

Lake County Illinois



Minutes Report

Tuesday, April 5, 2011

2:30 PM

or immediately following the Health and Community Services
Committee Meeting

Conference Room C, 10th Floor

Ad Hoc Ethics Committee

1. Call to Order

Chair Mountsier called the meeting to order at 2:29 p.m.

Member Carter arrived at 2:30 p.m.

Also present:

David Stolman, County Board Chairman

Steve Carlson, County Board Member

Michelle Feldman, County Board Member

Linda Pedersen, County Board Member

Rodney Marion, Human Resources

Ryan Waller, County Administrator's Office

Jennifer Henderson, County Board Office

Present 4 - Member Thomson-Carter, Chair Mountsier, Member Nixon and Member Taylor

Absent 1 - Member Carey

2. Pledge of Allegiance**3. Approval of Minutes****3.1 11-0297**

Minutes from March 1, 2011.

A motion was made by Member Taylor, seconded by Member Nixon, to approve the minutes from March 1, 2011. The motion carried by the following vote:

Aye: 4 - Member Thomson-Carter, Chair Mountsier, Member Nixon and Member Taylor

4. Public Comment**5. Added to Agenda****6. Old Business****7. New Business****7.1 11-0049**

Discussion of the Ethics Ordinance.

Mr. Burton provided a draft of the proposed changes and modifications to the Ethics Ordinance as suggested at the previous meeting. He provided a summary review for implementing an Ethics Training Program, the process for filing a complaint and a draft of the proposed ethics inquiry and ethics complaint forms. He discussed the committee's considerations for establishing an Ethics Commission to review violations to the Ethics Ordinance. Two versions of the proposed changes to the Ethics Ordinance were supplied for committee review. The first version would incorporate the addition of an Ethics Commission to investigate violations. The second version would incorporate further restrictions with a notation of the State's Attorneys Office being the investigator and prosecutor for any violations. Both versions include the addition of language that would prohibit Board Members to influence the hiring process and vendor selection process.

Rodney Marion reviewed the proposed changes in both versions of the Ethics Ordinance and provided details as to the difference in the process for investigating complaints and prosecuting violations. Both versions have the addition of a standard preamble which states that the ethics inquiry and ethics complaint forms will be submitted to the Ethics Advisor. The Ethics Advisor would then determine the need for review by the State's Attorneys Office. The State's Attorneys Office would provide a legal analysis to determine if there a potential violation occurred and would then respond to the individual that submitted the form.

If the State's Attorneys Office determined that there were grounds for a violation, the process continue as follows::

Version one:

With the incorporation of an Ethics Commission, the State's Attorneys Office would petition the Ethics Commission for a hearing. The State's Attorneys Office would present and prosecute the case to the Ethics Commission. The Ethics Commission would hear that case and make the determination if violation occurred. If the determination is that a violation occurred, the State's Attorney would then prosecute the case in the circuit court.

Version two:

The State's Attorneys Office would determine if a violation occurred and would then prosecute the case in the circuit court.

Mr. Marion discussed the proposed restrictions to the meal allowance which would provide an annual maximum of \$225. per year in addition to the state law of \$75. per event. A discussion ensued regarding the annual amount and definition of a prohibited source.

Mr. Marion discussed the additional language that would restrict an Elected Official or County Board Member to influence the hiring process and vendor selection process. We could not restrict independent elected officials in the running of their office. The penalty would be assessed through a public censor process.

A discussion ensued.

Linda Pedersen suggested that the committee review the Illinois State Officials and Employees Ethics Act as it provided definition of amounts and time periods for meal allowances.

Member Nixon discussed her concerns with restrictions to influence the hiring process as she would like to have the ability to provide a candidate referral. Mr. Burton provided details as to the current procedures in Employee Policies and Procedures. He indicated that additional language has been proposed to include in the Ethics Ordinance that will allow County Board Members to provide a written reference for a prospective employee.

Mr. Marion discussed the addition of a required Ethics Training Program for all commissioners upon appointment, employees and department heads. The training plan would include a review of the Ethics Training Program every five years or when changes occur to the ordinance.

The committee decided, by consensus, that an Ethics Commission would not be necessary at this time and continue to use the process that is currently in place.

The committee decided, by consensus, to follow the state law as it exists and not place any further restrictions to the meal allowance.

A discussion ensued regarding clarification of Board Members receiving contributions to their campaign fund.

Mr. Burton provided a review of the items that had been discussed and further details as to the communication to employees of the Ethics hotline and process for filing a complaint or inquiry.

Mr. Burton will provide a final draft of the Ethics Ordinance with the proposed changes for committee review at the next scheduled meeting.

8. Executive Session

9. County Administrator's Report

10. Adjournment

The meeting adjourned at 3:25 p.m.

A motion was made by Member Thomson-Carter, seconded by Member Nixon, to adjourn at 3:25 p.m. The motion carried by the following vote:

Aye: 4 - Member Thomson-Carter, Chair Mountsier, Member Nixon and Member Taylor

Minutes prepared by Jennifer Henderson.

Respectfully submitted,

Chairman

Ad Hoc Ethics Committee