

Lake County Illinois

*Lake County Courthouse and Administrative Complex
18 N. County Street
Waukegan, IL 60085-4351*



Meeting Minutes - Final

Wednesday, July 31, 2013

1:00 PM

Assembly Room

Financial and Administrative Committee

1. Call to Order

Chair Paxton called the meeting to order at 1:00 p.m.

Present 7 - Chair Paxton, Vice Chair Pat Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

Others present:

*Terrence Boston, WPA's Harbor Club
Keith Brin, Circuit Clerk
Rich Brown, Lupa's
Linda Brown, Brown's Sip N Go
Vern Brown, Brown's Sip N Go
Barry Burton, County Administrator Office
John Byrne, Lake County Sheriff Office
Thomas Chefalo, Planning, Building and Development
Sabrina Cotta, Finance and Administrative Services
Chris Creighton, Finance and Administrative Services
Mark Curran, Lake County Sheriff Office
Mike Gavin, Finance and Administrative Services
Nancy Goralski, Sandbar Bar & Grille
Gary Gordonal, Finance and Administrative Services
RuthAnne Hall, Finance and Administrative Services, Purchasing
Rob Hardman, Port of Blarney
Jimmie Hayes, ASAP Gaming
Efren Heredia, Finance and Administrative Services
Diane Hewitt, Lake County Board Member
Brooke Hooker, County Administrator's Office, Communications
Ken Ingess, Mutiny Pub
Janeen Kaecker, Buckwild Bar-N-Grill
Brian Keller, Lake County Sheriff Office
Bill Kunath, Choppers Bar and Grill
Grace Zuba Lampart, Fourth Lake Resort
Amy McEwan, County Administrator's Office
Mike Nerheim, State Attorney Office
David A Northern, Personal
Patric Paese, Gold Rush
Anita Patel, Finance and Administrative Services
Rita Pavlin, Steve's Sports Bar
Linda Pedersen, Lake County Board Member
Robert Pedersen, Bobby's Barle Inn
Joe Regis, Circuit Clerk's Office
Lisa Renley, County Administrator Office
Robert Robison, Boyd's Hideout
James Rub, Brown's Sip N Go
Sean Smith, Jesse Oaks
Kirk Talbott, Informational Technology*

*Paula Trigg, Division of Transportation
Bonnie Thompson-Carter, Lake County Board Member
Jennie Vana, County Administrator Office, Communications
Jeremiah Varco, Finance and Administrative Services
Blanca Vela-Schneider, County Board Office
Eric Waggoner, Planning, Building and Development
Ryan Waller, County Administrator Office*

2. Pledge of Allegiance

Chair Paxton led the group in the Pledge of Allegiance.

3. Approval of Minutes

3.1 13-0831

Minutes from June 26, 2013.

A motion was made by Member Rummel, seconded by Member Sauer, that the minutes be approved. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

3.2 13-0832

Executive Session Minutes from June 26, 2013.

A motion was made by Member Rummel, seconded by Member Sauer, that the Executive Session Minutes be approved. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

4. Added to Agenda

There were no items added to the agenda.

5. Public Comment

There was no public comment.

6. Old Business

There was no old business to conduct.

7. New Business

LAW & JUDICIAL

7.1 13-0803

Joint resolution authorizing the application, acceptance, and emergency appropriation of a 2013 Justice Assistance Grant (JAG) in the amount of \$6,250 for the purpose of enhancing our Special Programs/Community Awareness Division's capacity to provide awareness and education to the community, law enforcement, and social service agencies in Lake County.

Amy McEwan, Deputy Administrator, presented a request for approval of authorization, acceptance, and an emergency appropriation for a 2013 Justice Assistance Grant (JAG) in the amount of \$6,250. She indicated that the monies will be used to fund the materials

needed to deliver programs such as teen dating violence and elder abuse awareness to the community.

A motion was made by Member Carlson, seconded by Member Mandel, that this resolution be recommended for adoption to the County Board. Motion carried by the following roll call vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

7.2 13-0824

Joint resolution authorizing the renewal of the State's Attorney's Violent Crime Victims Assistance (VCVA) grant program awarded by the Office of the Illinois Attorney General, including grant funding of \$25,600, and an increase in revenue in the amount of \$3,370.

Amy McEwan, Deputy Administrator, presented a request to renew the State's Attorney's Violent Crime Victims Assistance (VCVA) grant program. She indicated that the grant is designed to offset the salary expenses for the Victim Witness Counselor in the Domestic Violence Division.

