

## MINUTES OF THE MCDONOUGH COUNTY BOARD

February 19, 2020

The monthly meeting of the McDonough County Board was held at the McDonough County Courthouse on February 19, 2020 at 7:00 p.m. roll call resulted in 16 present, 5 absent (Twaddle, Marcott, Calvert, Toland and Cortelyou), 0 vacant. Sheriff Nick Petitgout made the opening declaration. Chair Schwerer led the Pledge of Allegiance.

### EXHIBIT 1

Member Aurelio motioned to approve the minutes of January 15, 2020, Member Trimmer seconded. Motion carried on a voice vote.

### EXHIBIT 2

Report of Stephanie Hilton, Public Defender for the month of January 2020, received and filed.

### EXHIBIT 3

Report of Sales Tax collected in December, 2019, received and filed.

### EXHIBIT 4

Report of County Treasurer Graves on the Balances & Investments for January 2020, received and filed.

### EXHIBIT 5

Report of Circuit Clerk Wilson for the month of January 2020, received and filed.

### EXHIBIT 6

Report of County Clerk DeJaynes on Warrants issued in Vacation, received and filed.

### EXHIBIT 7

None.

### EXHIBIT 8

Member McGrew motioned to approve the report of the Finance Committee as read, with a second by Member Aurelio. Motion carried on a roll call vote of 14 yeas, 0 nays, 5 absent and 2 vacant as **Exhibit 8A**.

### EXHIBIT 9

Member Nissen motioned to dispense the reading of the claims report and approve it as approved by the Claims Committee, second by Member Clark. Motion carried on a roll call vote of 14 yeas, 0 nays, 5 absent and 2 vacant as **Exhibit 9A**.

### EXHIBIT 10

Building Commission Annual Report, received and filed as **Exhibit 10A**.

### EXHIBIT 11

Waste Management Quarterly Report, received and filed as **Exhibit 11A**.

#### **EXHIBIT 12**

Mental Health Report, received and filed as **Exhibit 12A**.

#### **EXHIBIT 13**

Member Nissen motioned to appoint Travis Hiel to the McDonough County Board, second by Member Aurelio. Member McGrew discussed that he didn't believe that this was a revolving door and that he didn't believe this was a good idea. Hiel addressed McGrew's issue by stating that he was spending way more time than should've been and it was affecting his family and business life, and although he should have stepped down from Finance Chair, he did do what he believed was the only answer at the time.

Motion carried on a voice vote.

#### **EXHIBIT 14**

Member Aurelio motioned to appoint Ken Durkin to the McDonough County Board, with a second by Member Clark. Motion carried on a voice vote.

#### **EXHIBIT 15**

Matt Martin with Capital Power gave report that all turbines are up, 60 are operating and only four left to get going. March they will be fully operational. They are working to get approval through the FAA to only have the red lights flashing when a plane is near, that has to have approval before they can do that.

#### **EXHIBIT 16**

Member Nissen motioned to pass the Memorandum of Understanding McDonough County Community Alert system, Macomb, \$2500 and Bushnell \$1000, second by Member Mahr. Motion carried on a voice vote.

**Exhibit 16A.**

#### **EXHIBIT 17**

Motion by Member Trimmer to approve Intergovernmental Agreement between the State of Illinois, Illinois Emergency Management Agency and county of McDonough, second by Member Aurelio. Motion carried on a voice vote. **Exhibit 17A.**

#### **EXHIBIT 18**

Member McGrew motioned to approve resolution to Purchase Heavy Tandem Truck with Snow Plow and Spreader Box, second by Member Mahr. Motion carried on a roll call vote of 16 yeas, 0 nays, 5 absent, 0 vacant as **Exhibit 18A**.

#### **EXHIBIT 19**

Vice Chair Cox motioned to approve Resolution to Accept Bid for the CH 9 Structure #055-3015 (Sugar Creek Bridge) Replacement Project Section 08-00103-00BR, second by Member Aurelio. Motion carried on a roll call vote of 16 yeas, 0 nays, 5 absent, 0 vacant as **Exhibit 19A**.

#### **EXHIBIT 20**

Vice Chair Cox motioned to Approve Teamsters Contract, second by Member Litchfield. Motion carried on a roll call vote of 16 yeas, 0 nays, 5 absent, 0 vacant **Exhibit 20A**.

#### **EXHIBIT 21**

Member Mahr motioned to Approve Supervisor of Assessment Salary for FY 2020, second by Member Aurelio. Motion passed on a roll call vote of 16 yeas, 0 nays, 5 absent, 0 vacant as **Exhibit 21A**.

#### **EXHIBIT 22**

Member Aurelio motioned to approve Public Defender Salary for FY 2020, second by Member McLean. Motion carried on a roll call vote of 16 yeas, 0 nays, 5 absent, 0 vacant as **Exhibit 22A**.

