

FINANCE COMMITTEE MEETING
February 1, 2016
5:15 P.M.

MEMBERS PRESENT

Jay Dunn
Tim Dudley
Kevin Greenfield
Patty Cox
Linda Little
Greg Mattingley

MEMBERS ABSENT

Keith Ashby

COUNTY PERSONNEL PRESENT

Rodney Forbes, Public Defender
Mike Baggett, State's Attorney's Office
Josh Tanner, S of A
Pat Berter, Probation
Carol Reed, Auditor
Steve Bean, County Clerk
Ed Yoder, Treasurer
Bruce Bird, County Engineer
Mary Eaton, Recorder
Lt. Butts, Sheriff's Department
Jeannie Durham, County Board Office

CALL TO ORDER

The meeting was called to order by Chair Dunn, at the Macon County Office Building.

APPROVAL OF MINUTES

Ms. Little made a motion to approve minutes of prior meeting, January 4, 2016 seconded by Ms. Cox and motion carried 6-0.

CLAIMS

Motion to approve the report of the claims as presented made by Ms. Cox seconded by Ms. Little and motion carried 6-0.

REPORTS –

Audit Sub Committee – no report

Auditor –

Macon County Board Resolution Accepting a One Year Proposal from AJ Gallagher for Property and Inland Marine Insurance Coverage

Ms. Reed explained that this is a renewal. United Fire and Casualty has been the company for two years. The price this year has gone down from \$27,000 to \$25,000 because we have dropped the Health Department. Chair Dunn asked why the Health Department had been dropped. Ms. Reed explained that they are now with the Building Commission. The contents are still covered, but the building is no longer covered with the County.

Ms. Cox made a motion for approve forwarding the resolution on to the full board with recommendation to approve, seconded by Mr. Dudley and the motion carried 6-0.

Board of Review –

Mr. Tanner reported that they should be closing our books this month so they will be turning them over to the County Clerk.

Supervisor of Assessments –

Mr. Tanner spoke about the hospital in Champaign and said that for 2015, the Board of Review plans to make no changes and they will wait to hear from either the Illinois Supreme or the Department of Revenue to make a decision about what to do going forward. If anything comes down, Mr. Tanner said he would email it to everyone. Mr. Dudley said that they had run into this at Mt. Zion where the Rural King building is. That was zeroed out. He asked if this is the same deal. He asked if the assessment on that hospital is zero or is it assessed and credited because of them being tax exempt or non-profit. Mr. Tanner explained that non-homestead exemptions are not like a general person's homestead exemption where you have an assessed value and then a reduction. If it is exempt from the state, it is just exempt. There is no value. Mr. Dudley asked if the non-profit status is taken away from them, how it would be figured. Mr. Tanner said the prior year would be zero and then whatever it becomes would go in. Mr. Dudley asked if a year of taxation would be lost because of it being zero. Mr. Tanner said no because we are collecting for 2015 in 2016. We are always in arrears. The Appellate Court made the decision in 2016, so if they make a decision in 2016, we would have until this time next year to pick it up for 2016. Mr. Dudley asked if they would retro-active it back. Mr. Tanner said he did not know. Mr. Baggett said that would be up to the Supreme Court. Mr. Dudley said that IF they retro-active it back for 3 or 4 years, then what? Mr. Tanner said the Board of Review can go back and pick up omitted property. The Department of Revenue would probably issue some guidance on whether that is considered omitted property or not. Mr. Dudley asked if Mr. Tanner felt that he would be able to assess that then. Mr. Tanner said it depends on what the Supreme Court and State Legislature say, but there is a mechanism to pick up omitted property. Whether they allow us to do that or not is up to the state. Mr. Dudley said they may just decide that it is from today on. Mr. Tanner said they could. Mr. Dudley said that if they don't, we've got a way. He said that was all he wanted to know because he didn't want it to be like that Rural King thing. Mr. Greenfield pointed out that the Rural King was a TIF. Mr. Dudley agreed, but said it was zero assessed and it should never have been done. A question that could not be heard was asked, but Mr. Tanner responded by saying that they have struck down the statutes that were written specifically for hospitals so there are a multitude of scenarios that could arise. They could go back to filing as a charitable organization. The whole process was started when the Department of Revenue determined that they were not charitable. So, they could go back and file charitable again or the Supreme Court could null the hospital exemption and then the state legislature could try to write a new law that passes constitutional muster or what may be simpler is that they create another preferential assessment which means that they are not exempting the property, but they are basically saying that it has to be assessed in a certain way and therefore you do not have this constitutional argument of exempting it, you are just basically stating that it is assessed and you use this mechanism to assess it. It would probably be significantly less than the value of the buildings, but it would still be something. We have several preferential assessments already. Golf courses, low income housing, and farmland are assessed in a special way. That is one of the options, but it is up to the State Legislature so it is hard to say.

