

Note: These minutes are not official until approved by the Ad Hoc Rules Committee at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.

DeKalb County Government
Sycamore, Illinois

**Ad Hoc Rules Committee Minutes
April 17, 2017**

The Ad Hoc Rules Committee of the DeKalb County Board met on Monday, April 17, 2017 at 7 p.m. in the Administration Building's Conference Room East in Sycamore, Illinois. Chairman Pietrowski called the meeting to order. The roll reflected that the Members present were Ms. Askins, Mr. Faivre, Mr. Frieders, Ms. Leifheit, Mr. Stoddard, and Chairman Pietrowski. Mr. Bagby and Mr. Jones were absent. A quorum was established with six Members present and two absent.

County Administrator Gary Hanson was also present.

APPROVAL OF THE MINUTES

It was moved by Mr. Faivre, seconded by Ms. Askins, and it was carried unanimously by voice vote to approve the minutes from the March 21, 2017 Meeting.

APPROVAL OF THE AGENDA

Ms. Askins moved to approve the agenda as presented and Mr. Faivre seconded the motion. The motion was carried unanimously by voice vote.

PUBLIC COMMENTS

There were no public comments made.

COUNTY ADMINISTRATOR AUTHORITY OUTLINE

Mr. Hanson provided a similar outline that he shared with the Committee last meeting but with the additional changes that came from their previous discussions. Mr. Hanson noted that the yellow highlighted wording were the amendments that were originally presented and the blue highlighted areas were the additional changes. Mr. Hanson and the Committee Members reviewed each item individually.

For item #6, Ms. Leifheit suggested separating the sections regarding amending departmental budgets between line-items and emergency expenditures in order to give the two items a clearer read.

The Committee took some additional time to discuss item #8 regarding the County Board Members providing their input and broad guidelines prior to negotiating labor contracts.

Mr. Frieders expressed that he felt it was very important that the full County Board get the opportunity to have input in the direction labor contracts should go. Mr. Hanson forewarned that it is hard to keep negotiation strategies under wraps when 24 Board Members know about it.

At last meeting, the Committee decided to add that before negotiations begin, the County Administrator shall consult with the Board Chairman and Vice Chair to establish negotiation

parameters and strategy. Now, the Committee is thinking it would be beneficial to have initial discussions regarding upcoming labor contract negotiations in Executive Session and the Executive Committee so that all Board Members could provide their input. It was questioned whether an actual consensus would be able to be reached though and Mr. Stoddard expressed that everyone should be able to provide their opinions in order for Administration to obtain their negotiation parameters and strategy but was in doubt that an initial consensus would be able to be established amongst the Board Members prior to the negotiation process and final contract vote. Mr. Stoddard added that he can see it being beneficial for the Board Members to meet and speak their minds on the labor contract at hand and allow the Administrator to come up with their sense of the consensus of the Board and further confer with the Chair and Vice Chair of the Board to confirm that census in order to form the negotiation parameters and strategy prior to the labor negotiations.

The Committee agreed to change the wording to read: Before negotiations being, the County Administrator shall gather input from the Executive Committee in Executive Session and then the County Administrator, Board Chair, and Vice-Chair shall establish negotiation parameters and strategy.

Ms. Leifheit noted that item #10 states that performance evaluations for County Board appointed Department Heads will be conducted by the County Board in a manner determined from time to time by the Executive Committee of the County Board and she inquired who exactly those Department Head would be. Mr. Hanson clarified that the County Board's authority for department oversight is: Administration, Assessments, Community Action, ESDA, Facilities Management Office, Finance Director, Forest Preserve, Highway, Information Management Office, and Planning & Zoning.

It was moved by Mr. Faivre, seconded by Mr. Frieders and it was carried unanimously by voice vote to forward the County Code amendments within Section 2-66 to the full County Board recommending their approval.

COMMITTEE MEETING AUDIO RECORDINGS

Chairman Pietrowski reviewed that this topic has been addressed multiple times and even at the last meeting. He additionally shared that he had brought examples from other Counties that do this practice where they have audio available for up to 180 days. The Chairman noted that currently the County does not require an individual to FOIA a Committee Meeting recording but they do have to send an email to request it. He lastly clarified that the Illinois State Statutes do not require that Committee Meetings be recorded verbatim. The only times there must be a verbatim recording is for Closed Session Meetings and those are closed for at least 18 months and then need to be voted on to be opened.

Chairman Pietrowski additionally added that all Committee Meeting are public and anyone can attend the meetings and record and distribute those audios as well. The main purpose for the Committee Meetings to be recorded now is for assistance to the Recording Secretaries. He noted that since the recordings are being taken anyway, they may be able to be used as an additional tool for individuals who are unable to attend meetings but would like to listen to them.

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Mr. Stoddard, who had originally brought up this item, noted that at last meeting they discussed multiple issues including storage online and he shared that he liked the idea of putting something on the website that let the public know that the recordings could be requested at any time to individuals who were interested in them. He added that he would be okay with anything as long as the recordings could be readily available to an individuals who requests them in a timely way.

Ms. Askins noted that it was important that practices stay consistent among all of the Committees. The Committee additionally discussed if the recordings were put online, how long they would keep them there. They also discussed whether to make the audio recordings available upon request or just put them all online for anyone to view anytime.

The Committee also wanted the public to know that putting the audio recordings on the County's website would be done so as a courtesy and there may be unforeseen circumstances when an audio may not be available due to a multitude of different reasons. Chairman Pietrowski reiterated that they are not mandated to record the meetings but they want to have the audio available to increase the Board's transparency.