#### **EXHIBIT 23**

Vice Chair Cox wanted to make a motion to table this, Chair Schwerer informed him that there was no motion presented to table.

Member Trimmer motioned to approve the Resolution Agreement for McDonough county Clerk's Office to perform Administrative and other Services for the McDonough County Board, second by Member Aurelio. Vice Chair Cox made a motion to table this, Chair Schwerer asked Vice Chair Cox what other business do we have that is more impending than this? Vice Chair Cox, I realize it's important, but at the start of the meeting we had 14 members present, about 25% of our membership missing, we have two members who probably aren't up to speed on what this is all about, and with the Holiday, the Agenda came out on the 14<sup>th</sup> he believes, and then the Resolution came out yesterday, which is Tuesday, so there hasn't been a lot of time to. Chair Schwerer presented to the Board, according to Robert's Rules of Order, in order to table a motion, there has to be a more pressing issue before the Board, and he doesn't see that issue at this point. Member Dixon states he doesn't agree with that. Chair Schwerer asked States Attorney Kwacala to come forward and read the Robert's Rules of Order. Member Trimmer asks Chair Schwerer, is this the same procedure we were following, Chair Schwerer answered yes, he then says, there's not much change, we are just going back to the way it was. Chair Schwerer says, there is a little bit of a change in different areas, it's a two-year agreement and it's spelled out a little more explicitly in that, and there was give and take in the Finance meeting, we had a Special Finance Meeting to address this. Vice Chair Cox asked, we got to the discussion point, aren't we to the tabling discussion. Chair Schwerer explains that he ruled Cox's motion out of order, and I had a question from George, but he will let States Attorney Kwacala read what it says in Robert's Rules of Order. States Attorney Kwacala read the Robert's Rules of Order and agreed with the Chair. Chair Schwerer offered to read the Robert's Rules of Order to the Board, Vice Chair said he doesn't need to read it, but the urgency would be that five members do not have a say in it. Vice Chair continues, now they could have a say if they were here, I understand that, but the timing of it is such that. Chair Schwerer said, the timing of it was of the essence and we agreed at the Finance meeting, that is part of the reason to have the Special Finance meeting. Vice Chair Cox states, I was at that meeting and there was no Resolution, there was just an urgent. Chair Schwerer explains, but we did have a Resolution at the Finance meeting a week ago. Vice Chair Cox, you mean just a couple days ago, Chair Schwerer answered, no a week ago, we had the Resolution at the Finance Meeting. Vice Chair Cox, with these amounts in it? Chair Schwerer, yes sir. Vice Chair Cox, ok, for just the Finance, I don't believe that is true. County Clerk DeJaynes explains that it came out in Board packet. Member Litchfield, yeah, because I was going to say, I never seen anything in the minutes either. Chair Schwerer asked,

