

MANAGEMENT SERVICES COMMITTEE
McHenry County Government – Administration Building
667 Ware Road
Woodstock, IL 60098

MINUTES OF MONDAY, JANUARY 24, 2011

Chairman Schuster called the Management Services Committee meeting to order at 8:30 a.m. The following members were present: Chairman Ersel Schuster; Donna Kurtz; Anna May Miller; Sandra Salgado; Barb Wheeler; Kathleen Bergan Schmidt and Paula Yensen. Also in attendance: Ralph Sarbaugh, Associate County Administrator – Finance; Nicole Gatusso, GIS; Jamie Rein, Assistant State’s Attorney; John Labaj, Deputy County Administrator; Pam Palmer, Auditor; Cathy Link, Purchasing; and John Hadley, Facilities Management and the press.

Ersel Schuster, Chairman

Donna Kurtz

Sandra Salgado

Barbara Wheeler

Anna May Miller

Kathleen Bergan Schmidt

Paula Yensen

MINUTE APPROVAL

Committee members reviewed the Management Services Committee minutes of January 10, 2011. Ms. Miller made a motion, seconded by Ms. Yensen to approve the minutes as presented. It was stated County Board Members did not provide a lot of input for the goals and performance of the County Administrator and requested this sentence clarified. The minutes also reflected that the consensus of the committee was to request term limits for the County Board Chairman and not everyone agreed with this statement and they requested this sentence changed. The minutes reflected a sentence that states a safety program has been put in place for vendors requesting work with the county, so that issue should be put to rest. They requested that “so that issue should be put to rest” be removed from the minutes. The minutes were approved, as amended, with all members present voting aye on a voice vote.

PUBLIC COMMENT

None.

PRESENTATION

None

NEW BUSINESS

Resolution Authorizing the Renewal of the GIS Annual ESRI Software Maintenance Agreement: Committee members reviewed a Resolution authorizing the Renewal of the GIS Annual ESRI Software Maintenance Agreement. Committee members were informed that this is the annual renewal for the maintenance agreement for this software. This agreement is paid for from the GIS fees received. Ms. Salgado made a motion, seconded by Ms. Miller to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Kurtz, Miller, Salgado, Schmidt, Wheeler, Yensen, Schuster)

Resolution Authorizing the Renewal of the IFMS Performance Series Accounting Software Maintenance Contract with Cogsdale Holdings for Fiscal Year 2011: Committee members reviewed a Resolution Authorizing the Renewal of the IFMS Performance Series Accounting Software Maintenance Contract with Cogsdale Holdings for Fiscal Year 2011. This is the maintenance contract for the financial system. Ms. Miller made a motion, seconded by Ms. Yensen to recommend approval of the above Resolution as presented. Mr. Sarbaugh informed committee members that this software was developed for government accounting. Cogsdale continues to maintain this system, even though they have sold the product. They have now partnered with Windows so we are unsure whether they will continue with the maintenance of the product in the future. It is hopeful they will continue to maintain this system as the County has invested a lot of money on this software. The County continues to review software from other vendors in case this software is no longer maintained by Cogsdale. The problem the County has with the new software being presented by the vendors is that the current software the County uses is more advanced than what other vendor’s currently offer. Even though Cogsdale assures the County of its support of this software, the County has included saving to purchase new software in the long term plans for the County, if needed.

Plaques for Time Capsules (J. Hadley): Mr. Hadley joined committee members to inform them that the County has two time capsules that were found at the Courthouse. One capsule is scheduled to be opened on November 22, 2037 and the other is scheduled for October 7, 2042. He stated that he would like to plaque these areas so in the future there will be a visible record of where the time capsules are buried. He would like to place these plaques on the wall at the east and west entrances of the government center, near where the capsules are buried. Committee members agreed to this request.

Wind/Solar Light Pole for Government Center Flags: Mr. Hadley reminded committee members that the Committee had previously spoke about using grant funds received from the Department of Commerce to plant a native garden in the courtyard at the Government Center. The Finance and Audit Committee requested they think of other areas to spend these funds. A request was received to light the two flag poles at the Government Center twenty four hours per day to save money from the lowering and rising of the flags on a daily basis. A flag must be lit 24 hours a day if it remains

MANAGEMENT SERVICES COMMITTEE

January 24, 2011

Page 2

raised during the evening hours. These flags are currently being lit with an LED light on the building. These poles will cost half as much to operate. The lights will show that the County is moving forward with "green" efficiency lighting. The grant received was for \$16,854. The cost for the new poles will be \$18,000. The remaining costs will be picked up by the department. Committee members requested Mr. Hadley bring forward a Resolution to the next committee meeting for consideration by the Committee.