A motion was made by Member Mandel, seconded by Member Rummel, that this item be recommended for adoption to the County Board. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

7.3 13-0811

Joint resolution establishing a subscription fee for license and use of the Enhanced Access to Court Records service.

Keith Brin, Circuit Clerk's Office, stated that the Circuit Clerk is rolling out three phases of technological upgrades: the first phase that has already been implemented is the public access system for court records, the second phase is a subscription model for enhanced access data, and the third phase will be complete e-filing resources. He requested approval of the adoption of phase two, a subscription fee for enhanced access to court records services. Mr. Brin indicated that this upgrade would be for heavy users, such as attorneys and vendors. Because there is a licensing fee and time invested for the maintenance of the program, there has been a recommendation to charge a licensing fee of up to \$240 per user, with a discount for organizations that need multiple licenses.

A motion was made by Member Rummel, seconded by Member Sauer, that this resolution be recommended for adoption to the County Board. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

REVENUE, RECORDS & LEGISLATION

7.4 13-0821

Joint resolution authorizing an emergency appropriation in the amount of \$20,000 for health insurance benefits in the Vital Records Automation Fund.

Gary Gordon, Director of Finance, presented a request for an emergency appropriation of

\$20,000. He indicated that the health insurance benefits of an employee were modified after the 2013 Budget amount was approved. Upon inquiry from Chair Paxton, Mr. Gordon clarified that health insurance benefits can be modified during the open enrollment period or when life changing events occur, such as marriage or having children.

A motion was made by Member Mandel, seconded by Member Sauer, that this item be recommended for adoption to the County Board. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

PUBLIC WORKS & TRANSPORTATION

7.5 13-0825

Joint resolution authorizing execution of a Permanent Easement Agreement and a Temporary Easement Agreement with the Illinois Department of Transportation (IDOT) regarding property at Route 59 and Petite Lake Road.

A motion was made by Member Taylor, seconded by Member Mandel, that items 7.5 through 7.11 be recommended to the County Board for adoption. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

7.6 13-0827

Joint resolution ratifying an emergency procurement authorized by the Director of Public Works with Insituform Technologies USA, LLC of Chesterfield, MO for emergency sanitary sewer repair in Long Grove.

A motion was made by Member Taylor, seconded by Member Mandel, that items 7.5 through 7.11 be recommended to the County Board for adoption. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

7.7 13-0837

Joint resolution authorizing the execution of an agreement for Retail Sanitary Sewer Service with the Village of Bannockburn.

A motion was made by Member Taylor, seconded by Member Mandel, that items 7.5 through 7.11 be recommended to the County Board for adoption. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

7.8 13-0836

Joint resolution authorizing execution of a contract with National Power Rodding Corp., in the amount of \$1,660,023.56 for the 2013 Sanitary Sewer Rehabilitation Project.

A motion was made by Member Taylor, seconded by Member Mandel, that items 7.5 through 7.11 be recommended to the County Board for adoption. The motion

carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

7.9 13-0818

Joint resolution authorizing a contract with Rhythm Engineering, Lenexa, Kansas, in the amount of \$246,900 for the purchase of Adaptive Traffic Signal Control equipment for the planned traffic signal modernization along Aptakisic Road, from Brandywyn Lane to Parkway Drive, and designated as Section 11-00088-19-TL.

A motion was made by Member Taylor, seconded by Member Mandel, that items 7.5 through 7.11 be recommended to the County Board for adoption. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

7.10 13-0819

Joint resolution appropriating \$1,710,000 of Matching Tax funds for the installation of new steel pile retaining walls at three locations along Fairfield Road, from approximately 1750 feet north of Illinois Route 60 (the south project limits) to approximately 900 feet south of Townline Road (the north project limits), and designated as Section 13-00000-07-GM.

A motion was made by Member Taylor, seconded by Member Mandel, that items 7.5 through 7.11 be recommended to the County Board for adoption. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

7.11 13-0820

Joint resolution authorizing the execution of an agreement for professional engineering services with Infrastructure Management Services (IMS), Rolling Meadows, Illinois, for the annual pavement testing services, and associated components at a maximum cost of services described of \$70,000, appropriating \$80,000 of Matching Tax funds, and designated as Section 13-00219-00-ES.

A motion was made by Member Taylor, seconded by Member Mandel, that items 7.5 through 7.11 be recommended to the County Board for adoption. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

Ryan Waller, Assistant to the County Administrator, identified that a forcemain along Washington was discovered to be collapsing. He indicated that while a temporary repair has been made, he would recommend the replacement of the pipe while the road is under construction. He indicated that staff is working with the Division of Transportation and Finance in coordinating this replacement.