we didn't have the Resolution? Member McGrew, nope. County Clerk DeJaynes, did we have the Resolution at the Special Finance Meeting, Chair Schwerer, not at the Special Finance Meeting, but at our regular Finance meeting, we had the Resolution. Vice Chair Cox, this was just a few days ago, Chair Schwerer, that was one week ago, a week ago today. Chair Schwerer explains, that we are in discussion of this motion to approve the Resolution for the McDonough County Clerk's Offices to perform the Administrative and other Services for the McDonough County Board. Member Hiel asked, just out of curiosity, if we don't approve the Resolution tonight, who does the Administrative duties for the County? Chair Schwerer explained he has no idea who would be doing those. County Clerk DeJaynes explained, it will not be her. Vice Chair Cox said his understanding was that she would do it until they reached an agreement. County Clerk DeJaynes said no, she was very specific, that I would not take it for a month. Vice Chair Cox said he would like to see that, DeJaynes answered, I was very specific. County Clerk DeJaynes explained, she took it before, and they discussed this at the Special Finance Meeting, but she won't continue to step in for a month here and a month there, it takes too long to clean this stuff up, we did discuss this Mike, I said it takes a minimum of probably three months to get all of the payments and emails changed, it is not something you can just pass back and forth month by month, it needs to be continued, it takes too long for the employees to figure out who they're supposed to contact, there is just too much ongoing. Vice Chair Cox, so where is the agreement you're operating? DeJaynes, I'm not, it was agreed at the Special Finance Meeting, you guys voted at the Special Finance Meeting I believe, it's in the minutes. Vice Chair Cox, it wasn't a 30 day agreement. County Clerk DeJaynes answered, to do it until this Board meeting. Member Dixon addressed by saying it would be nice if we had some time to think these over and look into it a little bit, I got no emails regarding this, I got the packet in the mail at 3:00 this afternoon, that's really I don't think the way it's supposed to be done. County Clerk DeJaynes said, we mailed the packets on Friday, we can't help there was a Holiday on Monday, we always mail the packets on Friday, the only way that could change is if you back up your meetings so that we could have an agenda ready to be out, that is certainly you guys call, but the meetings the way they're set, packet can't go out until Thursday. Member Erlandson asked to speak briefly on the Resolution, he explained that he has already spoken with Chair Schwerer and Gretchen, so they know my thoughts already, but, when I look at comparing the Administrative Assistant position to the County Clerk's office doing this, I come up with both short term and long term things to think about. Short term, obviously, Gretchen and her staff are very knowledgeable and are going to be able to do the job efficiently and get it done well, where I have concern, is long term ramifications and specifically is the day that Gretchen is no longer County Clerk. I think we could have a new County Clerk walk in and say I'm not doing this, for any number of reasons, I realize the Resolution is written kind of generically for the County Clerk position and not as an individual, but I don't think the County Board would have any leverage to try and force it, also I didn't see any wording in there of ramifications of noncompliance with it, so I don't think the Board could enforce any agreement like that if someone took a different position. That is part of the reason I think an Administrative position long term would be a benefit, not on day one, but over time, it would evolve and give the County Board more security of getting that work done, now with that being said, I am going to vote for the Resolution, why because I'm a realist, I see where we are at, I see what our options are and of the two options right now, the only one that has a chance to be successful the short term, having the County Clerk's office do it, but again, I don't think that's right long term, but to get County business done, I think that's our only choice at the moment. Chair Schwerer, addressed States Attorney Kwacala, and clarified, this is an agreement with the County Clerk's office, not the specific County Clerk. Kwacala, yeah, there is an agreement that I drafted with the information I was given, and what

you guys agreed to, and then a Resolution approving that agreement, but it is with the County Clerk's office, there is nothing specific to Gretchen, nothing specific to the Board. It's an agreement between the County Board and County Clerk's office. Member Erlandson followed up with a question, what if a new County Clerk refused? Kwacala explained, they would still be bound by this agreement for two years, Erlandson asked in what manner, and Kwacala explained they signed the agreement and you passed the Resolution. Erlandson asked, if a new County Clerk says it's not part of the statute of responsibilities to the County Clerk's office. Member McGrew said, all they have to do is give 60 day notice, Kwacala said yes, there is a notice provision in there. Member Litchfield says, I am like Joe, I have a very hard time with it being a permanent thing as I really do believe that it should be a separate thing from any that, I don't think that any elected official should be the person that is overseeing and supervising that position as far for the McDonough County Board, I mean cause I mean I'm not saying anything as far as with Gretchen or and her office, but you know hey, the Circuit Clerk could do it, or the Treasurer's office, you know or the Sheriff's office, so but I don't believe that it's in our best interest for us to have one of our elected officials overseeing and supervising a person that is supposed to be there for the County Board. Member McGrew, I think a lot of us are, and I should've known when I was at the Finance, but I didn't realize we went from \$31,000 Gretchen's office doing it, to \$46,000 and that's kind of hard for me to take, that in one year, it cost us \$15,000. Chair Schwerer explains, that we are saving money because the \$41,000 is the salary of the Administrative Assistant, under this agreement, that is going to be the office amount for the salary that their employees, and materials, supplies all of that, we will not have health insurance because we don't have an additional employee, we will not be paying any other benefits, so we are actually saving money over what we had before. Member McGrew asked, back when Beth was doing it, it was \$51,000 and we were saving money because it dropped down to \$31,000, Chair Schwerer said, that is correct. Member McGrew said, now all of the sudden it's went up \$15,000, that's hard for me to take. Vice Chair Cox, states, same could be said for the employees, they were currently employed of the County that are doing the work now, Chair Schwerer, yes, Cox, so we already were covering the insurance. Schwerer explains, that's correct, so it's not an additional fee, Cox, either way. Chair Schwerer then explains that if we have an Administrative Assistant, we would be having to pay those fees. Vice Chair Cox states, he doesn't have a problem with the amount of money, I know we put ourselves in that hole, but the \$41,000, covered that salary and the HR position, so why did the \$5,000 not come out of the \$41,000, if you want to give her a stipend for that part of the position, that to me would be part of the negotiation, if you read the minutes of the Finance Committee, there was only one negotiation, that was Rod to go from 30-60 days, I don't see that there was any negotiation. Chair Schwerer states, we went from one year to two years and that was your suggestion, the original. Vice Chair Cox says but that was before the Resolution, Chair Schwerer, said yes, that was all included in part of the Resolution. Vice Chair Cox says, that was talk, so once you get a Resolution, what's your negotiation point, this is what they're throwing out to us, if we were doing it with the Teamster's we would negotiate this thing out, I don't see that, I'm not opposed to the money, ok, then the other thing I saw in here is 2% increase, so also in negotiation with Teamster's and whoever else, yeah we do something like that, then every other County agency is going to think 2%, so are we locking ourselves into a 2% increase over the next two years for all of our employees because we have written this into this agreement, that's a concern of mine. County Clerk DeJaynes says, Teamster's got 2.5%. Vice Chair Cox, ok, the same office holders were upset we were paying \$41,000 for the position and thought that was outrageous and now they want to add another \$5,000 to it, so I'm not saying it's wrong, I'm just saying where was the negotiations. Member Hiel, Joe your point is when we get a new County Clerk, do they decide not to do this, an Administrative Assistant

