Environmental Protection Act – Construction &**

**Demo Debris**

Mr. Moustis stated this bill allows construction debris to be dumped into quarries. It is back in a shell bill, which gives us the ability to make future comments. He opposes the whole idea. They should have restrictions that this will not contaminate the soil. If it is generated in your county - leave it in your county. He is asking this committee to give us the authority to move forward with amendments to this bill. He will meet with Ms. Goodson and the County Executive's office and the Solid Waste Division and get a number of suggestions.

A motion was made by Mr. Gould, second by Mr. Adamic, to give authority to the Chairman and the Legislative Committee Chair to move forward with amendments to SB1607. All in favor. MOTION CARRIES.

Ms. Goodson commented we do not know if we will have the opportunity to amend the language.

Mr. Olson indicated the ground water monitoring sampling has to be approved before the load goes in.

Ms. Goodson stated a contingency from County Board met with representatives on this bill; there were many things that were clarified. There is legislation already in place that requires the monitoring of the CCDD; it requires every truck load be tested before going into the quarry.

Mr. Moustis commented after Exelon, he has very little faith in the IEPA for monitoring; they are not set up to do that.

Mr. Maher arrived at this juncture.

Mrs. Dralle indicated Chicago is saying they will bring this to Will County; this was a battle 15 to 20 years ago. It will be very difficult unless we build a consensus from numerous entities.

#### **Other Old Business**

#### **NEW BUSINESS**

#### **Replacement Hires for Sunny Hill**

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 Hires for Highway, Maintenance, Animal Control & Workforce**

#### **Services**

A motion was made by Mrs. Dralle, second by Ms. Seiler, to place the replacement hires for Highway, Department, Maintenance Department, Animal Control & Workforce Services and Records Management, as amended. All in favor. MOTION CARRIES.

#### **Appointments**

Mr. Moustis stated the appointments for the two new board members will take place at the beginning of the meeting.

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

#### **Proclamations**

Mr. Adamic stated there are three proclamations this month.

**Request for Resolution Proposed by the IL Association of County Board Members**

**Re: Capital Bill & Motor Fuel Tax Distributive Formula**

Mr. Friefeld stated the draft resolution talks about the importance of a capital bill and that the motor fuel tax should be distributed as currently in place.

Mr. Moustis questioned why we would support anything.

Mr. Friefeld replied it does include a statement that local jurisdictions should make a determination of what projects go forward.

Mr. Moustis commented our state representatives have had some success in recent years in getting funds to our interstate.

Mr. Maher asked if the formula included any tax increase.

Mr. Friefeld answered we have not addressed an income tax increase at all; this is just MFT. It does not say we are in favor of an increase but if there is, it should be distributed in accordance with the formula as it is now.

Ms. Goodson indicated a question was raised at legislative committee to the funding source of the capital bill and that is general obligation bonds.

Mr. Moustis state they have not made a determination on how they will pay them back. We as a board representing Will County have to be careful of what we are supporting; we want to make sure Will County will benefit.

Mr. Maher suggested a rewrite on the tax formula but no tax increase.

Mr. Moustis indicated we could do nothing with this – we can stay neutral.

Mr. Friefeld commented the formula is the way you want it.

A motion was made by Mr. Wilhelmi, second by Ms. Goodson, to place a resolution on the County Board Agenda supporting the Capital Bill & Motor Fuel Tax Distributive Formula. On a roll call vote, Adamic, Stewart, Goodson, Weigel and Wilhelmi voting yes with Bilotta, Kusta, Dralle, Gould, Maher, Seiler and Moustis voting no. MOTION FAILS.

**Request for Intergovernmental Agreement with the Forest Preserve District for Permanent Electronics Recycling at the Monee Location**

A motion was made by Mr. Kusta, second by Mr. Weigel, to place a resolution on the County Board Agenda authorizing the County Executive to execute an intergovernmental agreement with the Forest Preserve District for a permanent electronics recycling facility at the Monee location. All in favor. MOTION CARRIES.