OLD BUSINESS

Quarterly Workers' Compensation Case Load of Active Claims (J. Labaj): Mr. Labaj provided committee members with a spread sheet containing the current Worker's Compensation Case Load for Active Claims with the County, as well as a list of employee's that have multiple claims with the County. Mr. Labaj stated that this information is in response to a request made by the committee to receive updates with information regarding outstanding worker's compensation claims that are outstanding with the County. He noted this is the same information as presented to the Human Resource Committee. This form shows how the County finished up the year for claims. Mr. Labaj reviewed how to read the form with committee members. The claim number identifies the year of the injury, which department the claim is from, and how many claims have come from that department in that year. Since the County is self insured, the claims are reviewed by our Third Party Administrator (TPA). A lot of the claims are minor and easily settled. Some of the claims are contested, either the claim itself or a possible medical procedure. There are currently 42 outstanding cases of which 18 are being litigated. Mr. Labaj reported that there are usually between 25-35 cases being litigated. The County tries to get an individual back to work as soon as possible. The County obtains specific orders on what work a person can do when returning to modified duty. This cuts the severity of the claims. There will be higher claims seen in the high risk departments. It is necessary to be mindful of departments that have unions so the county follows the requirements in these contracts. The Sheriff's Department previously did not allow for any modified duty, but, has now created jobs to address these needs. Unit One, the union representatives for the road deputies, do not require an employee to return to work with modified duty, unless requested by the employee. The County is trying to change the language in the contract in order to get some of these employees back to work. Mr. Labaj reported he has seen cases where being sick is their job. The fee schedule for the claims are reviewed on a continuous basis in order to contain medical costs. Committee members voiced concern that their request for overview of the workers compensation cases was too detailed so the report was overwhelming to review. Committee member concerns were trying to see where problems exist and what issues continues to cause problems. They stated that they would like to know what measures could be taken to manage costs in certain high claim departments. Mr. Labaj noted that the second part of this discussion was supposed to be a presentation by Sgt. Wagner in the Sheriff's Department to show what steps are taken to correct areas of high claims. He was to show where the claims come from and how to address these issues. The data can be used effectively to put programs in place to try to reduce claims in a specific area. The Human Resource Committee reviews these claims on a quarterly basis and this information is obtained from these reports. There is active discussion regarding the workers compensation claims that takes place on a continuous basis. Each department sets up an education and prevention programs within their offices. Valley Hi and Facilities Management has done a fantastic job in reducing claims coming from their departments. Committee members stated that a summary sheet with a simple overview to show where corrective action may be needed is what they would like to review on a quarterly basis. Committee members thanked Mr. Labaj for the reports.

Amendments to County Board Rules: Committee members entered discussion regarding possible changes to the County Board rules. They discussed the State's Attorney's Opinion regarding whether the County Board could impose a rule to limit the terms for the Chairmanship of the County Board. Ms. Rein stated that based on information received from the Attorney General's Chief of the Opinions Bureau, it is not permitted by law, absent a county-wide referendum. She noted that a change can be made to the Chairmanship, as permitted by the legislature, which states this can only be changed by referendum. She stated that if the County Board Members truly want to change who the Chairman is, they can do this by putting someone else up for the vote and voting for that new member. Only the Chairman and Vice Chairman of the County Board cannot have term limits. Terms on Committees can be limited as committees are not addressed in the Illinois Statutes. These Committees are created by the County Board. Committee voiced concern that one person could remain in one position for a long term. Committee members were reminded that the County Board rules are created by the County Board and these are internal rules that have nothing to do with Illinois Statutes. Committee members questioned if they could request an Attorney General's opinion that answers this specific question. They stated that since there is no exact precedence on this issue, maybe an opinion should be obtained based on what is being asked. It was noted that a formal opinion could take months as does an informal opinion. Ms. Kurtz questioned if the committee members would be willing to put an item on the County Board agenda asking the County Board Members if they would support a referendum, for term limits for the County Board Chairman and Vice Chairman. She noted that answers are needed from fellow County Board Members since the State Statute seems to be silent on this issue. Committee members noted that if the Chairman has term limits, maybe there should be term limits for the County Board members as well. They stated that this is a different issue than changing the County Board rules so this is a much bigger discussion that should be held with all of the County Board members. Committee members were informed that if they want to obtain an opinion from the Attorney General, this request must come from the State's Attorney. Ms. Salgado made a motion, seconded by Ms. Wheeler to recommend a Resolution be prepared asking the question of whether we should take the issues of Chairmanship and term limits to the voters with the draft referendum question provided. Committee members were reminded that in order to put a referendum on the calendar, it must be done during an election. The next election is soon so this would have to be completed by next week. Committee members stated it is not the intention of the committee to rush this process. This would be considered during the

