

WILL COUNTY BOARD
LEGISLATIVE & POLICY COMMITTEE MEETING
MINUTES

March 24, 2009

8:30 a.m.

Will County Office Building
County Board Committee Room
302 N. Chicago Street
Joliet IL 60432

CALL TO ORDER

Ms. Goodson called the meeting to order at 8:40 a.m.

ROLL CALL

Present were Members: Brooks, Jr., Rozak, Smith, and Goodson.

Absent were Members: Wilhelmi, Konicki, and Traynere.

Also Present: Moustis.

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Cybulski led the committee in the pledge of allegiance.

APPROVAL OF MINUTES

A motion was made by Ms. Smith, seconded by Mrs. Rozak, to approve the minutes from the February 10, 2009 meeting. All in favor. MOTION CARRIES.

OLD BUSINESS

Proposed Ordinance Licensing Sale of Tobacco Products in Will County

Joan Leigh, Cindy Jackson and Brittany Arnold, Sumaiya Saad, Ala Salameh, John Egner, David Gloria, Allan Baker, and Bryan Luna, students from Plainfield Central High School came back to committee to discuss the update on the proposed ordinance for licensing the sale of tobacco products in Will County.

Ms. Jackson stated we have spoken with the Sheriff. The Health Department will apply for the grant and we will do the education component. The Sheriff will work with us to do the compliance checks. We will provide them funding to do so with the grant.

Chief Deputy Maher stated I have not spoken with the Sheriff. We will look at it and assign a compliance officer to do these checks. This is similar to our alcohol compliance

checks. We will work with the schools and the Health Department. If there are offenses, we will issue the proper notification.

Ms. Goodson stated we had discussed having a compliance officer. I am not sure if we knew about the grant the last time we met.

Mr. Cicero stated we are talking about a grant through the Illinois Liquor Control Commission. They have \$1 million available on an annual basis. Last year, they issued 300 mini grants. This small grant helps fund education and compliance.

Ms. Jackson stated it will be \$110 per establishment.

Mr. Cicero stated we would use these funds to put this program together.

Mrs. Rozak questioned what happens when we would do not get those funds.

Ms. Jackson stated the education piece is low cost. It is just staff time and organizing. The compliance side we would have to find some other source of funding for that. This grant has been around for a number of years.

Mr. Cicero stated we would not hire any people. We have a tobacco prevention and control program now. If we identify 30 establishments, we are talking about \$3,000. It would be used for printing of brochures and materials.

Mrs. Rozak stated I am worried about that as much as about the compliance part.

Mr. Cicero stated well there is not adequate funding here to hire a compliance officer.

Ms. Goodson stated the Sheriff is looking for leeway of what he has to do in terms of if we receive grant money then he has to comply with the requirements of the grant.

Chief Deputy Maher stated that would mean regular compliance checks and a fine.

Ms. Leigh stated I spoke with the Sheriff. He said he would conduct the compliance checks if the Health Department applies for the grant. That will help pay for the vendors. To apply for the grant we have to list all of the vendors that we will be checking.

Chief Deputy Maher stated I believe the Sheriff wants to issue a warning for the first time and then from there inflict stricter enforcement measures. If there is that flexibility in there, I do not see a problem.

Ms. Leigh stated we had talked about raising the fee to \$250 but with this grant it will not be necessary.

Ms. Jackson stated through the grant we do not need to do more than three checks a year.

Ms. Smith questioned how many establishments sell cigarettes.

Mr. Cicero stated we looked at that. There is no hard tracking of this. We assume if they sell alcohol they sell tobacco products too. I believe there are 135 vendors.

Mr. Moustis arrived at this juncture.

Ms. Leigh stated Deputy Chief Romeo told us there are 166 vendors.

Ms. Goodson stated Will County is not home rule. We need to get permission to adjudicate these types of crimes. We have to ask the state to pass legislation to allow us to impose this ordinance through adjudication. We have a limited number of things that we can adjudicate. This is something that we have been working on. I can speak with potential sponsors today.

Review of Abatement Guidelines and Process

Mr. Cybulski stated we have some additional changes. The first is page 3, 'on a date agreed upon' was taken out and the abatement will begin once the company receives the occupancy permit. The company then will notify the County of the occupancy permit and that is when the abatement will begin. Letter 'F' has been modified to add the last sentence 'The facility will continue to operate in Will County for a period not less than twice the period of the abatement and must repay the abatement to the county if it fails to comply with this requirement.' That is more of a clarification. Letter 'K' is to address fluctuations in the labor force and states 'unless good cause is shown.' There are occasions when tremendous growth is occurring and all of the labor in Will County was fully employed. In those cases it may be difficult to meet the local labor requirements.