GIS – Mr. Tanner had no report

Mr. Dudley asked Josh what he was doing later in the week. Mr. Tanner explained that he would be doing a presentation at the Chamber for the taxpayers. Since it is generally all

business people, it will be on the tax cycle in a nutshell and their rights and responsibilities on how they can appeal their assessment. He said he was trying to emphasize the timing because it is unfortunate when someone shows up with really good evidence past the day and there is nothing the Board can do. He said he is trying to get them started now thinking about their appeals and not waiting until it gets put out in the newspaper.

Treasurer

Macon County Board Resolution to Execute Deeds to Convey Property on which Taxes were Delinquent

Mr. Greenfield made the motion to approve forwarding to the Consent Calendar with recommendation for approval, seconded by Ms. Cox and motion carried 6-0.

CITIZEN REMARKS – PUBLIC COMMENT - None

OLD BUSINESS - None

NEW BUSINESS – None

Recorder

Macon County Board Resolution Approving Changes in Fees Charged by the Macon County Recorder

Ms. Eaton explained that the fee study recommends that the Recorder's automation fee go to \$13 and the GIS fee to \$17.

Motion made to forward the resolution to the full board with recommendation to approve by Ms. Little, seconded by Mr. Mattingley.

Ms. Cox asked what the fees are now. Ms. Eaton said the Recorder's automation was \$8 and the GIS was \$13. The motion carried 6-0.

County Clerk

Macon County Board Resolution Approving Changes in Fees Charged by the Macon County Clerk

Mr. Bean explained that this, like the Recorder's, is a Bellweather fee study recommendation to raise the Clerk Automation fee from \$2 to \$3 and that they also collect \$1 fee for Notaries that are done by the office.

Motion made to forward the resolution to the full board with recommendation to approve by Mr. Mattingley, seconded by Mr. Greenfield and motion carried 6-0.

Macon County Board Resolution Amending the Fees of the Macon County Clerk

Mr. Bean explained that it had been discovered a couple of weeks ago that when Bellweather had recommended through their study in 2013 that the Take Notice Fee be raised from \$10 to \$14, the way the Statute is written, the fee needs to be rolled back to \$10.

Mr. Baggett explained that when Bellweather did the fee study in 2013, the Take Notice Fee was recommended to be raised from \$10 to \$14. That is included under a section of the

County's Code which deals with the County Clerk's fees and which ones can be raised by virtue of the fee study. The Take Notice Fee is not included in the County's Code as a fee of the County Clerk. It is actually a fee that is created by provision of the Property Tax Code. The Property Tax Code does not have a provision which allows for that fee to be increased pursuant to a fee study. It is set forth at \$10 plus the cost of postage in the Property Tax Code. So, when Bellweather recommended that fee be increased in 2013, it was beyond the scope of the authority of the County Board to do so. This resolution will amend that ordinance to take that fee back down to what it is set for in the Statute.

Motion made to forward the resolution to the full board with recommendation to approve by Ms. Cox, seconded by Mr. Mattingley.

Ms. Little asked if the County would owe reimbursement. Mr. Baggett said no. There is a provision of the Statute. The County Clerk was acting in good faith. The County Board was acting in good faith when it did it. It does not bear any liability to people who have had to pay the extra fee during the 1 ½ to 2 years this was being applied. We have taken measures on any pending properties that have not been redeemed, but have had the Take Notice filed to make sure those measures are refunded. That might be coming to the Board next month as a special appropriation in order to refund that and make sure that once we became aware of it we did not continue to charge it. The motion carried 6-0.

County Board

Macon County Board Resolution Approving Lease Agreement with Senator Andy Manar

Mr. Greenfield explained that this is the same as it has always been with nothing changing in the terms and made a motion to forward the resolution to the full board with recommendation to approve, seconded by Mr. Dudley and motion carried 6-0.

Probation

Macon County Board Resolution Amending the Probation FY15 Budget

Mr. Berter explained that this is a bucket transfer from hospitalization to juvenile detention because they had gone over in the juvenile detention line.

Motion made to forward the resolution to the full board with recommendation to approve by Mr. Mattingley, seconded by Ms. Cox and the motion carried 6-0.

