

## LAKE COUNTY BOARD PROCEEDINGS

Thursday, December 17, 1998

The Lake County Board met in a Special Call Meeting held on Thursday, December 17, 1998, in the County Building in Waukegan, Illinois. Chairman Jim LaBelle called the meeting to order at 9:10 a.m. and asked for a moment of silent prayer. The Chair led the Pledge to the Flag. County Clerk Willard Helander called the roll. Members present were: Beattie, Buhai, Calabresa, Carter, Cole, Grever, Kyle, LaBelle, Leafblad, Marks, Martini, McCarley, Mountsier, Newton, O'Kelly, Sabonjian, Schmidt, Shorts, Spielman, Stolman and Westerman. Member Nixon was late and Member Schulien was absent.

### NOTICE OF SPECIAL CALL

1. The Clerk read into the record the Notice of the Special Call Meeting and Certificate of Mailing Notice of the Special Call Meeting. Member Spielman moved, seconded by Member Grever to accept the presentation of the Notice of Special Call. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

### ADOPTION OF COUNTY BOARD RULES OF ORDER AND OPERATIONAL PROCEDURES

2. Adoption of the County Board Rules of Order and Operational Procedure as recommended by the Rules Committee.

Member Martini advised the Board that this document involved a complete restructuring by the Rules Committee to reflect a flowing document that is easy to read. We also restructured some of the names and activities of the committees. Member Martini suggested a change on page 12 under Chair's Advisory Committee. It is being recommended that all the members of the County Board be able to attend and that the name be changed to Agenda Review Meeting that will be a regular Board Meeting. Member Martini made a motion to change the name and that the entire section be struck. There is a proposed amendment in front of us to Section II - Time of Regular and Adjourned Board Meetings.

Member Newton asked if this Committee meeting was now a committee-of-the-whole meeting rather than a second Board Meeting per month.. Mitch Hoffman of the State's Attorney's Office stated that is would not be considered a committee-of-the-whole meeting because under the rules proposed right now the Board cannot take any action at a committee-of-the-whole meeting and the intention of this meeting would be to set the agenda and therefore you would be taking some action. It would be a County Board Meeting for the specific purpose of setting the agenda and dealing with the other matters set forth. We will give the open acts notice for both of the meetings. Member Newton asked if there would then be two County Board meetings per month. Chairman LaBelle responded that it was a meeting that all Board Members were invited to attend and he expected action to be taken. Member Mountsier asked if the

proposed amendment did not include eliminating the wording on page 12 and would the wording remain. Member Martini responded that page 12 would stand as written.

Member Martini moved that the rules be adopted, seconded by Member Grever. Member Grever then asked for clarification on action taken. The procedure has been that all items go through standing committees or are brought forward by the Chairman. Mitch Hoffman responded that members were really just approving the agenda as it comes from the committee. Chairman LaBelle stated that there is no need to have major action at this Friday morning meeting. Mr. Hoffman advised that under the rules you have to vote to go into a committee-of-the-whole type session. The Chairman stated that the purpose is to invite questions about agenda items and discuss motions to be made at the Board Meeting, which is what we do now. Member Marks felt that the problem was whether to call it a committee-of-the-whole meeting or official board meeting and she suggested that we continue to call it Chairman's Advisory Committee. Mr. Hoffman was concerned that if the entire Board is convened you should give a notice and suggested that maybe the best thing to do is to specify that this is a committee-of-the-whole meeting. Member Marks expressed concern that the people who come to these meetings regularly might not have a comfort level that something important isn't going to happen on Friday morning when no one is there watching.

The Chairman asked Mr. Nollenberger if this should be changed. Mr. Nollenberger stated that in checking with the State's Attorney, he indicated that the amendment should read: "A committee-of-the-whole meeting for agenda review will be held at 8:00 a.m. on the Friday before the regular board meeting." The Chairman reviewed the amendment which was changed to "A committee-of-the-whole meeting for agenda review will be held . . . to go into Section II C and asked for a motion on the amendment. Member Leafblad moved, seconded by Member Cole to approve the amendment as stated. The Chair called for a Voice Vote on the motion. Motion carried unanimously. Member Stolman asked if these meetings were to be put on members agendas as a regular meeting.

Member Sabonjian moved to discuss the return to 16 on Item C on page 17 under Rules of Procedure which would now read ". . . by a Roll Call Vote of two-thirds of the Members of the Board present." The motion was seconded by Member O'Kelly. Member Martini stated that there had been a lot of discussion on this and the committee wanted the rules to be fair for everyone. After some discussion Member Sabonjian withdrew his motion, Member O'Kelly withdrew her second; Item C will remain as presented by the Rules Committee.