**Request for Intergovernmental Agreement with the City of Lockport for Permanent Electronics Recycling**

A motion was made by Mrs. Dralle, second by Mr. Stewart, to place a resolution on the County Board Agenda authorizing the County Executive to execute an intergovernmental agreement with the City of Lockport for a permanent electronics recycling facility. All in favor.

MOTION CARRIES.

**Request to Award Office Supply Bid**

A motion was made by Mr. Gould, second by Mr. Maher, to place a resolution on the County Board Agenda awarding the bid for office supplies to the lowest bidder, Garvey's Office Products of Niles, IL for an approximate cost of \$105,987.91 for one year with two 1-year optional renewals. All in favor.

MOTION CARRIES.

**Request for Resolution Authorizing County Executive to Purchase & Sell Property under the Neighborhood Stabilization Program**

Mr. Pullman stated this gives the county authority to implement a program as laid out by the federal government.

Mr. Maher asked what the requirements are by the federal government.

Mr. Pullman answered there are two parts. HUD tells us where we have to buy and when we take ownership, HUD tells us who we can sell to. We are creating a market - we have to acquire the property that is reasonably priced; they tell us where we can buy and the income range we can sell to. This is a fast-paced market and we need the ability to move in a relatively quick time span; we need to spend this within 18 months. We need the authority for the County Executive to buy and sell.

Mrs. Tatroe commented you did give the authority that the County Executive can enter into these contracts provided that County Board has specific guidelines that he must follow; then we will be able to move forward quickly on the purchase, rehab and sale. The State's Attorney's office will represent the county during all of the closings and preparing closing documents; we will review contracts that come from the lenders.

Mr. Seiler questioned if they will identify areas by district.

Mr. Pullman replied yes, that is in our plan.

A motion was made by Mr. Kusta, second by Mr. Wilhelmi, to place a resolution on the County Board Agenda authorizing the County Executive to purchase and sell property under the Neighborhood Stabilization Program. All in favor.

MOTION CARRIES.

**Request for Resolution Authorizing County Executive to Execute IEPA/Stimulus**

**Grant & Loan Documents**

Mr. Pullman stated he had talked at the finance committee about the opportunity we have through the end of the month to apply for stimulus money through the IEPA. We put together a plan that is just under \$3 million for the Ridgewood sewer and water project. This will require the County Executive to execute an agreement; more important it requires the County Board to provide a written guarantee for the debt service of the loan. Part of the loan is a grant, part is a 0% loan and part is a 2.5% loan. The annual debt service principal and interest over the next 20 years is about \$157,000. Unfortunately, we did not have the ability to put together the necessary SSA or financing plan in time for this application to be submitted to the IEPA. We would like County Board to authorize the application and recommend a commitment letter. We would work to develop the ability to create a SSA or to use future block grant money to pay for that debt service so it does not come from county general. We do not have that mechanism in place right now; we need to get the application as quickly as possible to get these funds.

Mr. Moustis clarified we will apply for stimulus money but there has to be mechanism to pay it back.

Mr. Bilotta stated this county should not be taking on a loan to do this.

Mr. Pullman indicated we are not committing to the internal mechanism of doing it. We have alternatives; the first alternative would be to use block grant money to take care of the principle. The most likely opportunity would be to create an SSA – we have done that before. We are not sure how big the SSA will be. We will be coming back with a resolution.

Mr. Moustis commented it is a way for them to pay for those improvements.

Mr. Bilotta indicated he does want to apply for the grant but he does not want to commit on the debt service part until we know what we are doing.

A motion was made by Mr. Wilhelmi, second by Mr. Adamic, to place a resolution on the County Board Agenda authorizing the County Executive to execute the IEPA Stimulus Grant and loan documents. All in favor. MOTION CARRIES.

