

Jackson County Board of Commissioners Meetings Minutes
July 8, 2003 - Regular Meeting
Jackson County Commissioners Chambers: 7:00 p.m.

CALL TO ORDER:

Chairman Rice called the July 8, 2003 Regular meeting of the Jackson County Board of Commissioners to order at 7:00 p.m.

INVOCATION:

Comr. Lacinski

PLEDGE OF ALLEGIANCE

ROLL CALL:

(12) Present: Comrs. Herl, Adams, Brittain Day, Baxter, Videto, Shotwell, Mahoney, Rice, Lacinski, Wilson, & Elwell

APPROVAL OF AGENDA

Moved by Mahoney supported by Brittain to Approve the Agenda as written. Motion carried.

AWARDS & RECOGNITIONS:

A. Employee of the Month of June, Bill Koski, Maintenance Technician, Sheriff Department. Presented by Rice with remarks by Sheriff Dan Heyns.

B. Employee of the Month of July, Sergeant Howard Tanner, Sheriff Department. Presented by Rice with remarks by Sheriff Dan Heyns

C. *Moved by Rice supported by Baxter to Adopt the Retirement Resolution for Vicky Bradley, Equalization Supervisor, with 25 years, 1 month of Service.* Roll call: (12) Yeas. Motion carried unanimously. Remarks by Randy Treacher, Deputy County Administrator.

D. *Moved by Rice supported by Baxter to Adopt the Retirement Resolution for Barbara Sibson, Secretary II at the Health Department, with 22 years, 1 month of Service.* Roll call: (12) Yeas. Motion carried unanimously. Remarks by Health Officer Ron Grimes

COMMUNICATIONS/PETITIONS:

None

SPECIAL ORDER/PUBLIC HEARINGS:

None

PUBLIC COMMENT:

Public comment began at 7:17 p.m. with Judy Reynolds requesting support for the public seat on the Community Corrections Advisory Board.

Brian Philson, Director of the Youth Center requested that the Commissioners table the issue of the non-union incentive bonus. He was unaware until he saw the Agenda that the issue was going to be brought before the Board tonight. He feels that the Department Heads need to be afforded the opportunity to provide some input to the Committee in order for them to make an informed and educated decision.

Public comment ended at 7:20 p.m.

SPECIAL MEETING OF STANDING COMMITTEES:

None.

CONSENT AGENDA ITEMS:

Moved by Herl supported by Baxter to Approve the Consent Agenda items A through R as contained in the following Consent Agenda list:

Elwell requested Item C be removed, Brittain requested that Item I be removed, and Videto requested that Item O be removed.

Moved by Baxter supported by Brittain to Approve the Consent Agenda as amended.

- A. Approve the Minutes of the June 9, 2003 Committee of the Whole
- B. Approve the Minutes of the June 9, 2003 Special Board Meeting
- C. Approve the Minutes of the June 17, 2003 Regular Board Meeting

County Affairs:

- D. Establish a Public Hearing at the August 12th Board Meeting, 7:15 p.m., on the Petition to Annex Certain Land to the Village of Brooklyn
- E. Receive the 2002 Register of Deed's Annual Report and File Same with the Clerk's Office
- F. Disband the Jail Millage/Financing/Construction, the Drain Ad Hoc, and the Sparks Park Ad Hoc Committees upon completion of their assignments
- G. Approve requesting the City to amend its Transportation Plan to reduce Brown Street, from Morrell Street to High Street, from 4 lanes to 2 lanes.
- H. Approve requesting the City Council to go on record supporting the closing/removal of the westerly 2 southbound lanes of Brown Street in Sparks Park and the County supports the same.
- I. Give first reading to the proposed Dog License fee increases for the 2004 dog license year, as recommended by the Animal Control Manager and the County Treasurer

Human Services:

- J. Approve Region 2 Area Agency on Aging's Multi-Year Plan FY 2004-2006

Personnel & Finance:

- K. Approve Boss Construction Co., Inc. continuing the Tower Building Exterior Restoration Project (Area 9-East ½ of the North Elevation) up to the amount budgeted for 2003 (\$125,000)
- L. Award the bid for the replacement of the two boilers at the Youth Center to Grindall & White in the amount of \$57,888 with monies to come from budgeted Public Improvement Funds
- M. Approve the Register of Deed's budget adjustment which increases revenue by \$190,000
- N. Approve the Drain at Large budget adjustment which transfers \$8,468 to Contingency
- O. Approve the sale of land (approx. 85' x 100') at Horton County Park to Mr. Craig Bos in accordance with the request of the Parks Commission subject to the appropriate easement, granting the County the first right of refusal if the property is ever sold with the funds designated to the Parks Fund.
- P. Approve the Drain Commission budget adjustment to move \$10,000 from Full-time wages to Contractual Services to pay for the contract to do the Soil Erosion Program
- Q. Approve the Prosecuting Attorney's budget adjustment which includes the purchase of 6 computers (\$*8,100), 3 printers (\$1,650), routers (\$7,000), and legal books (6,800) for the Prosecution Attorney's Office with unanticipated revenue and the transfer of the remaining \$26,450 into Contingency
- R. Approve the Department on Aging budget adjustments which reflect the receipt of additional funds
Motion carried.