Mr. Frieders noted that the trouble is if you have discussions and you get off topic a little bit and it's not necessarily reordered and now all of a sudden every word is going to be recorded and out there for anyone to listen to forever. He additionally expressed that he was not in favor of having the meeting audios on the website.

The Committee further discussed what would be easiest for staff and it was determined that putting all Committee Meeting audio recordings out on a rolling twelve month basis would mostly likely being the easiest thing to do. Chairman Pietrowski also noted it would be interesting to see how many individuals are downloading the files as well.

Chairman Pietrowski lastly noted that like everything else they do they can always review it in a couple months and if putting the Committee Meeting audio recordings are working out, they can always retract their decision or try doing something different.

Mr. Stoddard moved that the County Code be update to reflect that all of the County Board Committee Meeting audio recordings shall be placed on the County's website for a rolling twelve month time period and that it be clear that these audios are being produced and published as a courtesy for the public. Ms. Askins seconded the motion and it was carried with one opposition from Mr. Frieders.

ADJOURNMENT

It was moved by Ms. Askins, seconded by Mr. Faivre and it was carried unanimously to adjourn the meeting.

Respectfully submitted,

Chairman Mark Pietrowski

Tasha Sims, Recording Secretary

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Sec. 2-66. - County administrator.

(d) Authority, duties and responsibilities.

- (41) The county administrator reports directly to the county board through the chairman and the ~~rules/~~executive committee.
- (2) The county administrator is responsible for gathering and disseminating to the board objective information which will aid in their decision-making process including, where appropriate, staff recommendations.
- (3) The county administrator facilitates and promotes communication between the board, the public, department heads, county employees, external boards, commissions and their governments.
- (4) The county administrator, ~~in this capacity, does not formulate policy but does~~ provides key staff support to the board in its policy formulation efforts and makes recommendations as appropriate. The county administrator assures that the actions of the board, as expressed through their various ordinances and resolutions, are carried out.
- (4 5) The county administrator is responsible for the day-to-day coordination and operation of all county services that are under the control of the County Board.
- (6) The County Administrator is authorized, pursuant to a departmental request, to amend departmental budgets between line-items and categories within a Department's total appropriation of all their cost centers within a fund, but only the County Board may increase or decrease the total fund appropriation for a Department. In the event of an emergency, the County Administrator, in consultation with the Chair, Vice-Chair, the Finance Chair, and the Chair of the relevant jurisdiction Committee, may authorize additional spending to address the emergency, but such expenditures must be reported to the Finance Committee at their next regular meeting.
- (6) The County Administrator is responsible for the allocation, use, renovation, safety, and stewardship of the County's buildings and grounds.
- (7) The County Board retains the authority to approve the number of authorized positions for each Department, but the County Administrator may approve staff re-organizations within a Department where the resulting annualized expenses do not exceed the monies already budgeted.
- (8) Labor contracts are to be negotiated and recommended by the County Administrator to the County Board for the Board's final approval. Before negotiations begin, the County Administrator shall consult with the Board Chair and Vice-Chair to establish negotiation parameters and strategy. Labor disputes and policy interpretations arising above the Departmental level will be handled by the County Administrator.

(9a) When a vacancy exists at the Department Head level (other than that of County Administrator), the County Administrator, the Chair of the relevant jurisdiction Committee, and either the Board Chair or Vice-Chair (to even out political party representation if possible), are is responsible for bringing forward to the appropriate County Board Committee up to five candidates for consideration by the Committee. If none of the candidates are found to be acceptable by the Committee, or the County Board, the process starts over.

Or

(9b) When a vacancy exists at the Department Head level (other than that of County Administrator), the appropriate County Board Committee will recommend up to five candidates for consideration by the County Administrator. The County Administrator then selects one candidate to recommend to the full County Board for approval. If the candidate is not found to be acceptable by either the County Administrator or the County Board, the process starts over.

(10) Performance evaluations for County Board appointed Department Heads will be conducted by the County Board in a manner determined from time to time by the Executive Committee of the County Board. The County Administrator may submit input to the Board as part of that evaluation process. The County Administrator may also choose to perform interim evaluations as deemed appropriate.

(11) In situations where the County Administrator deems it necessary, the County Administrator shall have the power to order the immediate suspension of a County Board appointed Department Head, with or without pay as deemed appropriate, until acted upon by the County Board. In such cases, the County Board shall act on the suspension at their next regular monthly meeting, either to reinstate, or take other appropriate action, or to permanently remove the Department Head.

- (e) *Limitations on authority.* It is the intention of the county board in adopting this section only to create a position to which may be delegated certain administrative duties in and under its direction. No provision of this section is intended to vest in or grant to the county administrator any duty or any authority which is vested by general law or ordinance in any other county officer, official, or employee. No provision of this section shall be construed to delegate to the county administrator any authority reserved to the county board by law; nor shall the county administrator have the power to bind, obligate or commit the county in any manner except as provided in this section or by the express grant of authority by the county board. nor may the County Administrator purchase or sell real estate on behalf of the County, nor bind the County to any debt obligation, unless specifically granted such authority by an ordinance or resolution.
- (f) *Removal.* The county administrator is an employee at will who serves at the pleasure of the board. The county administrator may be removed by a majority vote of the full County Board thirteen (13) members present at any regular or special meeting of the board. In situations where the chairman deems it necessary, the chairman shall have the power to order the immediate suspension of the county administrator with pay until acted upon by the board. In such cases, the board shall act on the suspension within ten days at their next regular meeting, voting either to remove permanently, or take other appropriate action, or reinstate the county administrator.