State's Attorney's Office

Macon County Board Resolution Approving Amendment to the State's Attorney's FY16 Budget

Mr. Baggett explained that this is to appropriate a revenue line to show that the State's Attorney was able to sell cellular phones and this will show the revenue coming in.

Motion made to forward the resolution to the full board with recommendation to approve by Mr. Mattingley, seconded by Ms. Cox, and the motion carried 6-0

Macon County Board Resolution Amending the State's Attorney's FY16 Budget for the Teen Court Program

Mr. Baggett explained that this is a donation grant from the Community Foundation in Decatur. They have donated and granted for the purpose of paying a \$27, 033.02 salary in the Teen Court Program. This is an appropriation showing the revenue coming in and the concurrent expense going out.

Motion made to forward the resolution to the full board with recommendation to approve by Mr. Mattingley, seconded by Ms. Cox, and the motion carried 6-0

Transportation

Macon County Board Resolution Approving Funds for the Purchase of Right of Way on the CH 41 White topping Project from Stanley D. Lehn, Parcel 10A

Macon County Board Resolution Approving Funds for the Purchase of Right of Way on the CH 41 Whitetopping Project from Patricia Anne Bales, Richard E. Lehn, and Stanley D. Lehn, Parcel 10B.

Macon County Board Resolution Approving Funds for the Purchase of Right of Way on the CH 41 Whitetopping Project from Patricia Anne Bales, Parcel 28

Macon County Board Resolution Approving Funds for the Purchase of Right of Way on the CH 41 Whitetopping Project from Patricia Anne Bales, Parcel 35

Macon County Board Resolution Approving Funds for the Purchase of Right of Way on the CH 41 Whitetopping Project from Stanley D. Lehn and M. Jean Lehn, Parcel 36

Mr. Bird explained that the first 5 of these resolutions are to approve funds for the purchase of right of way parcels on the Ch41 white topping project from various members of the Lehn family, but they are all individual parcels and so are all treated as individual contracts.

Ms. Little made a motion to approve forwarding the 5 resolutions on to the full board for consideration with the recommendation for approval, seconded by Mr. Dudley and the motion carried 6-0.

Macon County Board Resolution Appropriating Funds for Engineering Design on a Bridge on TR 46 Drummer Road over the South Fork of Lake Fork Creek in Austin Township

Ms. Cox made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Mr. Mattingley and the motion carried 6-0.

Macon County Board Resolution Appropriating Funds for Engineering Design on a Bridge on CH 27 Damery Road over Spring Creek in Blue Mound Township

Ms. Cox made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Mr. Greenfield and the motion carried 6-0

Macon County Board Resolution Appropriating Funds for Engineering Design on a Bridge on CH 18 School Road over a Tributary to Friends Creek in Friends Creek Township.

Mr. Dudley made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Mr. Mattingley and the motion carried 6-0.

Macon County Board Resolution Appropriating Funds for an Engineering Evaluation on a Bridge on TR 226 Kruse Road over Big Creek in Mt. Zion Township.

Ms. Cox made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Ms. Little and the motion carried 6-0

Macon County Board Resolution Appropriating Funds for a 50/50 Cost Share Project on TR 51A Boody Road over Dry Branch in Pleasant View Township.

Ms. Cox made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Mr. Greenfield and the motion carried 6-0

Macon County Board Resolution Appropriating Funds for Construction on the Spacemark Road Construction Project in Hickory Point Township.

Ms. Cox made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Mr. Mattingley and the motion carried 6-0

Macon County Board Resolution Approving a Revised Joint Agreement with the Illinois Department of Transportation on the CH 30 Elwin Road and CH 41 Wyckles Road Connector Project.

Ms. Cox made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Mr. Mattingley and the motion carried 6-0

Macon County Board Resolution Approving a Revised 2016 MFT Estimate of Maintenance Cost

Ms. Cox made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Ms. Little and the motion carried 6-0

Macon County Board Resolution Appropriating Funds for Construction Expenses on the CH 30 Elwin Road and CH 41 Wyckles Road Connector Project

Ms. Cox made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Mr. Mattingley and the motion carried 6-0

Macon County Board Resolution Approving the 2016 Pipe Culvert & Band Bid

Ms. Cox made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Mr. Greenfield and the motion carried 6-0

Macon County Board Resolution Approving the 2016 Sign Bid

Ms. Cox made a motion to approve forwarding the resolution on to the full board for consideration with the recommendation for approval, seconded by Ms. Little and the motion carried 6-0