**Other Business**

Mr. Moustis indicated this committee also acts as the insurance & personnel committee. We have not reviewed our health program in about 6 years. We need to look at the plan and see if it can be adjusted – now is the time to do it. We may tweak the out of pocket and deductibles; we will look at both the PPO and HMO. We will see what is out there and what other governmental units are doing in their programs.

Ms. Johannsen asked if we can use AON to do this.

Mr. Moustis answered we will sit down with Mr. Tidwell and Mr. Friefeld and look at consultants. We need to get on this right away. By the end of next week we should have some firms we can consider.

Mr. Ryan indicated they will put something together.

Mrs. Tatroe requested the lease with the federal bankruptcy court be extended for 6 months while they negotiate a new lease.

A motion was made by Mr. Bilotta, second by Mr. Maher, to place a resolution on the County Board Agenda extending the lease with the federal bankruptcy court for 6 months. All in favor. MOTION CARRIES.

### **COMMITTEE REPORTS**

#### **Land Use & Development – T. Weigel**

Mr. Weigel indicated our conservation design staff had taken the stakeholders' comments and put them into a new draft of ordinance. We will have the stakeholder's meeting next Wednesday morning to fine tune it. We have the zoning case for the pipeline that will require 38 votes. We also have four resolutions this month.

#### **Finance – E. Kusta**

Mr. Kusta stated there is one resolution moving funds within the State's Attorney's budget. Also the Auditor will present his quarterly report.

#### **Public Works & Transportation – J. Bilotta**

Mr. Bilotta asked if there were any questions.

#### **Judicial – A. Dralle**

Mrs. Dralle stated she has no resolutions this month. There was a discussion about the drug court recovery home being proposed. They will be coming back in June with a potential revenue source. The home will be self-sustaining because of the rent charged.

#### **Public Health & Safety – D. Gould**

Mr. Gould indicated Resolution 09-149 is for licensing the sale of tobacco. This was initiated by the students from Plainfield High School. We looked at what other counties are charging and what they have adopted. The fee is \$100 for the license. There was concern about creating a burden on small businesses. There is a DVD that was developed to show employees instead of having to take time off work.

Mr. Moustis commented the state has some educational materials available.

Mr. Kusta indicated there is a restriction that you cannot get license if you have not lived in the state one year and the county for 90 days.

Mr. Moustis questioned how you handle corporations that do not operate in the county. Those things exist for the liquor license – they require background checks; it is a burden administratively.

Mrs. Dralle asked who will enforce this. It is a burden to the Sheriff's Department.

Mr. Bilotta answered it will be done on a complaint basis.

Mr. Moustis commented licensing does not mean enforcement.

Ms. Goodson asked without the ordinance what do we do about complaints.

Mr. Moustis answered the state would come out; you need responsible employers educating their employees. Is this about licensing or enforcement?

Mr. Gould replied it is about both.

Mr. Moustis stated there are enforcement issues – who will enforce it?

Mrs. Tatroe answered the Sheriff's Department or Health Department would be going in; the violation would be under the ordinance.

Mr. Rafac commented we used to get a grant in the Sheriff's Department to enforce; those provisions were very restrictive and they have not applied for it in the last couple of years. This does not require the three mandatory inspections the state would require if we applied for the grant. We would enforce on a complaint basis; we are not going out doing sting operations. The intent was complaint based; we are not generating enough money with the fees to do that type of enforcement. Mrs. Tatroe pulled all the restrictions from the liquor licensing; you may want to change those for the tobacco licensing.

Mrs. Dralle commented anything we can do to stop the sale of tobacco to youth is a good thing but she expressed concern about placing a burden on business owners.

Mr. Moustis questioned the \$100 fee.

Mr. Gould replied it is based on what the collar counties are charging.

A motion was made by Mr. Adamic, second by Mr. Maher, to move the ordinance for the licensing of the sale of tobacco to the County Board Agenda. On a roll call vote, Bilotta, Gould, Maher and Wilhelmi voting yes, with Adamic, Kusta, Stewart, Dralle, Goodson, Seiler, Weigel and Moustis voting no. MOTION FAILS.

