

Minutes approved 04-18-12



EXECUTIVE COMMITTEE

McKenzie Building - Jury Commission Room

Wednesday, March 21, 2012 – 4:15 p.m.

Committee Members Present: Chairman David Zimmerman, James Carius, Russ Crawford, Mike Harris, Terry Hillegonds, Lincoln Hobson, Carroll Imig, Tim Neuhauser, Greg Sinn, Terry Von Boeckman

Committee Members Absent: Jim Donahue, Dean Grimm

MOTION

MOTION BY CARIUS, SECOND BY HOBSON to approve the minutes of the February 22, 2012 meeting

On voice vote, MOTION CARRIED.

NEW BUSINESS

MOTION

E-12-16

MOTION BY CARIUS, SECOND BY HILLEGONDS to recommend to County Board to approve authorization for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 1991.

Chairman Zimmerman stated this is a Resolution that is passed routinely each year.

Jim Thompson, Director of We Care, was at the meeting. He stated the funding from the State was unstable. It was to be a 10% increase by statute.

On voice vote, MOTION CARRIED.

MOTION

E-12-17

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the County Delinquent Mobile Home Taxes Resolution.

On voice vote, MOTION CARRIED.

MOTION

E-12-21

WITH REGRET, MOTION BY VON BOECKMAN, SECOND BY IMIG to recommend to County Board to approve the resignation of County Board Member, Joyce Antonini.

Zimmerman advised the Committee he has a copy of her resignation letter if anyone wanted to see it. He stated she was a great Board Member for 19 plus years and it is sad to see her move on.

Zimmerman stated by statute he has notified both parties. Within 60 days of the full Board meeting will be a replacement recommendation brought to Committee.

On voice vote, MOTION CARRIED.

MOTION
E-12-06

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of Bruce Lindenfelser to the Armington Community Fire Protection District.

On voice vote, MOTION CARRIED.

MOTION
E-12-11

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of Clinton Sommer to the Central Fire Protection District.

On voice vote, MOTION CARRIED.

MOTION
E-12-12

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of John Spinder to the East Peoria Sanitary District.

On voice vote, MOTION CARRIED.

MOTION
E-12-13

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of Greg Sinn to the Farmland Assessment Review Committee.

On voice vote, MOTION CARRIED.

MOTION
E-12-14

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of Keith Haning to the Farmland Assessment Review Committee.

On voice vote, MOTION CARRIED.

MOTION
E-12-15

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of John Zimmerman to the Farmland Assessment Review Committee.

On voice vote, MOTION CARRIED.

MOTION
E-12-18

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of Richard Alford to the Hopedale Fire Protection District.

On voice vote, MOTION CARRIED.

MOTION
E-12-19

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of David Sangalli to the Brush Hill Fire Protection District.

On voice vote, MOTION CARRIED.

MOTION
E-12-20

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of Debra J. Garman to the Powerton Fire Protection District.

On voice vote, MOTION CARRIED.

MOTION
E-12-22

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of Mike Harris to the Tazewell County Extension Board.

On voice vote, MOTION CARRIED.

MOTION
E-12-23

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of Greg Sinn to the Tazewell County Extension Board.

On voice vote, MOTION CARRIED.

MOTION

E-12-24

MOTION BY CRAWFORD, SECOND BY NEUHAUSER to recommend to County Board to approve the reappointment of Rosemary Palmer to the Tazewell County Extension Board.

On voice vote, MOTION CARRIED.

Chairman Zimmerman advised the Committee that the Resolution for Energy Aggregation has been pulled from the Agenda at this time. Public hearings are required prior to it being an Action item.

MOTION

E-12-25

MOTION BY NEUHAUSER, SECOND BY CARIUS to recommend to County Board to approve the Employment Agreement with Michael Freiling for County Administrator.

Chairman Zimmerman ensured that all Committee members had received a copy of the potential agreement. Freiling was asked what he would like to see in a contract and the Search and Screening Committee members reviewed his requests.

Chairman Zimmerman reviewed some of the highlights of the contract with the Committee.

- It is a three year contract.
- Starting salary is \$120,000.00. The previous administrator's ending salary was approximately \$107,000.00.
- Vacation pay – Freiling requested three weeks with two weeks up front. There was language added that he could carryover five days but they had to be used by April 1st of the following year.

Crawford asked how that compared to our exempt employees. Zimmerman stated they can carryover ten days.

- Automobile allowance is \$300.00 per month. The previous administrators ending auto allowance was at \$500.00 per month.
- 457K benefits is at 2% of salary. The former administrator ended at 3% and was tiered to increase in subsequent years.

