

DRAFT
EXECUTIVE COMMITTEE
MINUTES
June 12, 2012

The Executive Committee of the DeKalb County Board met on Tuesday, June 12, 2012 at 7:00p.m. at the Administration Building's Conference Room East. Chairman Larry Anderson called the meeting to order. Members present were Marlene Allen, Ken Andersen, Julia Fauci, John Gudmunson, Paul Stoddard, Pat Vary, Scott Newport and Ms. Tobias. Others present were Ray Bockman, John Farrell, Charles Foster, Jeff Metzger, Sr., John Hulseberg, Riley Oncken, Steve Reid, Anita Turner, John Emerson, Bob Brown, Jeff Whelan, and John Acardo.

APPROVAL OF THE MINUTES

Moved by Ms. Tobias, seconded by Mr. Andersen, and it was carried unanimously to approve the minutes from May 2012.

APPROVAL OF THE AGENDA

Ms. Fauci amended the agenda by removing the Executive Session Item #b for Land Acquisition.

Moved by Ms. Vary, seconded by Ms. Fauci, and it was carried unanimously to approve the agenda.

APPOINTMENTS

**1.) 911 EMERGENCY TELEPHONE
SYSTEMS BOARD:**

City of DeKalb Police Chief Gene Lowery, appointment for a term of 2 years, until 12/01/2013.

2.) Somonauk Cemetery Association:

Mr. A.A. Burgin
Mr. Jerry M. Cronin
Mr. Reid W. McAllister
Mr. Robert H. Russell

All reappointments for a term of 6 years, until June 1, 2018.

Appointments expiring for July and August 2012:

- 1.) Workforce Investment Act Board – 1 position
- 2.) Fairdale Light District – 1 position
- 3.) All Drainage Districts

Moved by Mr. Andersen, seconded by Mr. Gudmunson, and it was carried unanimously to forward these appointment recommendations to the full board for approval.

POTENTIAL CHANGE TO THE COUNTY CODE REGARDING THE COUNTY ADMINISTRATOR'S POSITION

Ms. Tobias said that the county code said qualifications for a county administrator states, “a candidate for the position shall, at a minimum, possess a master’s degree in business or public administration or its equivalent from an accredited institution. Candidates shall also have a minimum of ten years of progressively responsible professional experience in the management of local government affairs at least five years of which must be on an administrative level.” She said that when we put the advertisement online there was no specification that this was the requirement. There were several candidates that do not have both of those qualifications, so we are considering to change the wording to read, “Candidates for the position shall, at a minimum, possess a master’s degree in business or public administration or its equivalent from an accredited institution, or a minimum of ten years of progressively responsible professional experience in the management of local government

Chairman Anderson asked Ms. Tobias why this item was not brought to the Ad Hoc Rules Committee?

Mr. Bockman said that the Ad Hoc Rules Committee only addresses changes to the county board rules. This is not a county board rule.

Ms. Vary said that she finds this amendment to be more flexible, but the way that it reads somebody who is fresh out of an MPA or MBA program with no experience could be considered. If we change this and make it more flexible she recommended that it should read, “and a minimum of 5 years managerial experience or ten years progressively responsible.....”

Mr. Farrell, Assistant State’s Attorney, said that where his understanding is at is that the committee is at the stage where all the applications have been received. What you are going to do tonight is, I believe, is to select 5 individuals for the interviews. Those interviews will be scheduled very shortly. If the County Board were to change the language of this code section, he thinks, in the future that would take affect with a vote by the County Board on June 20th. If any attempt were made to change that language retroactive, now that this process is at where it is now, he feels it’s fraught with danger as a legal standpoint. The reason being that now that the process has been closed and the application, there are potential applicants out there that could have checked what our county code said and find out that they were not qualified. And if we were to change that midstream, they could say, I am now qualified, but now I can’t apply. Therefore, this process, if a person thought this wasn’t fair, could result in a cause of action, whereby the ultimate decision of the county board could be challenged and possibly thrown out by more and more applicants. Or, monetary damages could be awarded, in a lawsuit because of the fact that those individuals that were deprived of the opportunity could seek some economic benefit by thinking they could not apply. So it’s fraught with danger if we try to make it retroactive. The only way around that, he continued, is to throw out the whole process and start over. The code seems to suggest to him that once the process is started the only way that the whole process can be thrown out and started over is if the committee makes a recommendation of their selection to the full county board of the candidate that they believe should be the next County Administrator, and the full board does not vote for that person, then the process starts over again.

Mr. Bockman, said, or if the board changes its rules.

Mr. Hulseberg said then if the county board does not vote in the candidate that this committee recommends, the process starts all over again?