Mr. Gould stated regarding Resolution #09-50, the State's Attorney's office has put forward a proposed ordinance on leaf burning limiting it to 50 feet from any structure or any property line; this would include dry leaves produced on your property. We currently do not have any enforcement power. The enabling language was also changed so we would have some authority for the Sheriff's Department to enforce this in unincorporated areas. We have had many people come to the committee pro and con; the rural areas are opposed to

restrictions. There are also pockets of unincorporated areas that are against burning, but because of the municipality next to them does allow burning.

Mr. Moustis commented we should let this go forward; what is proposed was not enforceable in the form we had. Most people will comply if told you are in violation. It certainly stops burning in subdivision type areas; until this county is totally developed you will have that rural/urban line.

Mrs. Dralle stated the issue is one of enforcement. As we go forward with the hearing officer they would write tickets instead of going through the State's Attorney's office.

Mr. Friefeld indicated there was discussion at committee of adding language pertaining to the right of way.

A motion was made by Mr. Kusta, second by Mr. Adamic, to add language to the ordinance clarifying burning is not allowed in right of ways. All in favor. MOTION CARRIES.

Mr. Bilotta left at this juncture.

#### **Legislative & Policy – L. Goodson**

Ms. Goodson stated the Bischof bill was passed last year to help further orders of protection. This year a trailer bill has been introduced that is greatly improving the bill. A number of county board members have volunteered to participate in some test programs to check out the efficiency of the GPS systems; it should be interesting as this moves forward. Will County is ahead of the state in terms of working toward implementation of this bill. The trailer bill is going to make this a permissive bill; it is up to the judge whether or not to impose this on a violator.

Mr. Costigan indicated in the current legislation any fee would be collected by the Circuit Clerk's office and deposited in the state fund; language will be added that allows us to keep the collected funds to be used for this purpose.

Ms. Goodson commented it is a vast improvement in the second reading in the Senate

#### **Capital Improvements – C. Maher**

Mr. Maher indicated they are working on scheduling tours of the buildings.

#### **Executive – J. Moustis**

#### **Other New Business**

Mr. Moustis stated a number of board members are going to the NACo legislative fly-in June 2 through June 4. He encouraged as many county board members to come especially the committee chairs; we will be talking about our initiatives. We generally meet with our consultants Smith Dawson & Andrews. The executive committee meeting on June 4<sup>th</sup> will be

cancelled. He asked the committee to give staff the authority to place the requests on the committee agendas.

A motion was made by Mr. Adamic, second by Mr. Kusta, authorizing staff to place the various requests on the appropriate committee agendas. All in favor. MOTION CARRIES.

**APPROVAL OF THE MAY 21, 2009 COUNTY BOARD AGENDA**

A motion was made by Mr. Gould, second by Mr. Kusta, to approve the May 21, 2009 County Board Agenda, as amended. All in favor. MOTION CARRIES.

Mr. Wilhelmi left at this juncture.

**Other Business**

**EXECUTIVE SESSION**

Mr. Moustis stated an executive session was necessary to discuss union negotiations.

A motion was made by Mr. Kusta, second by Mr. Stewart, to go into executive session at 12:46 p.m. to discuss union negotiations. On a roll call vote, Adamic, Kusta, Stewart, Dralle, Goodson, Gould, Maher, Seiler, Weigel and Moustis voting yes. MOTION CARRIES.

Mr. Moustis announced they were now in executive session.

A motion was made by Mr. Kusta, second by Mr. Gould, to come out of executive session at 12:56 p.m. On a roll call vote, Adamic, Kusta, Stewart, Dralle, Goodson, Gould, Maher, Seiler, Weigel and Moustis voting yes. MOTION CARRIES.

**ADJOURNMENT**

A motion was made by Mr. Stewart, second by Mr. Gould to adjourn the meeting at 12:56 p.m. All in favor. MOTION CARRIES.