MANAGEMENT SERVICES COMMITTEE

January 24, 2011

Page 3

next County Board election during next year's primary. Committee members asked if we should also consider limiting the terms for the County Board Members as well. It was stated that there is a learning curve for a County Board Member and they are just learning the duties of a member during their first term so this issue would need to be debated further. They noted that this issue would only address the County Board Chairman and whether the voters would like to vote for the Chairman and limit the terms of this position. Committee members noted that this would be a major change for this board and they may want to have further discussion before considering this issue at this time. Ms. Salgado and Ms. Wheeler withdrew their motion and second. Chairman Schuster requested committee members to bring direction, along with their questions, to the next committee meeting for consideration.

Ms. Palmer joined committee members to provide information regarding how the surrounding County's handle mileage and expenses for their County Board Members. She stated that each County handles their expenses and reimbursements differently. We have no approval process for mileage. She stated that expenses should be approved in advance with a specific approval path. Ms. Rein and Ms. Palmer will work together on the wording for reimbursements. Ms. Rein noted that we can't take mileage away from the County Board members so it is up to the individual whether they want to take this or not. It is voluntary whether they ask for this reimbursement or not. Ms. Bergan-Schmidt noted that she has read the law and mileage reimbursement can be eliminated but it is on the "sheet" of compensation that they are allowed to take. She stated that we need to let each of the board members know that they don't have to take this compensation. She stated that this part of the compensation package needs to be changed at the time the County Board Salaries are being determined. This can still be included within the County Board rules until this issue can be addressed. This gives each County Board Member the flexibility to keep receiving mileage until this issue can be addressed. It was noted that this issue will be addressed this Spring when a Resolution is brought forward to address changes to compensation and mileage for the County Board Members. It was stated that this issue could be added as an addendum to the County Board Rules as well. Committee members noted there is concern that the County Board Members are paid whether they attend their meetings or not and some members felt if a board meeting is missed, the member shouldn't be paid. It was requested that this issue be attached to the County Board rules for consideration. It was noted that there is currently no approval path for expenses for the County Board Chairman. Counties do address this by requiring approval by the County Administrator or Audit Committee Chairman. These issues are usually addressed in the County Board rules. Department Heads approve their own expenses and committee members were questioned, why not the County Board Chairman. Ms. Palmer noted that for internal controls there should be an approval process and oversight. It was noted that there are no internal controls for elected and non-elected department heads expenses and we are currently talking about the County Board rules and how to address the board members, chair & vice chair expenses in the rules. They believe there are already enough eyes looking at the current expenses and Ms. Palmer noted that she will go to a department head or elected official if there a questionable expense. One suggestion was to include wording in the board rules that would provide a path for approval of County Board Chairman Expenses. It is important to understand that we are not looking at expenses for any one person, but, looking for transparency for the whole County Board.

Committee members continued review of the County Board Rules starting with the beginning section. #4 addresses the Vice Chairman and his duties. Some of the Committee members felt that the Vice Chairman of the County Board should not serve as a Chairman of a Standing Committee as the Vice Chairman may have to fulfill the duties of County Board Chairman and therefore would be unable to fill the duties of Committee Chairman. The current Vice Chairman position would be grandfathered in and this new rule would not affect him. Ms. Salgado made a motion, seconded by Ms. Yensen to recommend the Vice Chairman of the County Board not serve as Chairman of any Standing Committee of the County Board. The motion carried with the majority of members voting aye on a roll call vote (Kurtz, Salgado, Schmidt, Wheeler, Yensen, Schuster) and one nay (Miller). This would be effective starting after 2012. Ms. Kurtz voiced concern that her issues were not included as changes to the County Board Rules. She stated that she wanted placed in Section 3, under the Chairman's duties, "The Chairman will keep the County Board Members informed of all formal directive related communications that he or she makes to non-governmental, as well as local, regional, State and Federal government agencies, entities, or individuals in a timely fashion so this may be provided at an upcoming board meeting, or as this occurs". Committee members discussed how it would be best to receive these updates. It was suggested that someone speak with the County Board Chairman on what would be the best way to handle this request prior to placement in the County Board rules. Chairman Schuster noted that all concerns and issues will be addressed. The first changes involved critical issues and the committee will continue to review the rules and make the needed changes until everyone's concerns or issues have been addressed. Ms. Salgado stated that she would like to see both meetings for the County Board held in the evening. Ms. Salgado made a motion, seconded by Ms. Wheeler to recommend both of the County Board meetings held at 7:00pm on the first and third Tuesday of the month. The motion carried with four ayes (Salgado, Schmidt, Wheeler, Yensen) and three nays (Kurtz, Miller, Schuster) It was noted that this issue as well as any other changes will be discussed on the board floor. Ms. Wheeler stated that she is not in favor of an additional public comment section on the agenda as this is overkill. Committee members stated that this would allow for comment regarding the meeting and felt this should be included.

