

Executive/Legislation Committee Meeting
Thursday September 26, 2019
5:00 P.M., Vermilion County Administration Building
2nd floor conference room

AGENDA

1. Call to Order and Roll Call
2. Adoption/Amendments to Agenda
3. Approval of Minutes – July 25, 2019
4. Audience Comments
5. Ordinance - Appointment Process for County Board Chairman's Appointments
6. Resolution – RE: Delinquent Tax Program and Agent
7. Resolution – Internal Policies
8. Executive Session:
 - A. Pursuant to Open Meetings Act 5 ILCS 120/2 (c) (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity.
 - B. Pursuant to Open Meetings act 5 ILCS 120/2 (c) (6) The setting of a price for sale or lease of property owned by the public body.
 - C. Pursuant to Open Meetings Act 5 ILCS 120/2 (c) (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
9. Items of Information and Committee Concerns
10. Adjournment

MINUTES

Agenda Item 1 - Call to Order and Roll Call

Chairman Larry Baughn Jr. called the meeting to order at 5:00 PM. Upon the call of roll, the following members were present; Larry Baughn Jr., Craig Golden, Kevin Green, Greg Thatcher, and Becky Stark. Steve Fourez and Crisi Walls were excused.

5 Present and 2 absent.

Also attending the meeting were: Bill Donahue-Risk Consultant and Jennifer Jenkins-CB Office.

Agenda Item 2 - Adoption/Amendment to the Agenda

Stark moved, seconded by Golden, to adopt the agenda as presented. Motion passed by acclamation.

Agenda Item 3 – Approval or Amendment of Minutes- July 9, 2019

Golden moved, seconded by Green, to adopt the minutes as presented. Motion passed by acclamation.

Agenda Item 4 - Audience Comments

None.

Agenda Item 5 – Budget-North Fork Special Services

Baughn Jr. informed the committee that there is no change on this budget from the prior year. He also indicated that they will, once again, be abating taxes. Green informed the committee that this is a group of farmers that tax themselves to build up a fund to do drainage projects on, and, adjacent to the North Fork River. The County acts as a pass through for the North Fork Special Services.

Golden moved, seconded by Stark to approve the budget.

Upon the call of roll, the following members voted yes, to-wit: Baughn, Golden, Green, Thatcher, and Stark. 5-Yes 2-absent

Agenda Item 6 –Resolution- Tilton Annexation-Animal Shelter

Baughn Jr. explained that this annexation resolution has been ongoing since the nursing home. The Animal Shelter is already on their village sewer system and obviously we do not pay taxes for the shelter so it is of no benefit or discouragement of us not to be annexed in. This is really, more than likely, a way for them to clean up their mapping and enterprise zone, etc.

Green moved, seconded by Stark to approve the resolution.

Upon the call of roll, the following members voted yes, to-wit: Baughn, Golden, Green, Thatcher, and Stark. 5- Yes, 2-absent.

Agenda Item 7 & Item 8 –Ordinance- RE: Payment of Cable Television Franchise Fees in Vermilion County, Illinois – Comcast & Newwave

Baughn Jr. explained to the committee that these ordinances are agreements that, previously, the Chairman would normally just sign, however, now state statute indicates that we have to have an ordinance in order to collect the franchise fee from Comcast and Newwave. Both cable providers in our County. The County is paid 5% of what they collect after all debts and credits, etc. Which equates to about \$82,000 a year from Comcast and about \$30,000 from Newwave. This is renewed every 10 years.

Golden moved, seconded by Thatcher to approve the resolution. Upon the call of roll, the following members voted yes, to-wit: Baughn, Golden, Green, Thatcher, and Stark. 5- Yes, 2-absent.

Agenda Item 9 – Executive Session

None required.

Agenda Item 10 – Items of Information

Baughn Jr. indicated that all committee meetings will go this next month as we are meeting regarding budgets.

Executive/Legislation will meet again in August as well.

Also looking at a renewal with the County's energy provider, Constellation Energy.

Agenda Item 8 – Adjournment

Baughn adjourned the meeting at 5:13 P.M.