Mr. Farrell said yes, it starts all over again. The code says that the process starts all over again.

Mr. Bockman said that it doesn't stop anyone from reapplying though.

Ms. Fauci said let's say it stops, then we start with the new qualification, then the process starts all over again.

Mr. Farrell said yes.

After a brief discussion, it was moved by Mr. Newport, seconded by Mr. Gudmunson, and it was carried unanimously by a roll call vote, to remove the Ordinance from the committee agenda.

CANCELLATION OF THE JULY EXECUTIVE COMMITTEE AND THE JULY COUNTY BOARD MEETING

It was agreed by the committee to cancel the July Executive Committee meeting and the July County Board Meeting.

APPROVAL OF THE COUNTY BOARD AGENDA

Mr. Ray Bockman, County Administrator, reviewed the County Board Agenda for the Board Meeting to be held on June 20, 2012.

Moved by Ms. Vary, seconded by Ms. Vary, and it was carried unanimously to approve the county board agenda to forward it to the full county board for approval.

GENERAL DISCUSSION

Mr. Newport, Chairman of the Finance Committee, said that his committee heard Mr. Fred Lantz with the audit report. He said that it was a very positive report and that the Finance Department staff needed to be commended for they very hard work. They did approve sending the bank depository resolution, but because of the one bank in Shabbona that was just taken over by a Mendota Bank, the item has been withdrawn and will come back again in August reflecting the new bank. They approved the Vehicle Operation Policy to forward to the full board. They also looked at the health insurance plan for 2013.

Mr. Andersen, Chairman of the Planning & Zoning Committee, said that his committee did not meet.

Mr. Gudmunson, Chairman of the Highway Committee, said that they were sending 4 items to the board for approval.

Ms. Fauci, Chairman of the Forest Preserve Committee, said that 2011 PRDRMA report was very favorable. They received a donation of historic limestone for the cabin. This limestone's use was dated back to the 1870's from a Union, Illinois fire.

Ms. Tobias said that the initial design of the Jail project has been received. It shows 184 beds in the plan. This figure includes the beds that we currently have. She also said that the new courtroom is open in the new expansion of the courthouse. The Ad Hoc Courthouse Committee and the Law and Justice Committee will meet jointly on Monday, June 18th @ 4:30p.m. to go on a tour of the courthouse.

Ms. Vary, Chairman of the Economic Development Committee said that they heard from Mr. Jim Teckenbrock, the Economic Development Office from the City of Sandwich. They also heard from Mr. Paul Borek, Director of the DeKalb County Economic Development Corporation who stated that they are preparing a list of shovel ready sites to attract potential companies. She said that they will be hearing from the City of DeKalb regarding a Tax Abatement item tomorrow evening.

Mr. Stoddard, Chairman of the Health and Human Services Committee, said that his committee heard from Ms. Donna Moulton, Director of the Mental Health Board and Ms. Jane Lux with the Public Health Department.

Ms. Allen, Chairman of the Law and Justice Committee, said that her committee had a presentation regarding the Drug Court and she encouraged all board members to read the minutes. They will be sending a resolution to the full board in support of the drug court program this month.

Mr. Ken Andersen asked if on the county board agenda there could be an item where the State's Attorney could come before the full board and explain ex parte to all county board members at the June county board meeting.

EXECUTIVE SESSION: PENDING LITIGATION AND PERSONNEL.

It was moved by Mr. Newport, seconded by Ms. Tobias, and it was carried unanimously to go into closed session to discuss pending litigation, by a roll call vote.

It was moved by Ms. Fauci, seconded by Mr. Newport, and it was carried unanimously to return to open session by a roll call vote.

It was moved by Mr. Newport, seconded by Mr. Ken Andersen and it was carried to place the resolution on the class action suit for unpaid transfer taxes on the June 2012 county board agenda, by a roll call vote. Mr. Stoddard voted no.

It was moved by Ms. Vary, seconded by Ms. Tobias, and it was carried unanimously to go into closed session to discuss personnel by a roll call vote.

It was moved by Mr. Stoddard, seconded by Ms. Tobias, and it was carried unanimously to return to open session but a roll call vote.

It was decided to call 5 candidates for interviews for the county administrator's position. The committee also stated that they wanted to schedule a special executive committee meeting the night of July 20th @ 6:30p.m. in Conference Room East to further discuss the personnel issue.

ADJOURNMENT

It was moved by Mr. Newport, seconded by Mr. Gudmunson, and it was carried unanimously to adjourn the meeting.

Respectfully submitted,

Chairman Larry A. Anderson

LAA: mcs

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