

Minutes approved 8.14.2023



Rules Committee Meeting

James Carius Community Room
Monday, July 10, 2023 – 4:15 p.m.

Committee Members Present: Chairman Atkins, Mike Harris, Nancy Proehl, Sierra Smith and Russ Crawford

Committee Members Absent: None

Others Attending: Mike Deluhery, County Administrator

MOTION **MOTION BY CRAWFORD, SECOND BY SMITH** to approve the minutes of the May 23, 2023 meeting.

On voice vote, **MOTION CARRIED UNANIMOUSLY.**

DISCUSSION County Clerk John Ackerman stated that he wanted to bring up the fact that we added into the minutes requiring his office to post committee minutes on their searchable database. He stated that he will not be doing this as it is not his responsibility. He claimed that it is not his statutory responsibility. He does not want his name on records that he cannot verify their validity. He believes that will have to be corrected.

NEW BUSINESS Chairman Atkins discussed small business procurement. He confirmed that this was passed out over 30 days ago and can go to the board this month if no changes are made. This discussion was pertaining to Section 31.06.

MOTION **MOTION BY CRAWFORD, SECOND BY HARRIS** to approve discussion regarding Section 31.06.

Chairman Atkins stated that essentially this is taking away the need for multiple bids and quotes even if state statute did not require that it. He said this allows us to make sure the money has been appropriated for small purchases and as long as it has been, you do not necessarily put a project out for bid.

Member Crawford stated his approval of this, however, he believes that the County Auditor and Finance should be involved because they are the mentors/gatekeepers.

Chairman Atkins stated that the intention of the changes is to simply reduce the number of purchases that need multiple quotations and bids prior to approval.

Finance Director Darcy confirmed that these changes will help people get their needs met.

Auditor Grimm questioned the use of \$5,000 as the threshold, and expressed projects will be delayed.

Member Harris believed that the amount needs to be increased because we are losing projects and opportunities because of it.

MOTION **MOTION BY HARRIS, SECONDED BY PROEHL** for calling for the question.

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION Chairman Atkins stated that he would like a vote on the purchasing ordinance changes.

On voice vote, **MOTION CARRIED UNANIMOUSLY**

NEW BUSINESS Discussion regarding recommendation to codify existing county sale of real property, Title 5, Chapter 5.

County Administrator Deluhery stated that there are no changes and advised that when the committee met to codify ordinances last time these two provisions were left out. He advised that they are working on a larger purchasing ordinance policy and these will be incorporated into that policy. He advised that after talking with Finance Director Darcy and after their review of the ordinances they have seen, those ordinances do include them in the purchasing ordinance, he recommends adding them to that ordinance at a later date.

Chairman Atkins stated that they will not address the sale of property items and they will be discussed at a later meeting.

MOTION **MOTION BY CRAWFORD, SECOND BY SMITH** to approve discussion regarding amendment to the Tazewell County Board Rules.

Chairman Atkins stated County Clerk Ackerman is requesting that if the committee structure remains the same, and the Rules Committee removes the County Clerk from taking the minutes of the Committee meetings, then the County Clerk should be added as a member of the Executive Committee.

Chairman Atkins stated that the second item recommended by the County Clerk is to combine HR and Finance Committees to make

space for a new County Board Committee called "Management Team Committee".

County Clerk Ackerman stated that he is proposing to keep the same number of committees, however, to combine HR and Finance since they have the same membership. He proposed forming a new committee called Management Team Committee. He stated that we already hold management team meetings before all of the committee meetings.

Member Proehl voiced her concerns regarding the board members to have to attend more meetings and she believed it would deter people from running for the board.

County Clerk Ackerman confirmed that it would be the same amount of meetings.

Member Crawford stated that years ago there were over 30 committees and he worked hard to get it to where we are today. Member Crawford stated that he would support putting the County Clerk on the executive committee.

Member Harris supported Member Proehl's position that it would be too much for the members to attend.

Chairman Atkins stated that there is a third part of this which is to require all committee meetings to be recorded and the recordings to be posted no later than two days following the meeting. He stated that he is against combining HR and Finance and not in favor of adding to the executive committee, however, he thinks we should consider recording all meetings. He stated that he would entertain a motion to separate out for separate votes with Section 3 requiring the video recording to be voted on separately from Sections 1 and 2.

MOTION

MOTION BY CRAWFORD, SECOND BY HARRIS to approve separating out Section 3 from Sections 1 and 2 of the recommendation to approve amendments to the Tazewell County Board Rules.