Minutes by: Jennifer Jenkins, CB Office

DRAFT

ORDINANCE

RE: APPOINTMENT PROCESS FOR COUNTY BOARD CHAIRMAN'S APPOINTMENTS

WHEREAS, the County Board Chairman is tasked by a variety of statutes to appoint persons to certain Boards, Districts, or similar organizations, and

WHEREAS, the County has developed a process for naming and appointing individuals at each County Board meeting which has become cumbersome and slow when there is a need to appoint people to build a quorum and allow business to be conducted, and

WHEREAS, updating and streamlining the process would benefit the community by speedily bringing the Chairman's nominations to the Board for a vote of concurrence by the full Board, and

WHEREAS, such a revised procedure would be easier for the public to understand and participate in as the current practice of "announcements, vacancies, readings", and then "appointments" is confusing to the average person interested in serving on such boards and make it difficult to track terms and appointments over time, and in fact has resulted in some confusion.

NOW THEREFORE, BE IT ORDAINED THAT the previous ordinances numbered 2-4 (resolution of 2/13/73) and 2-5 (Resolution of 4/10/73) are hereby repealed in its entirety and replaced with the attached Exhibit "A", and that such a process be followed in the future for all appointments under the jurisdiction of the County Board Chairman.

PRESENTED, APPROVED AND ORDAINED by the County Board of Vermilion County, Illinois at the October 8, 2019 A.D. Session.

DATED this 8th day of October 2019 A.D.

AYE_____ NAY_____ ABSENT_____

Chairman, Vermilion County Board

ATTEST:

Clerk of the County Board

Approved by the Executive/Legislation Committee on 09/26/2019

Larry Baughn Jr. Chairman	Y	N	A
Craig Golden	Y	N	A
Steve Fourez	Y	N	A
Kevin Green	Y	N	A
Crisi Walls	Y	N	A
Greg Thatcher	Y	N	A
Becky Stark	Y	N	A

RESOLUTION

RE: Delinquent Tax Program and Agent

WHEREAS, pursuant to the authority of Section 21-90 of the Property Tax Code of 1993 this County Board of Vermilion County, Illinois, has heretofore created and operated a Delinquent Tax Liquidation Program for the purpose of recovering delinquent real estate for the benefit of all taxing districts upon those parcels of real estate which would otherwise be forfeited to the State of Illinois for delinquent taxes, and for the purpose of promoting the return of these properties to taxpaying status through the expeditious transfer of ownership thereof; and

WHEREAS, this County Board has authority pursuant to Section 35 of the Mobile Home Local Services Tax Enforcement Act to recover delinquent Mobile Home Local Services Taxes through its Delinquent Tax Liquidation Program, should the Treasurer desire to do so; and

WHEREAS, the County Board has previously appointed Joseph E. Meyer & Associates, Inc., to act as Tax Agent in the operation, management and supervision of the County's aforesaid Delinquent Tax Liquidation Program; and

WHEREAS, the Treasurer has also suggested that this County Board enter into a comprehensive agreement with the said Joseph E. Meyer & Associates, Inc., setting forth the agreements and understandings between them concerning the operation of said Delinquent Tax Liquidation Program, and that such agreement provides for the collection of both delinquent General Real Estate Taxes and delinquent Mobile Home Local Services Taxes; and

WHEREAS, the said Joseph E. Meyer & Associates, Inc., has submitted a proposed form of "PROFESSIONAL SERVICE AGREEMENT" for the said Delinquent Tax Liquidation Program, which appoints Joseph E. Meyer & Associates, Inc., as Tax Agent and, among other things, authorizes the Tax Agent to secure redemptions, prepare all notices for mailing, file petitions, prepare applications and orders for deeds and tax certificates of title, prepare all necessary writs, locate parties of interest, inspect tax-delinquent properties and mobile homes, and fulfill all other statutory procedures necessary for the County to obtain tax deeds for parcels of real property and tax certificates of title for mobile homes, and to offer such parcels and mobile homes at public auction sale, and provides for the compensation to be paid to said Tax Agent for services rendered thereunder, and which constitutes a thorough and comprehensive statement of the agreements and understandings of the respective parties concerning the operation of said Program; and