FINANCIAL & ADMINISTRATIVE

7.12 13-0822

Resolution authorizing an emergency appropriation in the amount of \$485,330 from the General Fund for transfer to the 2005 General Obligation Bond Debt Service Fund for payment of Fiscal Year 2013 debt service on the General Obligation Bonds, Sales Tax Alternate Revenue Source, Series 2005.

Gary Gordon, Director of Finance, presented a request for an emergency appropriation in the amount of \$485,330 from the General Fund for transfer to the 2005 General Obligation Bond Debt Service Fund for Fiscal Year 2013. He stated that the County pre-funded the debt service by reserving the remaining debt service amounts due through May 1, 2014 in the General Fund, but because it is being funded via the General Fund reserves, it was not included in the Fiscal Year 2013 budget. He stated that debt service for principal and interest payments in May and November 2013 totals \$485,330.

A motion was made by Member Rummel, seconded by Member Carlson, that this item be recommended for adoption to the County Board. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

7.13 13-0823

Committee action approving Amendment No. 1 to Lake County Agreement #12172 for the modification and the replacement of the building ventilation system in the Lake County Administrative Tower.

Gary Gordon, Director of Finance, presented a request to amend an agreement in the amount of \$26,500 with KJWW Engineering Consultants for modification and replacement of the building ventilation system in the Administrative Tower. He stated that KJWW provided the initial architectural and engineering specifications for the Job Order Contracting (JOC) pricing for construction services.

A motion was made by Member Rummel, seconded by Member Sauer, that this item be approved. The motion carried by the following vote:

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

8. Executive Session

There was no executive session.

9. County Administrator's Report

Sheriff Mark Curran identified recent changes to the Sheriff's Office. He introduced John Byrne who is the new Chief of Administration in the Sheriff's Office and Brian Keller who is the new Head of Administration for the Highway Patrol, Investigations, and Marine Unit.

Barry Burton, County Administrator, and Eric Waggoner, Planning, Building and Development, reported on the issue of video gaming. Mr. Burton noted that this issue is for discussion purposes only and there would not be any decision this afternoon.

Mr. Waggoner indicated that the Video Gaming Act was signed into law in 2009 but did not go into effect until August, 2012. He stated a number of communities at that time

enacted a ban on video gaming because there were no rules in place. He stated that since the Act has gone into effect, a number of communities have reversed their ban. He provided a map identifying which municipalities permit video gaming. Mr. Waggoner identified key facts of the Illinois Video Gaming Act. He indicated that of the 87 liquor licenses in unincorporated Lake County that could be eligible for a video gaming license, approximately half are within the Chain of Lakes area, and 72 reside within 2 miles of a municipality that allows video gaming. The Act identifies that five percent of the tax proceeds of video gaming be remitted to the jurisdiction where it occurs and 25% of the tax proceeds go to the State. Mr. Waggoner stated the Illinois Gaming Board reported an average municipal share of \$1,900 per device for Cook, Kane, Lake, and McHenry for the month of June 2013. He indicated that the report does not include the establishments who are in the application process of obtaining a video gaming license or those who have a video gaming license but have not received their device.

Mr. Waggoner indicated that if the County considers repealing its ban, a number of options are available for the County. He stated that the first option would be to repeal the ban which would simply allow video gaming to occur in the unincorporated areas of Lake County. He stated that another option is to repeal the ban and adopt a video gaming ordinance which would allow non home rule communities to charge a maximum license fee of \$25 per terminal. He stated that a third option would be for the County to repeal the ban, adopt a video gaming ordinance, and modify its Liquor Control ordinance, which provides the County with additional controls. Mr. Burton stated that if the Committee wants to pursue this issue, staff could do so based upon the Committee's recommendation.