Member Martini noted that the Rules Committee would be a standing committee. Member Newton had a question on Page 7, Section I, would there be public comment as stated in Sections I and J so that every member of the board as well as the public could comment on each item as well as during Public Comment section? Member Grever asked for clarification on the Rules Committee being a standing committee. Member Martini stated that this decision was made through the recommendation of the Chairman. Member Newton expressed concern about public hearing on zoning cases - we are not allowed to reopen these cases. She felt Item J would

allow such reopening of these cases. Member Cole felt that the time limit should be imposed by the Chairman. Member Martini tried to clarify that Item I states the fact that people can address issues on the agenda while Item J sets a time limit for people to speak. Member Martini moved that Item J be amended to state: "Such public comment as stated in Section I above shall be limited to five minutes per individual or spokesman to be made at times that an item is on the floor"; this would specify that the public comment they are giving is on matters that are on the agenda and not items that have already been voted on. Member Cole seconded the motion. Member Newton still expressed concern that Item J would still allow every person at the meeting to speak at every agenda item. Mitch Hoffman was asked to comment on this issue. Mr. Hoffman stated that there is an Attorney General's opinion that once the ZBA has convened and taken evidence on an item, the committee and the board should not consider new substantive evidence. Generally Public Comment is not new substantive evidence, but the rule does involve the discretion of the Chair and the Chair in that instance, if new substantive evidence was being presented, could use their discretion and say that's not appropriate, we've heard that presentation before the ZBA. If it's truly public comment where people are just talking about the pros and cons, it is appropriate but the Chair needs to use their discretion in that instance.

Member Grever felt that Items H, I, and J all said the same thing. Member Marks stated that Item H specifies Member of the board, Item I clearly is talking about the public, and Item J defines time limits. Member Carter moved to amend the five minute time limit to say "at the discretion of the chair." Member Leafblad seconded the motion. Member Carter explained that it would be at the discretion of the chair of that committee to determine how much time each person would be allowed. Chairman LaBelle stated that the rules allow the Board Chair or the committee chair to impose reasonable time limitations if there a lot of requests to speak. Member Cole suggested Item J be amended as follows: "At the discretion of the Chair public comment, as stated in I above, shall be limited to up to five (5) minutes per individual or spokesperson, and may be made at the time the item is on the floor for consideration." Member Cole moved to approve the amendment to Item J, seconded by Member Marks. The Chair called for a Voice Vote to approve Item J as amended. Motion carried unanimously.

County Administrator Karl Nollenberger asked for a technical amendment as a result of the previous amendment on page 4, Item D, added at the end of the last sentence: ". . .meeting for which it is intended except for committee-of-the-whole meetings for agenda review." Member Spielman moved, seconded by Member Schmidt to approve the technical amendment. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Member Spielman referred to Page 3, VI. Location of Meetings, and asked for consideration of the idea that meetings be held in various locations throughout the County from time to time. Chairman LaBelle suggested that it might be best to give consideration to one of the Committee-of-the-Whole meetings.

Member Carter referred to Member Stolman's earlier question - regarding the Agenda Review Meeting as to whether it is a mandatory meeting? The Chair responded that no meeting

is a mandatory meeting; attendance will be taken. Member Cole asked that if a member could not attend, could attendance say excused. Member Carter moved, seconded by Member O'Kelly that the minutes reflect that Committee-of-the-Whole meetings where members were not in attendance, the Roll Call would reflect excused in the place of absent. The Chair called for a Voice Vote on the motion to amend. Motion carried unanimously.

Mr. Nollenberger advised that a memo had been sent to all members with attachments regarding the retreat to be held on February 5 and 6 from 9:00 until 4:30 at the Illinois Beach State Park Resort. Between now and then we will be working with departments to share thoughts they would like the Board to consider, with committee chairs to discuss goals and targets, and at one or two committee meetings to gather ideas to bring to the workshop (retreat). Member Grever asked if this was an open meeting. The Chairman stated that it could include an Executive Session, but in general it would be an open forum.

Member Nixon reminded members that after the retreat on Sunday there would be a Black History program at CLC. Member Calabresa suggested that the County Administrator could begin a county calendar for board members; either the Chairman's office or the County Administrator's office. Chairman LaBelle felt that was a good idea and would work on it.

The Chair called for a Roll Call Vote to adopt the Rules as amended. Motion carried with the following vote: Ayes 23, Nays 0.

#### APPROVAL OF STANDING COMMITTEE ASSIGNMENTS

3. Approval of Standing Committee assignments as recommended by the Lake County Board Chairman.

Chairman LaBelle noted that there were a couple of changes to the committees. Member Kyle moved, seconded by Member Calabresa to approve Standing Committee assignments. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Chairman LaBelle asked that there be a motion to add the Rules Committee to the list. Member Schmidt moved, seconded by Member Buhai to approve inclusion of the Rules Committee to the list of Standing Committees, with Member Buhai as Vice Chair. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Chairman LaBelle advised members that after the Forest Preserve meeting arrangements had been made for each of the Standing Committees to meet briefly; possibly 10 minutes each. Each committee can legally convene. Mr. Nollenberger gave the schedule of committee meetings.

Member Grever asked if action was needed on the University Committee. Chairman LaBelle reappointed Member Grever as Chairman of the University Task Force and confirmed

appointments that Member Grever had made. Member Calabresa moved, seconded by Member Mountsier to approve University Committee appointments. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

ADJOURNMENT

4. Member Calabresa moved, seconded by Member Buhai that this Special Call Meeting of the Lake County Board be adjourned. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Respectfully submitted,

---

Willard R. Helander  
Lake County Clerk

Minutes approved:

---