The Minutes, Item C of the Consent Agenda, are not overseen by any Committee, Elwell indicated that the Minutes of the June 17, 2003 Meeting of the Jackson County Board of

Commissioners reflected under Consent Agenda Items, Personnel & Finance, Item J should have read:

J. Create 19 New Positions to staff the Chanter Road Jail Facility as follows:

1. 1 Lieutenant
2. 3 Correction Sergeants
3. 14 Correction Officers
4. 1 maintenance Tech

Moved by Baxter supported by Brittain to Approve the Minutes of the June 17, 2003 Meeting of the Jackson County Board of Commissioners as Amended. Motion carried.

STANDING COMMITTEE REPORTS:

A. County Affairs:

1. *Moved by Day supported by Mahoney to Approve the Entire Slate of Members to the Community Corrections Advisory Board.* Motion carried.

2. *Moved by Day supported by Mahoney to Appoint either Judy Reynolds or Russell Jennings to the public seat on the Community Corrections Advisory Board to serve for an indefinite term.* Baxter spoke on behalf of the Advisory Board and indicated that their choice was Judy Reynolds. *Moved by Mahoney supported by Lacinski to Close Nominations and proceed to ballot.* Motion carried. Roll call: (11) Reynolds, Cmr. Herl, Adams, Day, Baxter, Videto, Shotwell, Mahoney, Rice, Lacinski, Wilson, & Rice. (1) Jennings, Cmr. Brittain. Judy Reynolds was appointed to the public seat on the Community Corrections Advisory Board.

B. County Agencies:

Consent Agenda Item I – *Moved by Shotwell supported by Mahoney to Give first reading to the proposed Dog License fee increases for the 2004 dog license year, as recommended by the Animal Control Manager and the County Treasurer.* Brittain does not feel that a fee increase is needed and that people should not be penalized for wanting to own a pet. Motion carried with the record reflecting a Nay vote from Brittain.

Moved by Shotwell supported by Mahoney to Change the senior citizen age from 65 to 62 in relation to dog license fees. Roll call: (7) Yeas. Cmr. Herl, Adams, Day, Baxter, Shotwell, Mahoney, & Wilson. (5) Nays. Cmr. Brittain, Videto, Lacinski, Elwell, & Rice. Motion carried.

C. Human Services:

Moved by Mahoney supported by Baxter to Adopt Resolution #3 (07-03.20) to Revise the Mid-South Substance Abuse Commission Inter-county Agreement for the Creation of the Mid-South Substance Abuse Commission. Roll call: (12) Yeas. Motion carried unanimously.

D. Personnel & Finance:

Item O from the Consent Agenda. *Moved by Elwell supported by Baxter to Approve the sale of land (approximately 85':x 100') at Horton County Park to Mr. Craig Bos in accordance with the request of the Parks Commission subject to the appropriate easement granting the County the first right of refusal if the property is ever sold with the funds designated to the Parks Fund.* Videto suggested that there should be

a deed restriction regarding historical purposes and an easement for entrance into the millpond. *Elwell accepted the friendly amendment, supported by Brittain.* Chet interjected that the gentleman would like to use the land for a parking lot, and that would not be for historical use. Rice said that the building/business is historical. Videto clarified that the purchase was to be used to enhance or maintain the use of his property. At some time the purchaser may parlay the property into commercial use. Baxter asked if this was a request that would be brought back as a motion after the title search etc. is finished. Chet said that it would not be brought back. Adams expressed that by putting the deed restriction on, and since this would not be brought back before the Board, this would prevent someone from asking for permission to build a house, or do something else that had no historical value. There was agreement that there should be a deed restriction. Amended motion carried.

1. *Moved by Elwell supported by Shotwell to Approve the Sheriff Department's Agreement with Canteen Services for Provide Food Service to the Chanter Road Jail.* Brittain expressed his concern that there was only one bid offered for this proposal. Motion carried with the record reflecting a Nay vote from Brittain.