Chair Paxton opened the floor to public comment. Mr. Robert Robinson of Boyd's Hideout indicated that video gaming would improve his business because he is unable to compete with businesses in incorporated areas that allow video gaming. He indicated that he is losing customers who choose to go to another establishment that permits video gaming. Mr. Robert Pedersen of Bobby's Barrie Inn thanked the Committee members for their time and indicated that he recognizes the difficulty the Committee members face in considering this issue. He stated that he has been in business for 30 years. He requested that the Committee consider this issue because municipalities who have accepted video gaming have created an unfair advantage over areas where it is banned. He identified a petition that has been signed by several hundred people who feel that video gaming should be permitted in unincorporated Lake County based upon fairness. Ms. Grace Lampart of Fourth Lake Resort indicated that she is losing customers to people who are going to Lake Villa because video gaming is permitted in that community. Ms. Nancy Goralski of Sandbar Bar and Grille stated that her establishment is within a mile from Antioch and Lake Villa, communities that permit video gaming. She noted that 2013 has been a difficult year due to flooding in her community and the inability to compete against establishments that have video gaming. Mr. Robert Hardman of Port of Blarney, Blarney Island indicated that there are establishments less than a couple of blocks away who offer video gaming. He indicated his reluctance in having video gaming, but feels that these other establishments have an unfair advantage over his business. He indicated that it is irresponsible for the local government to handicap its

businesses when there are other municipalities that permit it. He stated that if the State permits it, it should be allowed everywhere in the State. Mr. Bill Kunath of Choppers Bar and Grill indicated that he does not believe video gaming is the way to fund government but indicated that Pandora's box was opened when the State permitted it. He indicated his establishment is surrounded by three communities that permit video gaming and it is difficult for him to compete.

Hearing no further comments from the Public, Chair Paxton requested comments or questions from the Committee members. Member Carlson inquired whether the County would be permitted to increase the license fee per device if the second or third option was pursued. Mr. Burton replied that the licensing fee is set by the State. He indicated that the County could adopt an administrative fee for processing but noted the additional cost would be minimal since the County already inspects for building and liquor violations. Mr. Waggoner identified possible amendments including additional signage requirements and geographical boundaries that the County can consider to its liquor license ordinance, which would help tighten the controls on video gaming. Mr. Burton noted that the Act was created to allow only the State of Illinois to regulate the oversight of the video gaming machines. Thomas Chefalo of Planning, Building and Development indicated that most of the municipalities that permit video gaming have not adopted any additional regulations, with the exception of the Village of Antioch which has required additional signage.

Upon inquiry from Member Carey, Mr. Waggoner indicated that the Illinois Liquor Control Act provides discretion for municipalities to have more control over establishments that may want video gaming. Member Carey expressed concern that, if the County repeals its ban on video gaming, an unlevel playing field may be created against establishments whose municipalities do not permit video gaming, particularly if they are near unincorporated establishments. She indicated that creating geographical boundaries are interesting but may also create issues. Members Rummel and Taylor agreed.

Lake County Board Members Pedersen and Thompson-Carter indicated that this issue should be formally considered by the Committee. Lake County Board Chairman Aaron Lawlor noted that he has been a huge advocate against video gambling but indicated that this is a fairness issue. He indicated that video gaming will not be a solution for everyone because a business will fail if there is not a good business plan. He indicated that language can be created that could jeopardize both a liquor license and video gaming license if violations are discovered. Member Carlson indicated that an approval of video gaming in unincorporated areas will not be the boon that businesses think, noting that an increase in video gaming licenses will dilute revenues. He stated that no matter what the County does, there will always be an unlevel playing field. He indicated that this issue should be considered at the County Board level.

After further discuss, the consensus of the Committee is to direct staff to return for formal consideration of option three.

Jennie Vana and Lisa Renley of the Communications Division presented. Ms. Vana

indicated that in April 2013 a survey was sent out regarding potential changes to the Lake County Television (LCTV) policy but very few responses had been received. She stated that the policy is vague and questions have come up as to what programs should and should not be produced by LCTV. She stated that her recommendation, which is consistent with practice, is that LCTV resources be used for County services and programs. She indicated that she would like to limit the longer format and interview programs to four per year per department and that content be directly related to the respective department. She noted that if the Committee wanted, it could permit officials who have created their own content to be run on LCTV as long as it is consistent with content guidelines. Member Carey indicated that exceptions should not be made and that only content that is specific to the department should be permitted. Mr. Burton indicated that the problem Communications is having is that some elected have been doing it for years. Ms. Vana stated that the policy would need to be modified to eliminate any ambiguity. Member Sauer indicated he feels this issue can be reigned in without amending the policy. Member Carlson disagreed, and indicated that clearer guidance is needed. Chair Paxton agreed, indicating that it is better to be more clear than less clear. Mr. Burton noted that there is also an issue of providing greater variety in its programming. Member Carey questioned whether there is anything in the policy that prohibits County Board members from requesting items. Ms. Vana reported that there is no policy prohibiting County Board members from making requests, but depending on the content, it may require the County Board member to obtain Committee approval. Member Carlson inquired whether there are State restrictions on how money can be spent. Ms. Vana replied that the County would not be spending any money, it would just air the content. Member Mandel indicated that there should not be any modifications in the policy in regards to the County Board members but indicated that he was amenable to limiting the number of videos to four per year per department. He indicated that he would like to see LCTV grow but does not want politicized items aired. He feels content should be directly related to the department and that LCTV should not air content that was not produced by LCTV.