Mr. Moustis stated there are ways to monitor that.

Mr. Friefeld stated every time we get into this labor discussion we are told we can talk about prevailing wage but we cannot talk about union or non-union.

Mr. Moustis stated I am talking about ways of measuring this. Most construction in Will County is done by union labor. How do you monitor this? One of the ways is to say they use local labor unions.

Mrs. Tatroe stated the prevailing wage statute requires the companies to submit their payroll to show they are paying prevailing wage. I do not know if they have to report that to the County or if the state monitors that.

Mr. Moustis stated this is an area that continues to come up. As a Board, we try to look out for our local economy. If they use union labor, I want to know and I want to make sure that our local union labor is not sitting home. This statement means nothing.

Mrs. Rozak questioned who do they show it to.

Mr. Friefeld stated to the County, the CED. We rely on the CED for enforcement.

Mr. Moustis stated I would like to see a plan in how they will do 75 percent local labor. I do not think that is unreasonable. If we are going to use Will County tax payer dollars to

stimulate the economy, I want to make sure that our people are getting the benefit of it. I want to see our people get back to work.

Mr. Cybulski stated that is something we express with the company when they sit down with us to discuss the abatement. We have a good working relationship with the local unions.

Mr. Friefeld stated we can insert 'if so, please state your plans, policies or practices.' That will address part of Mr. Moustis concern.

Mr. Moustis stated before we give the final abatement, I would like to see how they are going to try to accomplish getting 75 percent local labor involved in the project. Part of that can also be local companies.

Mr. Brooks, Jr., stated over the years I have seen that minority hiring was dropped. My concern is the same as Mr. Moustis'. I heard Mr. Friefeld say the CED will enforce this. However, I have always seen the ball get dropped many times. My concern is who will enforce this and what measure are they going to use that these are local workers?

Mr. Friefeld stated paragraph 'L', that issue is linked with the current one. One issue addresses local labor and the other minority employment. 'does the company have a plan or policies intended to promote growth and development of minority employment, and minority/women business enterprises that have the work ethic and desire to succeed? If so, please cite your plans, policies, and practices.' That also needs to be part of the application. We do not wait until they start the construction. They need to demonstrate within their application that they have plans in place.

Ms. Goodson questioned do you think that 75 percent is a reasonable percentage.

Mr. Moustis stated it is a guideline. It is a goal.

Mr. Friefeld stated it is not a guideline. It is an agreement that they say they will use 75 percent of the local labor force.

Ms. Smith left at this juncture.

Ms. Smith returned at this juncture.

Ms. Goodson stated instead of coming up with a guideline, why not have an achievable percentage.

Mr. Brooks, Jr. left at this juncture.

Mr. Moustis stated as a practical matter, I do not think they have ever taken this seriously. They just go out and do what they want. I would like to see after the intent has been signed, they need to show us how they are reaching out to local labor.

Mr. Friefeld stated letter 'M', states 'Require the contractor and all subcontractors to participate in apprenticeship and training programs approved and registered with the United

States Department of Labor's Bureau of Apprenticeship and Training, or any successor entity, to the extent that such programs are reasonably available within the contractor's or subcontractor's employees' trade or trades.'

Mr. Brooks, Jr. returned at this juncture.

Mr. Friefeld stated no matter what some will work with us and some will play games. For those that play games, the CED and the County Board will pull the abatement. It is a two step process.

Mrs. Johannsen stated Letters 'K' and 'L' need to be put in the application.

Mr. Cybulski stated L is; I will add 'K' and 'M'. We added #4, 'if there is a material misrepresentation of that company's projected employment salaries and other related figures.' This is in the abatement agreement as part of a condition of termination. If after a year those numbers are grossly misrepresented that is something we need to consider.

Mr. Friefeld stated I think we should change it to 'material misrepresentation of the company's application.'

Mr. Cybulski stated I will make that change. In the application I will add letters 'K' and 'M'.

Mr. Moustis stated 'Does the company have a plan or policies intended to promote the growth and development of minority employment, and minority/women business enterprises that have the work ethic and desire to succeed? If so, please cite your plans, policies, and practices.' I want to know how they will create opportunity on that project that we are giving the abatement on. This does not necessarily say they will create opportunities for those individuals.