WHEREAS, the Treasurer recommends the appointment of Joseph E. Meyer & Associates, Inc., as the Tax Agent of this County Board, and further recommends approval by this County Board of the "PROFESSIONAL SERVICE AGREEMENT" submitted by Joseph E. Meyer & Associates, Inc., and presented to this meeting of the County Board; and

WHEREAS, this County Board finds that it would be advantageous for the County of Vermilion to enter into the proposed "PROFESSIONAL SERVICE AGREEMENT" with the said Joseph E. Meyer & Associates, Inc., appointing it as Tax Agent to act on behalf of the County of Vermilion in the operation of the County's Delinquent Tax Liquidation Program, and stating the agreements and understandings of the parties with respect to the operation thereof;

NOW THEREFORE BE IT RESOLVED that the Chairman of the Vermilion County Board is hereby authorized and directed to enter into and to subscribe such proposed "PROFESSIONAL SERVICE AGREEMENT" on behalf of the County of Vermilion with the said Joseph E. Meyer & Associates, Inc., thereby appointing it as the Tax Agent for the County of Vermilion in order to operate the County's Delinquent Tax Liquidation Program.

PRESENTED, APPROVED, and RESOLVED by the County Board of Vermilion County, Illinois, at their October 8, 2019, session.

DATED, this 8th day of October, 2019, A.D.

AYE_____NAY_____ABSENT_____

Chairman, Vermilion County Board

ATTEST:

Clerk of the County Board

Resolution No. _____

APPROVED BY EXECUTIVE COMMITTEE:

Larry Baughn, Jr. <i>Committee Chairperson</i>	Y	N	A
Craig Golden	Y	N	A
Steve Fourez	Y	N	A
Kevin Green	Y	N	A
Becky Stark	Y	N	A
Greg Thatcher	Y	N	A
Crisi Walls	Y	N	A

RESOLUTION

RE: Internal Policies

WHEREAS, the County is required by various accounting, State, and Federal mandates to maintain certain policies; and,

WHEREAS, the County has now updated and added certain policies to remain current as suggested by outside auditors and grant auditor; and

WHEREAS, the County desires to formally adopt these policies and publish them to guide all members of County government and various entities that do business with the County, as well as the public.

NOW, THEREFORE, BE IT RESOLVED by the Vermilion County Board that the attached policies, marked as group Exhibit "A" and now incorporated herein by reference, are adopted as policies of the County of Vermilion.

PRESENTED, APPROVED, and RESOLVED by the County Board of Vermilion County, Illinois, at their October 8, 2019, session.

DATED, this 8th day of October, 2019, A.D.

AYE _____ NAY _____ ABSENT _____

Chairman, Vermilion County Board

ATTEST:

Clerk of the County Board

Resolution No. _____

APPROVED BY EXECUTIVE COMMITTEE:

Larry Baughn, Jr. <i>Committee Chairperson</i>	Y	N	A
Craig Golden	Y	N	A
Steven Fourez	Y	N	A
Kevin Green	Y	N	A
Becky Stark	Y	N	A
Greg Thatcher	Y	N	A
Crisi Walls	Y	N	A

CONFLICT OF INTEREST IN CONTRACT PROCUREMENT AND ADMINISTRATION OF CONTRACTS

It is the policy of Vermilion County, Illinois, that all expenditures of public money be based upon the best interests of the taxpayer and that they be free from any conflict of interest or impropriety. To achieve this goal, the following rules are adopted:

1. The Illinois Statutes, including but not limited to Competitive Bidding, 55 ILCS 5/5-1022, the Public Officer Prohibited Activities Act, 55 ILCS 105/1, and following,(including 50 ILCS 103/3 regarding board member voting on contracts in which they may have a financial interest) and any relevant ordinances of the County of Vermilion are to be followed in the management of public money.
2. No employee, officer, or agent of the County, may participate in the selection, award, or administration of a contract supported by a Federal award, if he or she has a real or apparent conflict of interest. A conflict of interest arises when an officer, employee, elected official , or agent of the same, or any member of his or her immediate family or his or her spouse or partner, or any organization which employees or is about to employ any of the parties indicated herein, has a financial or other interest in or tangible personal benefit from a firm or entity being considered for a contract from the County. The officers, employees, elected officials, or agent of the same, may not accept or solicit, gratuities, favors, or anything of monetary value from contractors or subcontractors seeking or currently engaged in providing contractual services for the County, provided however, that an unsolicited item, as described in the Gift Ban Act, 5 ILCS 430-10-15, and not in violation of the Gift Ban Act, 5 ILCS 430/10-10, et. seq. and any County Ordinance relevant to that Act, will not be a violation of this policy.
3. Officers, employees, elected officials, and the agents of the same shall act in the best interests of the public. Unnecessary or duplicative purchases are to be avoided. An analysis of the most economic method of purchasing items should be made prior to any purchase. Shared goods and equipment, where feasible, should be employed rather than purchasing duplicate items, by use of intergovernmental or intra-entity or intra-entity agreements. The use of surplus equipment where feasible is encouraged. The rules regarding competitive bidding shall be followed and the Contractor's Addendum, as may be amended from time to time shall be used when contracting for public works, purchase of substantial goods or services.
4. Compliance with all required federal laws as may be appropriate in each case shall be required of any party contracting with the County.

Reporting Wrongdoing – Whistleblower Protection

Wrongdoing can occur in many types and forms. In many specific policies we discuss the importance of reporting wrongdoing. Wrongdoing is defined as a violation of State, County, Federal law or a violation of a specific policy of the County or County Department. It may be conduct against a person or class of persons, it may be violations of operational or procedural policy that hampers the County's ability to serve the public. Whatever form wrongdoing takes, it should not be part of Vermilion County's workplace. To prevent wrongdoing, Vermilion County must know about wrongdoing. Therefore, if you witness, hear of, or suspect wrongdoing has occurred in the workplace or at a workplace event, it is important that you report what you know immediately.

You are protected under the Illinois Whistleblower Act, 740 ILCS 174/1, from retaliation if you, the employee, have reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation.

Reporting Wrongdoing

If you are experiencing any type of wrongdoing, or if you know of, or suspect, wrongdoing by another employee or workplace participant, you must report it immediately to your manager or your supervisor, or the elected official or department head immediately over your position.

If you do not feel comfortable reporting as listed above or if you did report and are not satisfied with the response, then you should direct your report or dissatisfaction to the County Board Office, Human Resources Department, or Risk Manager.

Please note that you are not required to confront the person or persons who have given you reason to report. However, if you experience wrongdoing, you must make a reasonable effort to make the wrongdoing known as soon as you experience or discover it. Discussing or reporting acts of wrongdoing to any person not listed above does not constitute a report.

Retaliation Prohibited

If you believe you are being subjected to retaliation for reporting a violation of this policy, or participating in an investigation of this policy, you should report the retaliation immediately in the manner provided above. Please note that you do not have to confront the person who is the source of the retaliation before reporting it, but to help prevent retaliation from continuing, you must report it.

Any employee or workplace participant who retaliates against another employee or workplace participant for making a good faith complaint of a violation of this policy, or for assisting in an investigation of a complaint of a violation of this policy, is subject to discipline or termination. Retaliation can include, but is not limited to harassment, discrimination, or any other unfair treatment or abuse of power.

Workplace Investigations

A report of retaliation for reporting a violation of this policy or a report of a violation of this policy, that is made to those listed above, will result in an appropriate investigation of the allegations made in the report. Vermilion County may use third parties to investigate allegations. All employees and workplace participants have a responsibility to cooperate fully with any investigation. The interviews, allegations, statements, and identities will be kept confidential, on a need-to-know basis, consistent with the law and the investigation process and goals. Unreasonable refusal to participate in an investigation may lead to discipline, including termination.

Those found to have violated this policy, discriminated, or retaliated against another in violation of this policy are subject to discipline including, but not limited to, termination, consistent with the law, the results of the investigation, the severity of the conduct, and the policy violator's employment history, including any similar reports of prior violations, discrimination and/or retaliation.