Ms. Vana indicated that there have been multiple occasions where Board members have expressed interest in broadcasting committee meetings. Ms. Renley indicated that she has analyzed the request and determined that the best place to hold committee meetings would be in the Assembly Room. She stated that costs would be able to be controlled if the meetings are in the Assembly Room due to its proximity to the LCTV control room and being able to edit in real time. She indicated that while the existing staff could handle the Committee of the Whole (COW) meetings, one part-time position would be needed to broadcast other committee meetings. She provided broadcasting options from having one immobile camera to replicating what currently exists in the County Board Room. Mr. Burton indicated that there would be a huge operational impact to broadcasting committee meetings such as staff setup time and this issue needs to be thoroughly discussed. Ms. Vana added that the 10th floor will be remodeled in the upcoming years and it may be prudent to wait until after the remodeling has occurred to implement changes. Mr. Burton noted that the 10th floor was not remodeled along with floors five through nine because the courts needed to use the space while its building is under construction. Ms. Renley noted that the COW meeting would be able to be taped

because there are already four cameras in the room and microphones. She indicated that a digital recorder and streamer would be needed to produce high quality audio and video, but the costs would be significantly lower than the costs for Assembly Room. Member Rummel stated that he feels airing of other committee meetings should be deferred until after the remodeling of the 10th floor, but the broadcasting of COW should be implemented immediately. Member Carey agreed that COW should be implemented immediately but inquired what costs could be potentially lost if broadcasting of other committee meetings were implemented prior to the remodeling of the 10th floor. Ms. Vana indicated that while the equipment could be saved, the County would stand to lose the cost for the cables as well as the costs for the installation of the cables. Several members indicated recommended against broadcasting COW meetings and were inclined to wait until after the 10th floor gets remodeled. Member Carey reiterated her support in broadcasting committee meetings sooner than later. Ms. Vana noted that the County Board meetings are the least viewed videos on the website, noting that there is an average of 150 hits per meeting. She indicated that there is not a way to determine the number of people watching the meeting on television. Member Rummel recommended that another option is to improve the technology that the County currently has. After further discussion, the consensus was to move forward with option three after the remodeling on the 10th floor occurs and to work to improve the existing technology in the future. Member Taylor suggested that staff look into moving the equipment from the County Board room to the Assembly Room and determining the costs to replace what is in the County Board room. Ms. Vana inquired about the policy for maintaining videos and audio recordings of County Board and committee meetings on-line. She stated that while this is not an issue now, the addition of other committees will tax the server. She recommended that the policy be one full year and the current year. She stated that the County would have a copy of it, but it would not be on the website. Mr. Burton indicated that information regarding this process could be put on the website. Chair Paxton inquired how long audio recordings are required to be maintained. Ms. Blanca Vela-Schneider, County Board Office, indicated that she has an email from State's Attorney office indicating that the recordings could be erased after the minutes have been prepared. Member Mandel indicated that some recordings should be kept. Chair Paxton indicated that he thinks two years would be sufficient enough time to keep the file, though the County could maintain them off line. Mr. Burton inquired about the required retention period. Ms. Vana stated that a call has been made to the State requesting this information. Mr. Burton indicated that as a matter of policy, the County does not typically hold records longer than what is required via the Records Retention Act. After some discussion, the consensus is to have two full years of meetings kept.

Gordon Gordon, Director of Finance, reported on a presentation at the next COW meeting regarding Economic Opportunity Program. She stated that with Courts Tower initiative, there is an eye to increase local and minorities and women participation.

10. Adjournment

The meeting adjourned at 3:09 p.m.

A motion was made by Member Mandel, seconded by Member Rummel, that the meeting be adjourned. The motion carried unanimously.

Aye: 7 - Chair Paxton, Vice Chair Carey, Member Carlson, Member Mandel, Member Rummel, Member Sauer and Member Taylor

Minutes prepared by Blanca Vela-Schneider.

Respectfully submitted,

Chairman

Vice-Chairman

Financial and Administrative Committee