can decide at any time they're no longer going to do this. Member Erlandson says he could go into a lot more detail how I envisioned this position to operate and I think there is a way it can be covered, I understand the County Administrative position could leave. Member Hiel says, right, and Rod made a good point, we went from 30-60, it could be 90, that's kind of a negotiation point, but we knew before when we had this, we didn't have near enough time to get this position covered, I don't know that 60 days is enough time to get this position covered, but we would be lucky if we got two weeks or maybe a month out of an Administrative Assistant, so we are going to deal with that, no matter where we are at in a position like this, but at least we know we are going to get 60 days to cover. Member Erlandson explains, it's too much detail for tonight, but my vision of how this could operate, is a County Committee Chair, County Clerk and an Administrative Assistant kind of working in harmony together. Member Litchfield, exactly. Erlandson, and you could have some overlap there when any of the three leaves. Litchfield, exactly. Chair Schwerer tells Member Erlandson, he thinks his point about looking at this long term is an excellent idea, and I think this will allow us to look at that and he appreciates those thoughts. Vice Chair Cox then states, but you can see what questions why this needs to be tabled, because there is five people that can't even ask questions tonight. Chair Schwerer says, he understands, but they could very well be here, this is the first time in a year, that we have had a full Board too, and we do have a full 21 Board members this evening, I realize some of them are absent and there will always be some absent. Member Dixon asked what the responsibilities of the HIPAA Compliance Officer would be to require the \$5,000. Chair Schwerer answered it would be to keep us in compliance, so when they are sick or injured, the last thing they will need to do is be worried about whether our insurance is going to pay for their injuries or illnesses and this will allow an individual to be there for them and we have to think of our employees, because without our good employees this County will not run very well. County Clerk DeJaynes states, actually the HIPAA Compliance Officer is responsible for keeping all the medical records properly stored, properly handled, Member McGrew adds, privacy rights. Member Litchfield asks if there really is such a thing as a HIPAA Compliance Officer, she thought it was just HIPAA Compliance. County Clerk DeJaynes explains to be a self insured health plan, you have to have a HIPAA Compliance Officer, that is mandatory. Member Dixon adds, in talking with the County's insurance broker, he indicates that it's not needed and that none of his clients have a Compliance Officer, yes they need to be studied up and be up to speed on HIPAA regulations. County Clerk DeJaynes asked, is that Keith you talked to? Member Dixon stated yes. DeJaynes adds, she will talk to him, but we have to have one. Member Dixon then states that we also have another person in Accounting doing insurance issues that has never had any kind of a Compliance training. DeJaynes adds, she's taken all kinds of training. Member Dixon says not with certification. DeJaynes states, she has taken the privacy training.

Member Hiel motioned calling for the question, second by Member Aurelio. Motion carried on a roll call vote of 9 yeas, 7 nays, 5 absent, 0 vacant as **Exhibit 23A**. Chair Schwerer stated that he believed that Robert's Rules of Order calls for 2/3 vote to pass the question, back in discussion, he asked for any more discussion. No more discussion.

Roll call now on motion made by Member Trimmer to Approve Resolution Agreement for McDonough County Clerk's office to perform Administrative and other Services for the McDonough County Board. Motion carried on a roll call vote of 9 yeas, 7 nays, 5 absent, 0 vacant as **Exhibit 24A**.

## **EXECUTIVE SESSION**

None.

**PUBLIC COMMENT**

Sheriff Nick Petitgout introduced Jerel Jones to the Board, he is his Lieutenant and is third in command at the Sheriff's office. His responsibilities include, he is in charge of all patrol staff for the County Sheriff's office and is very involved in investigations. He will handle all deputies and take care of all their needs, wants and supervise investigations.

**COMMITTEE REPORTS**

In the minutes.

**ADJOURN**

Motion to adjourn moved by Member Melvin, second, Member Clark. Motion passed at 7:56 p.m.