

ETHICS COMMISSION
McHenry County Government Center – Administration Building
667 Ware Road
Woodstock IL 60098

MINUTES OF THURSDAY, JANUARY 27, 2011

Chairman Hartman called the meeting to order at 3:11 p.m. The following commission members were present: Scott Hartman, Chairman; Robert Martens; Deborah Nier; and Major John Price. Tim Savage was absent. Also in attendance: Sarah Jansen and Jamie Rein, State's Attorney's Office; and John Labaj, Deputy County Administrator.

Scott Hartman, Chairman
Tim Savage Robert Martens
Deborah Nier Major John Price

Ms. Jansen provided members with an abbreviated version of the Ethics Ordinance which is provided to the new County Board members during their orientation meeting.

MINUTES:

Ms. Nier made a motion, seconded by Mr. Martens, to recommend approval of the minutes of the Ethics Commission meeting of March 18, 2010. Mr. Labaj provided members with a corrected version of these minutes noting several typographical errors, which will be corrected. The minutes were approved, as amended, with a unanimous voice vote of all ayes.

Chairman Hartman mentioned that the notes of the May 20, 2010 Ethics Commission meeting, which were supplied to the commission members, were informational notes taken during the meeting. Mr. Savage and Mr. Hartman were present at the meeting and there was not a quorum. The notes from the meeting will provide members with a guide as to what was discussed during the meeting. Chairman Hartman noted that some of the discussion noted in the notes has been incorporated into the current draft of the McHenry County Ethics Ordinance.

PUBLIC PARTICIPATION: None.
None

NEW BUSINESS:

Discussion of Operating and Hearing Procedures for the McHenry County Ethics Ordinance: Chairman Hartman stated that there was informal discussion noted during the May 20, 2010 meeting. A copy of the notes from this meeting were provided in the packet. Chairman Hartman mentioned that the changes to the Ethics Ordinance that were noted in the May 20, 2010 notes have been incorporated in the document. Commission members reviewed the revised Operating Policy & Procedures of the McHenry County Ethics Commission. Their goal is to have this document passed, condition upon certain changes. Ms. Jansen stated that it can be passed subject to minor changes. Chairman Hartman asked members if they had any comments/questions/changes to the revised draft policy. Chairman Hartman questioned Section 4.04 where it references remote attendance at meetings. He asked if the County has procedures in place that allow electronic meeting attendance and audio conferences and the answer was yes. Chairman Hartman mentioned a numbering sequence problem with 12.13 and 12.14 which are duplicated. Subsequent thereafter, the remaining sections need to be renumbered correctly. Ms. Jansen will make the noted corrections to the document. Ms. Rein mentioned that the section pertaining to the Illinois Open Meetings Act needs to be changed because it has the incorrect citation from an older version of the Act. Instead of Sections 1.02 and 2.01 of the Act, the cite in the quotations will read "5 ILCS 120/7(c)". Chairman Hartman had a question concerning 2.01 under "Consistency with Existing Law", which previously mentioned that it was adopted on February "such-and-such". This has been edited out and it now references the McHenry County Ethics Ordinance. He wanted to confirm that this will cover subsequent amendments to the Ordinance and the answer was yes. With reference to the flow chart, there is an option of a pre-hearing, but the flow chart does not reflect that. It was the recommendation of the commission that they will leave it off the flow chart. Mr. Martens made a motion, seconded by Major Price, to adopt the McHenry County Ethics Commission Operating Policy and Procedures subject to the noted changes. The motion carried on a voice vote of all ayes (Hartman, Nier, Price and Martens). The next step is for this document to be provided to the Management Services Committee for consideration. Mr. Labaj will convey to the County Board that they have the policy and procedures approved. Ms. Jansen mentioned that the complaint form will be placed on the County's website under the County Administration section.

Discussion Regarding Training for County Staff on the Ethics Ordinance: Chairman Hartman mentioned that this is a matter that they discussed during their initial meeting and they feel that it is important that this policy be in place. They feel all County employees should be made aware of this policy and abide by it and it should be a part of their orientation

packet. Chairman Hartman feels that all existing employees are also subject to this ordinance and feels that it is appropriate that they be made aware of it. He asked the commission members if they want the County to provide a mechanism of training of this ordinance for existing employees. Ms. Rein mentioned that right now only the new County Board members receive training on the Ethics Ordinance. Ms. Nier made a motion, seconded by Mr. Martens, to instruct the County Board to provide a vehicle by which training is provided to new employees and to existing employees. Ms. Rein asked if a member of the commission could attend the next Management Services meeting to discuss this matter. They would have to approve it in order to provide training. The Ethics Commission is recommending the training, but it will be up to the County whether or not they provide the training. The next Management Services Committee meeting is Monday, February 14, 2011 at 8:30 a.m. and the Rules and Procedures will be on this agenda for their review. Ms. Rein recommended that no more than two commission members attend this meeting because of the Open Meetings Act. Chairman Hartman and Mr. Martens will attend this meeting and will formally present this recommendation and request that all County employees receive training on the ordinance and the procedures. This will also be good for the County organization. They suggested that everyone who receives training sign a document stating that they received the training. The motion carried on a voice vote of all ayes (Hartman, Nier, Price and Martens).

COMMISSIONERS' COMMENTS: None.

ADJOURNMENT:

Noting no further business, Ms. Nier made a motion, seconded by Major Price, to adjourn the meeting at 3:36 p.m. The motion passed with all members present voting aye.

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RECOMMENDATIONS FOR COUNTY BOARD ACTION:

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