CLOSED SESSION - None

NEXT MEETING – Mon, February 29, 2016

Chairman Greenfield said he had read in the Justice Committee minutes where Mr. Dunn had brought up the possibility of the county filing suit against the state to recoup some of our money. He turned to Mr. Baggett saying he knows they owe us for the State's Attorney, Public Defender, Supervisor of Assessment, and also the County Engineer's. Mr. Dunn said he had not realized Mr. Bird's was included. Mr. Greenfield went on to say he agrees with Mr. Dunn that it is time to try to recoup some of the money. Mr. Dunn said it had been brought up at the meeting that it is statutorily required, but at the same time, we don't have our money. Mr. Greenfield said that the rainy day fund is going to have to be tapped into to make payroll and said he thinks it's time. Mr. Dunn said he would like to see the State's Attorney pursue it. He said if they recommend that we should not do so, he would listen, but said he thinks it needs to be pursued. Mr. Baggett said that the State's Attorney would file an action if the County Board adopted a resolution directing the State's Attorney to file such an action. There is a situation here where the State's Attorney is directly impacted by the cause of action he'd be filing. Mr. Baggett said he did not think the State's Attorney would necessarily want to file it just because he decided to file it. If the County Board came out and said this is what we want to do on behalf of the County because the County is the one footing the bill, ok. But, he said he did not think he'd want to do it if it was an issue of personal interest. Mr. Greenfield agreed but said he hoped the consensus of the Finance Committee would be to get the ball rolling. He said it is not on the agenda, but hoped to gain a consensus from the committee to get the ball rolling. Mr. Baggett said that with the County Board meeting coming up next week and with the Open Meetings Act requiring things be placed on the agenda before action is taken also specifically does not void any action taken by a public body for failure to have it placed on the (finance) agenda. He said he thought that next week at the County Board, if there were a resolution placed under new business and adopted out of regular order, the rules may have to be suspended, directing the State's Attorney to file such an action on behalf of the County for payment of the State's Attorney's salary, the Public

Defender's salary, the Supervisor of Assessment's salary, and the County Engineer's salary, the State's Attorney would be more than happy to take that into consideration with respect to making a decision on whether to file the cause. Mr. Baggett said he could prepare the resolution and have it ready for the County Board to act upon. Chair Dunn asked if there was anyone on the committee that would not want to see that happen. There was no one. He directed Mr. Baggett to make it happen.

Ms. Eaton said that she realized that with the other department heads, they are talking about salaries, but there are fees in the Recorder's Office from the Department of Revenue, Public Aid and they are not paying those bills either. She said it is not as large as salaries, but at a conference a couple of weeks ago, she found out that some of the other offices have denied recording such documents received from the state because they are not getting paid. She said she didn't feel comfortable in doing that, but these fees are general fund money so they are also not getting paid. Chair Dunn asked Mr. Baggett to meet with Ms. Eaton and follow up to see if there's something the Board might need to do or think about.

Chair Dunn said he had been putting some thought into the budget process and would like the committee members to think about it too. He said that quite a bit of the fund balance had been spent down over the last two years and the budget that has just been approved for this year projects using more of it. Before long, budget hearings will start again. He said he would be providing the members with several years of experience, but also noted that most of the members have been on the Finance Committee for years and thought they were aware of how the offices are. He said he was thinking about changing the budget hearing process by having the committee set a number for each office and telling them, here is your number, now submit a budget to the Auditor to reflect it. He said he would provide probably 5 years of experience of what the offices have listed on their expenditures and revenue along with the end of year actuals. He said that it all changes. There have been offices say they'd get \$140,000 revenue, but only got \$20 and probably some that said they expected \$20,000 and got \$50,000. Some of the offices are past the point of cutting, but some are not. He said he wanted them to think about it and give him their thoughts. He said that with the current process, they meet with the departments after they've gone through the oversight committee. Some come back 2 to 3 times. We've been doing this for several years and we've cut our budgets, but he said he would like to get to a balanced budget. The fund revenue has been burned down considerably in the last two years and will do it more this year. He said he does not want to go back into debt. He said it will be tough and as mentioned before, will probably involve some layoffs in some departments. There are going to be some tough decisions this year and he asked the committee members to think about them.

ADJOURNMENT

Motion to adjourn made by Ms. Little seconded by Ms. Cox the motion carried 6-0, and meeting adjourned at 5:45 p.m. Minutes submitted by Jeannie Durham, Macon County Board Office