2. *Moved by Elwell supported by Lacinski to Award the bids for the fiber optic project as follows:*

a. *Concur with the award of bid to UCI for Project 1 in the amount of \$42,324.90 (County portion is \$27,467.80), which is a joint project with the City of Jackson*

b. *Award the bid to UCI for Project 2 in the amount of \$12,913.40*

c. *Award the bid to ICT for Project 3 in the amount of \$13,911.71*

Wilson asked for clarification as to where we were taking the fiber optics. Chet offered the explanation. Brittain expressed the same concern as the previous motion concerning lack of bids. He also expressed that he thought that the people collecting the bids were only doing the absolute minimum necessary. Mahoney interjected that the City had followed the guidelines of the County. The business of the County cannot be held up because people are not bidding. Wilson asked if bid packages had been sent out to other companies. Craig Burnette was asked to speak to the issue and indicated that there were several bidders in the joint bid for the City. Part of the project is an aerial lash over on Consumers poles and part of the project is underground project involving directional boring. The ability to connect in time, to connect to the jail at the same time that the water project with Blackman Township was ongoing. It is more cost effective while the crews and materials were in the area for the bids received. Wilson re-stated his question as to how many RFP's were sent out. Craig responded that no RFP's were sent out, but that 3 contractors were contacted. Adams clarified that nothing was advertised. Wilson inquired how this would affect the City if no action were taken tonight. Craig replied that the City had complied with the County guidelines and would not be affected. Lacinski insisted that this is a complex issue when involving fiber optic with an aerial over lash with attachment agreements with the phone/power company. It's a multiplex issue with timing issues. Adams added that we are policy makers and need to be following policy, or need to know that we need to amend policy. Elwell said that the Board did the same thing with the Jail Issue and it was in the best interest of the County. *Moved by Adams supported by Mahoney to Call for the Question.* Motion carried. Roll call: (11) Yeas. Cmr. Herl, Adams, Day, Baxter, Videto, Shotwell, Mahoney, Rice, Lacinski, Wilson, & Elwell. (1) Nay. Cmr. Brittain. Motion carried. Chet reminded the Commissioners that an RFP is not required for projects under \$50,000, the Department Head only has to show "due diligence". This was not an RFP project.

3. *Moved by Elwell supported by Baxter to Approve the Recommendations contained in the Ad Hoc Committee on Compensation report with the exception of the "Recommended Separate Action List".* Motion carried.

4. Approve the "Recommended Separate Action List" from the Ad Hoc Committee on Compensation:

a. *Moved by Elwell supported by Baxter to Require of all eligible non-union employees, mandatory cash-out of 25% of each employee's accrued sick time bank in 2003 and 25% of each employee's remaining accrued sick time bank in 2004. For eligible union employees, the same payout is recommended, as can be negotiated and budgeted for.* *Moved by Brittain to table for further discussion.* Motion dies for lack of support. Main motion carried.

b. *Moved by Elwell supported by Herl to Amend the Non-Union Policies and Procedures to direct that new non-union employees accrue their PTO time at the rate of one day for every thirty calendar days of employment.* Motion carried.

c. *Moved by Elwell supported by Herl to Approve the Removal of Performance Incentive Payment from the benefit package for any non-union new hire after the*

BOC meeting of July 8, 2003. *Moved by Brittain supported by Mahoney to table this motion.* Roll call: (5) Yeas. Cmr. Brittain, Baxter, Shotwell, Mahoney, Lacinski. (7) Nays. Cmr. Herl, Adams, Day, Videto, Wilson, Elwell, & Rice.

Motion to table fails. Elwell indicates that this will be a significant cost savings and will not affect any employee who is currently employed; only new hires and they will know the situation coming in. Motion carried.

d. *Moved by Elwell supported by Wilson to Cap the Performance Incentive payment for eligible non-union employees at a maximum of 3% effective July 8, 2003.*

Elwell indicated that Chet had been an integral part of this process and had requested permission to discuss it at a Department Head meeting, and Elwell himself had requested an e-mail be sent as a follow up to get their comments. Also, Brian Philson had sent an e-mail to Elwell and Elwell had answered his questions. *Moved by Mahoney supported by Day to Cap the Performance Incentive payment effective January 1, 2004 as a friendly amendment.* Elwell indicated that the Committee had looked at other options such as health care and longevity. Health care is the last thing he would like to see cut. Baxter speaks to the subject, as it is the only thing he opposed that came out of Committee. Baxter is against it because the money tie to the evaluation process has been a problem for many of the departments. Half of the evaluation is objective and half is subjective. When you take the smaller departments into consideration, it creates a hardship for your office to attend the meetings required. By cutting the non-union employees from 4% to 3% you will not allow them to possibly achieve 4%, and since we are already giving bonuses on 2 different basis, one group is being punished over another. Baxter is in favor of switching the non-union to longevity. We are treating the non-union unfairly. Day indicates that union members pay dues to obtain extra benefits; he has no problem cutting the non-union employees to 3%. Elwell stated that 13 of the Department Heads were for the Performance Evaluations, 6 for longevity, and 1 non-committal. Everything is a balancing act and the mission is to save money. Baxter pointed out that the Departments that were opposed were the small departments for the aforementioned reasons. Longevity would also save money in the long run. To look at 2 groups and treat 1 unfairly compared to the other is illogical just to save money. Elwell interjects that the reality is that unions bargain separately and not everyone receives the same thing. Shotwell points out that the message being sent is that the non-union employees need to form a union. The dollars need to be removed from performance and the committee needs to remain intact for another month for more investigation. *Moved by Shotwell supported by Baxter to table this motion and return to the Ad-Hoc committee for a financial report next month.* Roll call: (6) Yeas. Cmsrs. Adams, Baxter, Shotwell, Mahoney, Lacinski, & Rice. (6) Nays. Cmsrs. Herl, Brittain, Day, Videto, Wilson, & Elwell. Motion fails.