Knowingly False Reports Prohibited

Any employee or workplace participant who makes a knowingly false report of a violation of this policy will be subject to discipline, including termination.

Questions About This Policy

If you have questions, suggestions or concerns about this policy, you should direct them to your manager or your supervisor.

If you feel uncomfortable discussing your questions, suggestions or concerns about this policy with those listed above, you can direct them to the Human Resources Department or Risk Manager.

LEP POLICY

As a recipient of Federal financial assistance, Vermilion County, Illinois, is required to take reasonable steps to ensure meaningful access to its programs and activities by limited English proficiency (LEP) persons. The purpose of this plan is to make reasonable efforts to eliminate or reduce limited English proficiency as a barrier to accessing County programs or activities. This plan is intended only to improve the internal management of the County and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the County.

Four-Factor Analysis:

In order to assess meaningful access to its programs and activities by LEP persons, a four-factor analysis is set out in guidance issued with Executive Order 13166. The four-factor analysis considers (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program; (2) The frequency with which LEP individuals come in contact with the program; (3) The nature and importance of the program, activity, or service provided by the program to people's lives; and (4) The Resources available to the grantee/recipient and costs.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program:

The County's statutory responsibilities concern a variety of services from tax collection to police services and court proceedings. The vast majority of the population for which the County serves is proficient in English. As such, LEP services are not normally required.

Factor 2: The frequency with which LEP individuals come in contact with the program.

Generally, all contact with the County is made through its various Departments, all located in Vermilion County, Illinois. The contact is typically from citizens coming to one of our public buildings to interact with one of the governmental departments. Our police services will encounter the public while on patrol. Our Highway Department will have little public interaction due to the nature of their job, but the public will contact that Department with questions or concerns from time to time. Delivery of services at the County level typically does not raise LEP concerns, except for court and law enforcement services. At the court level where language might be a more frequent issue, LEP individuals are served by the utilization of the Criminal Proceeding Interpreter Act (725 ILCS 140/1).

Factor 3: The nature and importance of the program, activity, or service provided by the program to people's lives.

The primary objective of the County is to deliver basic governmental services to all citizens. The County does affect the life of every resident in some fashion or another. In the vast majority of cases, the contact is slight, typically involving property taxes, infrastructure and road

maintenance. In other cases, involving a smaller percentage of the population, it can be fairly intense, involving police, court, health related services or food inspections.

Factor 4: The resources available to the grantee/recipient and costs.

Albeit the services provided are of great importance, the County is small in nature. The County, as a whole, typically employs 400 people during any given fiscal year. Due to the County's budget, an increasingly tough State economic situation, and wherein the LEP population is extremely small and contact is infrequent, the County's has adopted a policy of utilizing interpreters on an as-needed basis. The most prevalent use is likely to be in the court system where the availability of interpreters is advertised. Providing such services in areas where the need is more likely to be an issue and the issues of great importance to the individuals involved serves the philosophy behind the Executive Order.

Scope and Compliance

Due to the relatively small number of LEP persons encountered over time, the overall size of the County, and the County's strict budget, County personnel are instructed to notify their supervisor, who is the elected official over their department, if an LEP person is encountered, or services are requested by an LEP person who wishes to access the County's programs and activities. The County will provide meaningful access to LEP individuals whereby language assistance will result in accurate, timely, and effective communication which is not restricted, or inferior, as compared to the programs and activities provided to English proficient persons. In the event interpretation services are needed in order to translate other languages for time-sensitive and critical life issues (for criminal court matters for instance), the County will obtain quality interpreter and translator services for those languages. Interpretation services may include but are not limited to oral interpretation conducted in-person or via telephone or other means or written translation by qualified translators. The Criminal Proceeding Interpreter Act (725 ILCS 140/1) will be particularly useful at the court level. That Act assists those accused of a crime, and further provides the right to a qualified court-appointed sign language interpreter to be afforded to persons with disabilities who are victims of, or are called as witnesses in court proceedings.