On voice vote, **MOTION CARRIED UNANIMOUSLY**

MOTION

MOTION BY PROEHL, SECOND BY CRAWFORD to approve discussion of Section 3.

Member Proehl stated her concerns regarding recording meetings including transportation, video equipment, who records it, etc.

Chairman Atkins recommended that we could table this issue so we can look into those things and potentially address this later.

MOTION **MOTION BY PROEHL, SECOND BY HARRIS** to table Section 3.

On voice vote, **MOTION CARRIED UNANIMOUSLY**

DISCUSSION County Clerk Ackerman stated that the reasoning for the County Clerk being added to the Executive Committee is the committee definition has that the Executive Committee's purpose is to codify county ordinances, supervision over all economic development grants, supervision over all licensing including raffles, and all of those are run completely through the County Clerk's office. County Clerk Ackerman stated that it was his concern that if items were discussed during a meeting that he did not attend, that it would not be communicated to him.

MOTION **MOTION BY CRAWFORD, SECOND BY SMITH** to approve separating out Sections 1 and 2 of the recommendation to approve amendments to the Tazewell County Board Rules.

On voice vote, **MOTION CARRIED WITH 4 AYES AND 1 NAY.**
Member Harris voted nay.

MOTION **MOTION BY CRAWFORD, SECOND BY SMITH** to recommend to approve Section 2 of the amendment to the Tazewell County Board Rules.

On voice vote, **MOTION FAILED UNANIMOUSLY**

MOTION **MOTION BY CRAWFORD, SECOND BY SMITH** to recommend to approve Section 1 of the amendment to the Tazewell County Board Rules.

Member Crawford stated that there should be a good reason to deny an elected county officer to participate in the executive committee. He recommended that they vote yes. He stated that anyone can attend the executive committee meetings, however, adding the County Clerk to the Agenda and roll call makes it more inclusive.

Chairman Atkins stated that initially he was looking at Sections 1 and 2 as being a joint revision of their committee structure. He can support Section 1 but not Section 2.

County Administrator Deluhery stated that County Board Chairman Zimmerman is not in support of it.

On voice vote, **MOTION CARRIED WITH 3 AYES AND 2 NAYS.**

Members Harris and Proehl voted nay.

MOTION

MOTION BY PROEHL, SECOND BY CRAWFORD to approve discussion of changes on Pages 1-17, Chapter 33: County Board.

County Administrator Deluhery explained that it adds giving notice of the vacancy to the County Central Committee of each political party within the County within three (3) days of the occurrence.

Regarding adding an additional day to make changes to the agenda, County Administrator Deluhery explained that this usually isn't an issue, however, with the deadline now being on a Friday, if the office emails out the packet at 3:30 p.m. on Friday, and someone comes with another item at 4:00 p.m., we have to go through the whole process. If we had a deadline of Thursday by end of day, it would give the County Board Secretary until Friday to send it out.

Member Harris questioned if the packet and the agenda go out at the same time. County Administrator Deluhery confirmed that they do go out at the same time.

Chairman Atkins discussed the possibility of members of the public signing in in advance and asked County Administrator Deluhery if he has discussed this issue with the State's Attorney.

County Administrator Deluhery stated that Mike Holly has reviewed the whole packet.

Member Harris questioned changing Section 33.09 which would add a committee agenda deadline of 7 days prior to the meeting. County Administrator Deluhery explained that for HR, Finance, and Property Committees, the office publishes the agenda by Friday, which means it is sent to the chairman on Thursday to review. This would give another day so that the chairman preview would contain any last minutes items.

Member Proehl confirmed that Section 33.12 states that the per diem amount is \$75, which means even if you have more than one meeting a day, you only get \$75 per day.

Chairman Atkins proposed to make it clear, where it states the per diem amount is \$75, and no board member shall be paid more than \$75 per day as a per diem.

DISCUSSION

County Clerk John Ackerman recommended that on Page 4, Item 4, the Committee remove the language requiring appointments to be done by a roll call vote.

Member Crawford stated that he is in agreement as it is a waste of time.

On voice vote, **MOTION CARRIED UNANIMOUSLY**

Chairman Atkins left the meeting at 5:28 p.m.

The August Rules meeting was scheduled for August 14, 2023 at 4:00 p.m.

RECESS

Presiding Chairman Crawford recessed the meeting at 5:31 p.m.

(transcribed by S. Gullette)