Baxter believes that the some of the Commissioners are under the false conception that by reducing the incentive payment cap, that it would solve the problem of the departments that are giving 4% across the board. Elwell indicated that he did not have that conception, but there were 2 departments and a total of 16 employees that did give 4% across the Board and the Commissioners need to be aware of that and monitor the situation. Videto maintains that this motion was the better of the choices offered. Wilson said that the Commission should support the committee and their plan of reducing the incentive payment to 3%. This is a definite cost savings and that would not necessarily lock the union in at that percentage. Rice called for the Question and requested a roll call vote. Roll call: (8) Yeas. Cmsrs. Herl, Adams, Brittain, Day, Videto, Wilson, Elwell & Rice. (4) Nays. Cmsrs. Baxter, Shotwell, Mahoney, & Lacinski. The amended motion **to Cap the Performance Incentive payment for eligible non-union employees at a maximum of 3% effective January 1, 2004** carried.

e. *Moved by Elwell supported by Baxter to Terminate the Information Technology retention bonuses effective April 30, 2004. No new hires after July 8, 2003 would be eligible.* Motion carried.

5. *Moved by Elwell supported by Baxter to go into Closed Session to discuss labor negotiations as allowed by the Open Meetings Act. Moved by Shotwell to add the friendly amendment to go into Closed Session after Public Comment.* Roll call: (12) Yeas. Motion carried unanimously

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

CONSIDERATION & ALLOWANCE OF CLAIMS:

Moved by Mahoney supported by Baxter to Allow the Claims. Motion carried.

PUBLIC COMMENT:

Public comment began at 8:28 p.m. with Judy Reynolds thanking the Commissioners for her appointment to the Community Corrections Advisory Board.

Mindy Reilly, Register of Deeds, spoke for the non-union who have no voice. It's important to get their input when dealing with their livelihood. She feels that using the mid-management non-union who give 110% as guinea pigs for the union is wrong. There have been rumors of the non-union starting a union because they have no voice.

Brian Philson voiced that he appreciated the discussion regarding the incentive payment. As for the e-mail that was sent out to the Department Heads and Elected Officials was equal to "should I paint my house fluorescent

orange or fluorescent green?" Technology is great, but a greater amount of input should be allowed. At the Department Head meeting it was put to us that this issue would not go before the Board but would be meeting again. It was surprising to Brian and other Department Heads when it was moved forward. Brian had expressed that he would be willing to meet with that committee and offer input, and was frustrated that he was not given the opportunity. Brian did express gratitude to the committee for the work that they did.

Wilson encouraged the Administrator to include the Department Heads. Strong companies are built with everyone's involvement.

Public comment closed at 8:31 p.m.

Rice indicated that he would be leaving at 8:45 during Closed Session and Herl would be closing the meeting.

The Jackson County Board of Commissioners went into Closed Session at 8:32 p.m.

Moved by Mahoney supported by Day to Return to Open Session. Motion carried. The Jackson County Board of Commissioners returned to Open Session at 9:12 p.m.

Moved by Shotwell supported by Baxter for the Ad-Hoc committee to study longevity pay versus incentive pay for Non-Union employees and bring the numbers back to the Board for review and a possible change in policy. Roll call: (8) Yeas. Cmr. Herl, Adams, Brittain, Day, Baxter, Shotwell, Mahoney, & Wilson. (2) Nays. Cmr. Videto and Elwell. Motion carried.

ADJOURN TO THE CALL OF THE CHAIR:

Moved by Videto supported by Elwell to Adjourn to the Call of the Chair. Motion carried.

The July 8, 2003 meeting of the Jackson County Board of Commissioners was adjourned at 9:18 p.m.

Jim Rice, Chair, Jackson County Board of Commissioners
Sandy Crowley, Jackson County Clerk
Respectfully submitted by Erin Foster, Chief Deputy County Clerk