Mr. Friefeld stated this language came from the Public Building Commission. It is a process and if they come forth with a plan then you have something to follow up on.

Mr. Friefeld stated can plan together.

Mrs. Rozak stated can we add 'regarding this project' at the end of item 11 in the application.

Mr. Friefeld stated we need to amend the I understand section to state 'I, the undersigned, do hereby certify that the information on the application is true and correct and;' and add 'I understand that any material misrepresentation in the application may be grounds for denial or revocation of the abatement.'

A motion was made by Mrs. Rozak, seconded by Mr. Brooks, Jr., to support the changes in language for the abatement guidelines and place a resolution on the County Board Agenda. All in favor.

MOTION CARRIES.

Other Old Business

NEW BUSINESS

Initial Discussion Re: Creation of Policy Establishing Criteria/Guidelines for the County Distribution of "Grant" Funds for Numerous Entities Requesting Funding

Mrs. Johannsen stated we do give to numerous agencies and that is on hold until we have guidelines from this committee. It is not just the Laraway host agreement funds.

Mr. Moustis stated I think we can create a committee task force that will include the Executive Office, County Board, and some community leaders. This committee will receive the letters, rank them and give suggestions. Should we limit the dollar amount? Should it just be a \$10,000 grant? I would exclude organizations such as the University of Illinois Extension and United Way. When tax dollars are involved you are limited to how you can distribute them. I think that Mr. Friefeld and Mrs. Tatroe can give us some guidelines that would include how they qualify and the restrictions on the types of organizations we can support. They can put something together and develop an application that can be filled out. The task force can include someone from the faith community, some business people, County Board members and the Executive Office. They can bring their recommendation to the Board.

Mrs. Johannsen stated we need to include a deadline and we need to advertise.

Mr. Friefeld stated we have one issue from last year and that is the Heritage Corridor. We committed \$25,000 for services for the County.

Mr. Moustis questioned will the Executive's Office give a recommendation on the Heritage Corridor.

Mr. Ryan stated yes. That involves a match from the state.

Mrs. Rozak questioned this grant money, do we have it.

Mrs. Johannsen stated the funds from the Laraway host agreement are still there.

Mr. Moustis stated we have not done any distribution of the County money.

Mrs. Johannsen stated you have done one, for the Rialto for \$50,000.

Mr. Friefeld stated that is a policy discussion of how much you want to distribute each year.

Mr. Moustis stated perhaps we can create an endowment.

Mrs. Tatroe stated I will look into that.

Mrs. Johannsen stated you can pass a resolution placing it into a special fund.

Mr. Moustis stated send this to Finance to create a special fund. Mr. Friefeld will work with the State's Attorney, and the Executive Office to work on the guidelines. I would like to stay within the state statute guidelines.

Mrs. Rozak stated I would also like to see seniors and veterans on the task force.

Mr. Ryan stated we need to make it clear that they need to come back each year.

Metro Counties Initiatives:

HB 1 Re: Motor Fuel Tax – Surcharge – Metro Request to Monitor

HB 61 Re: Public Building Commission – Metro Request to Support

HB146 Re: County CD-Law Library – Metro Request to Support

HB158 Re: Plats – Vacating Plat – Loc Officer – Metro Request to Support

HB237 Re: Prompt Payment Penalty – Metro Request to Support

HB242 Re: PTell – Debt Service Extension – Metro Request Reviewing

HB298 Re: Use & Occ Tax Local Gov Money – Metro Request Support

HB347 Re: County Detention Homes – Metro Request Support

HB383 Re: Prop Tax Waive Interest Penalty – Metro Request Support

HB442 Re: Veh CD – Automated Traffic Law – Metro Request Support

HB460 Re: Bonds Local Gov Wastewater – Metro Request Support

HB495 Re: School CD Building Inspections – Metro Request Support

HB544 Re: County CD Human Services Tax – Metro Request Support

HB593 Re: Co & Muni CD – Regulate Landlord – Metro Request Support

HB646 Re: Inc Tax – Jury Service – Metro Request Support

HB652 Re: Local Gov Dist Fund Deposit – Metro Request Support

HB654 Re: Quicktake – Kane County – Metro Request Support

HB671 Re: PTell-Aggregate Extensions – Metro Request Support

SB49 Re: IDOT Road Salt Grants – Metro Request Support

SB50 Re: IDOT Road Salt – Metro Request Support

SB80 Re: Elections-Campaign Free Zone – Metro Request Support

SB103 Re: County CD Law Library – Metro Request Support

SB230 Re: County CD Occupation Tax Proceeds – Metro Request Support

Ms. Goodson stated the next bills I suggest that we concentrate on: HB1, HB61, HB62, HB146, HB193, HB237, HB347, HB442, HB460, HB547, HB652, SB49 and SB50. I suggest that with the bills that are left, each of the members of the committee take two. We are not taking a position unless the committee thinks that we should. If every committee member takes two bills, we can discuss these bills next month.