Crawford inquired about the three year contract. If all items were agreed to, would each year within the three years include benefits increasing. Zimmerman stated that was an option. Neuhauser stated there will be an annual evaluation and at that time we have the ability to make changes or not make changes.

Webb asked to clarify the vacation pay for payroll purposes. Zimmerman stated that in 2012 he will have three weeks vacation. When he starts in mid-May he will already have two of those weeks accrued. Webb clarified that he will start with two weeks on the books and will then accrue at the three week rate.

- Language was added to Outside Activities in which the ICMA Code of Conduct must be followed.
- Severance language was changed. He will have 6 months severance pay if the decision was to let him go. This is the same the former administrator had. In year two of this contract, there will be 7 months, year three, there will be 8 months and in year four it will be capped at 9 months.
- Reimbursement – the County will reimburse up to \$2,000.00 of moving expenses and any temporary housing.

Zimmerman stated that the State's Attorney posed a question and the answer is not known. This is a three year contract and if it was not renewed, six months notice is required. That is standard contract language. The question was if the decision was not to renew at the two year - two month point, at the end of the three year contract do we owe him severance at that time.

Crawford stated the answer should be "no" or no if there is cause for separation. Neuhauser stated that the agreement states "in the event the employer terminates this agreement". There is a difference between termination and expiration. Neuhauser stated this is silent if we say the contract will not be renewed.

Hillegonds stated if the contract was not going to be renewed, the County would know that well in advance. Crawford stated that would be true unless there was one instance of egregious behavior.

Hobson stated he agreed that there would be a length of time when both parties knew the contract was not going to be renewed. The chances of that happening are not likely.

Zimmerman stated that he would like the intent and understanding reflected in the minutes. Hobson stated he thought there would be no severance in that instance. Crawford stated he was not convinced that reflecting in the minutes that we were silent would be sufficient. There should be one line added to reflect what was just stated.

Assistant State's Attorney, Mike Holly, was asked his opinion. Holly stated he had not previously seen the agreement. Holly stated that Umholtz had wanted the Committee to interpret their intent.

Holly stated in a contract there is a difference between termination and expiration. He stated it would be difficult to see the example happen as at some time both parties would know the contract needs to be renewed or ended. If the decision is to not renew, perhaps one of the parties would chose to terminate it sooner than later.

The committee consensus was the severance language was sufficient.

Zimmerman stated the contract has been reviewed.

On voice vote, MOTION CARRIED.

Neuhauser shared with the Committee that he assisted Freiling back to the hotel in Morton. Freiling commented on how refreshing the reception was. He was involved in recruitment before with other jobs and everyone here was so welcoming and nice to him. It was received well by him and he greatly appreciated it.

Zimmerman asked that the record reflect that the employment agreement received a unanimous vote.

**REPORTS AND
COMMUNICATIONS**

Hillegonds advised the Committee that PDC recently received a letter from John Deere regarding hazardous waste that they have sent to PDC. They have certification to receive a hazardous waste called F006 which is treated at

PDC to change it to non-hazardous waste and then it goes to Indian Creek. The Deere letter documents they had also sent a hazardous waste called F019, which they are not certified to do. The letter also indicated that they wanted to change retroactively to everything they have sent.

Hillegonds stated that PDC turned it all over to the EPA. He stated it is a technical violation. PDC did not know this was happening. The treatment to F006 is the same as F019, so it was being treated by PDC anyway.

Currently, the Health Services Committee is awaiting direction from the EPA.

Hillegonds also advised the Committee that the Solid Waste Management Plan will be on the Agenda for the 03-28-12 County Board Meeting. He said Ray Corey, Director of Solid Waste Management, did a super job on this project. The new Plan has been tightened up as to what is received in the landfills. There was a public hearing on this and there have been no comments.

Harris reported that the Health Department and Community Development have standards on things such as how tall grass should be, etc. Both departments go out to properties and sometimes standards are not met. These two departments are now writing things the same and even using the same computer program. They are working together and expect good things as a result.

Zimmerman stated that he will announce at the full Board meeting that the Finance Committee will have to determine salaries for the Auditor, the Circuit Clerk, the Board Chairman, the Coroner, and Board Members at their April meeting. The Auditor, Circuit Clerk, Coroner and Board Chairman salaries will be determined for the next four years. Board Members compensation will be determined for the next ten years. The State's Attorney salary determination is also due but that is completed by the State.

Zimmerman asked the Committee to give this some thought and communicate ideas to Finance Chairman Neuhauser.

Chairman Zimmerman recessed the Committee at 4:40 p.m.

(transcribed by S. Beeney)