Ms. Miller left committee at 10:40a.m.

Committee members felt that the majority of the County Board Members would not have an issue with adding this section and agreed to the change. Wording for Zoning has been changed as law dictates. Ms. Kurtz stated that in

MANAGEMENT SERVICES COMMITTEE

January 24, 2011

Page 4

Section 17 – Appointments, she would like more information on who is being considered for appointment. Committee members were informed that the reason the majority of changes were not include in this section was that a list was provided to committee members regarding which Boards the County makes appointments to. Committee members were requested to review this list prior to recommending any additional changes. Ms. Kurtz stated that she would like to know how long a person has served on a board or commission, what other boards the applicant may serve on and a list of the duties of each appointee. She noted that this section should include reappointment dates, type of compensation provided, if any, and whether there is a financial impact to the County and the date of the last report provided. Prior to reappointment the appointees should also provide their attendance record and a summary of accomplishments. It was suggested that these questions be added to the appointment application. It was stated that the County Board Rules might not be the appropriate place to address some of these issues. Concern was voiced regarding some of these appointments as there are a number of these boards/commissions that are important to the County, for example, the RTA/Metra/Pace, which are paid positions. It was questioned how frequently these groups meet and how often are they required to provide a report to the County. It was felt that there needs to be more guidance to the appointees and require more updates to the appropriate committee. It was felt that it is very important to know how these individuals are representing the County. Concern was voiced that there are a lot of appointed positions where the County Board should be more aware and involved and they should require more input from these appointees. It was noted that some of the boards do provide reports to the standing committees. Committee members stated that the applications should not be included on the web as these applications include private information

Ms. Kurtz left committee at 11:00a.m.

Definitions were added at the end of the rules. Additional definitions can be added as needed. Committee members were informed that section 7 will be worked on to include compensation language as discussed. Additional discussion will take place at the next committee meeting regarding suggested changes for the rules. Chairman Schuster requested committee members bring in additional thoughts they would like to see considered in the rules. An updated red-lined copy of the rules will be provided to the committee members for consideration. If committee members hear any comments from other County Board Members suggested changes, please bring them to the committee for discussion.

REPORTS TO THE COMMITTEE

Administrator: None

Council of Governments: The next meeting is scheduled for Wednesday evening at the Dole Mansion

Committee members stated they still have concerns regarding the hiring of the communications officer. It was stated that nowhere in the minutes of any committee or County Board meeting did they find this announced. They stated it is frightening to think that a department can do what they want without committee consideration. It was noted that the issue was discussed at the Finance and Audit Committee as this was part of the supplemental requests. Committee members felt this should have been discussed both at this committee and the Human Resources Committee for a full discussion of the position. They stated that there needs to be more transparency, especially when the county employees had to do without pay raises. They stated it is important that this department leads by example and they felt there is a disclosure issue. Chairman Schuster directed the committee members to voice their concern with the County Administrator as this issue did come before the County Board as a supplemental request.

EXECUTIVE SESSION

None

ADJOURNMENT:

The meeting adjourned at 11:10a.m. on a motion by Ms. Salgado, seconded by Ms. Schmidt with all members present voting aye.

RECOMMENDED FOR COMMITTEE/BOARD ACTION

Resolution Authorizing the Renewal of the GIS Annual ESRI Software Maintenance Agreement
Resolution Authorizing the Renewal of the IFMS Performance Series Accounting Software Maintenance Contract with Cogsdale Holdings for Fiscal Year 2011

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