Mr. Moustis stated on Metro Counties, Mr. Walsh represents us. In all these bills, Metro Counties takes a position regardless of what we do.

Mr. Ryan stated they have certain guidelines. Essentially anything that would dilute county government, they oppose.

Mr. Moustis stated as a member of Metro Counties, we are part of that already. Metro only takes an opinion on bills that everyone can agree on.

Ms. Smith stated I called the Governmental League about HB1. They are talking about a fuel tax of 8-16 cents do we get any of that?

Mr. Ryan stated no. If it goes into the Motor Fuel Tax fund there is a portion that goes to debt services in a capital bill. It may be all of it. HB1 is the funding mechanism for the capital bill.

Ms. Smith questioned what are we getting.

Mr. Ryan stated there is a separate list of capital projects. That list for Will County is substantial.

Mrs. Rozak stated I will review HB347 and HB442.

Ms. Smith stated I will review HB1 and HB61.

Mr. Brooks, Jr., stated I will review HB146 and HB237.

Ms. Goodson stated I will speak to the other committee members about the remaining bills. I will call Mr. Wilhelmi and ask that he review SB49 and SB50.

HB270 Re: Regional Planning CMAP

Ms. Goodson stated this bill provides that the board consist of 17 members instead of the current 15. Those additional members will be appointed by the governor.

Mr. Ryan stated it requires them to add a collar county. We oppose it in its current form.

A motion was made by Ms. Smith, seconded by Mr. Brooks, Jr., to place a resolution on the County Board agenda opposing the concept of HB270 in its current form. All in favor.

MOTION CARRIES.

HB2559 Re: Mobile Home Storm Shelters

Mr. Moustis stated I have 500 units in the township and they contact me all the time. This states going forward these types of housing alternatives will provide storm shelters or evacuation plans for these types of communities. It gives the County or zoning authority to incorporate this as part of the planning. This is a great idea.

A motion was made by Mrs. Rozak, seconded by Ms. Smith, to place a resolution on the County Board agenda supporting the concept of HB2559 in its current form. All in favor.

MOTION CARRIES.

SB89 Re: Prop Tax – Petrochemical Value

Ms. Goodson stated I spoke with Mrs. Novak regarding this bill and she asked that we table it until our next meeting.

A motion was made by Mr. Brooks, Jr., seconded by Ms. Smith, to table the issue of SB89 until the next meeting. All in favor. MOTION CARRIES.

SB722 Re: Regulation Tech

Mr. Ryan stated this is a vehicle bill and moved to second reading.

Ms. Goodson stated we will leave this on the agenda.

SB125 Re: EPA – Debris Population Req.

Ms. Goodson stated I recommend that we support this bill. Will and Lake County will be impacted by construction debris.

Mr. Moustis stated Mr. Olson said they would require that they would have to go through additional requirements to dump. This would require them to do more of a land fill process.

Mr. Brooks, Jr., left at this juncture.

Mr. Moustis stated I still disagree that they can use the quarry to do it. Before we support this, I would like to have you take another look at this.

Ms. Goodson stated add it to the list and have Mr. Olson come in.

Other New Business

Mr. Ryan stated we have been addressing SB1346 which is airport legislation and SB1607 which is contaminated soil.

Mr. Brooks, Jr., returned at this juncture.

Mr. Ryan stated we had a meeting yesterday regarding SB1346. There will be another meeting next week regarding the airport. It has been suggested that Mr. Walsh and Congressman Jackson attend.

ANNOUNCEMENTS BY THE COMMITTEE MEMBERS

Ms. Goodson stated the Governmental League has a drive down each year and we have a lunch with the legislators. I suggested to Mr. Maher that we could stay the next day with additional meetings to present the County's state agenda. He is working on appointments with our delegation.

ADJOURNMENT

A motion was made by Mrs. Rozak, seconded by Ms. Smith, to adjourn the meeting at 10:26 am. All in favor. MOTION CARRIES.