

## Minutes of the Property Committee Meeting

The Property Committee of the McLean County Board met on Thursday, January 8, 2004 at 3:00 p.m. in Room 703, Law and Justice Center, 104 West Front Street, Bloomington, Illinois.

Members Present: Chairman Bostic, Members Selzer, Dean, Ahart and Moss

Members Absent: Member Harding

Staff Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator; Mrs. Carmen Zielinski, County Administrator's Office

Department Heads/  
Elected Officials

Present: Mr. Jack Moody, Director, Facilities Management Department; Mr. Brian Hug, Assistant State's Attorney; Mr. Bill Gamblin, Director, E-911

Members of the

Public Present: Mr. David Bentley, Bloomington, Illinois

Chairman Bostic called the meeting to order at 3:03 p.m. Chairman Bostic called the roll and declared that a quorum was present.

Chairman Bostic presented the Minutes of the December 4, 2003 meeting. Hearing no objections or amendments, Chairman Bostic accepted and placed the minutes on file as submitted.

Chairman Bostic deviated from the agenda and asked Mr. Brian Hug, Assistant State's Attorney, to address and update the Property Committee on the sale of the McBarnes Building. Chairman Bostic acknowledged the presence of Mr. David Bentley. Mr. Bentley submitted a proposal to purchase the McBarnes Building.

Mr. Hug stated that the sale was scheduled to close on the 29<sup>th</sup> of December, but it did not close. There is a remaining issue regarding the survey of the property. The County is presently working with the City of Bloomington to resolve this issue. Part of the building may be sitting on Albert Street, which belongs to the City of Bloomington. Mr. Hug informed the Committee that he is presently working on this issue and hopes to have it resolved by the end of the month.

Chairman Bostic asked Mr. David Bentley if he wished to make a comment at this time. Mr. Bentley stated that there is a possibility that the building encroaches on city property. The legal description may not be correct regarding this property. Mr. Bentley stated that it is his understanding that progress continues to be made by Mr. Hug,

Mr. Hartweg, Mr. Bentley's attorney and himself towards a resolution. At this time, Mr. Bentley's concern is that a substantial amount of money will need to be spent in order to survey this property to determine if and how much of the building is on City property. Mr. Bentley expressed his confusion on who will be responsible for funding this survey. Mr. Bentley feels that he should not be responsible for this expense. Mr. Bentley thinks that this expense is part of the closing cost of the purchase. Mr. Hug noted that there are a few legal questions still being researched, but it is the intent of the County to sell this property.

Mr. Selzer referenced the survey previously conducted that showed that this property was already subdivided. Mr. Hug noted that this is a different issue. Mr. Hug explained that the McBarnes Building was surveyed in 1972 by Farnsworth and Wiley for the purpose of the Chamber of Commerce Building. This survey does not specifically match the 1853 plat. The present issue is that the building, depending on how the building is measured, may extend on one side or the other beyond the lot line. Mr. Hug explained that the bank will not issue a loan to the buyer until there is a guarantee that there is no encroachment on the property. If this were private property, and due to the length of time elapsed, the property would be owned by prescription. This situation does not apply to government agencies.

Chairman Bostic stated that it behooves the County to finish the sale of this building properly. Mr. Hug noted that the sale of the building was legally offered "as is" without subject to financing and without any guarantees to title. This property is to be quit-claimed.

Mr. Bentley stated that if this building encroaches on City property, can the County sell something that they don't totally own? Mr. Bentley informed the Committee that he has done a lot of leg work and has met with the parties involved with this property, such as the City attorney and assessors. His goal is to own this property free and clear. Mr. Bentley feels he should not be responsible for the expense of conducting a survey to resolve this issue.

Mr. Selzer assumes that once a determination is made regarding the encroachment issue, the City Council will abate the portion of this property in dispute. Mr. Hug replied that this is one of the issues being discussed. Mr. Selzer asked how much this survey might run. Mr. Hug answered that it has been estimates from \$1,500.00 to \$2,500.00. Mr. Bentley stated that Farnsworth and Wiley have quoted him a figure of \$600.00 to \$1,000.00 for the field survey and an additional \$300.00 to \$400.00 for the blue print or Mylar needed for the recording of this property. Chairman Bostic asked if this survey

has been ordered. Mr. Hug answered that he has placed a call to Mr. Chuck Herlamen, Farnsworth and Wiley, but has not received a returned call yet.

Chairman Bostic noted that the Property Committee cannot take any action on this matter at this time because it is not an action item on the agenda. This is just an update on the status of this sale.

Mr. Selzer asked Mr. Bentley if he has worked any lease terms out with United Way and PATH after their term is up with the County. Mr. Bentley answered that he has worked out agreeable terms with both tenants.

Mr. Jack Moody, Facilities Manager, presented a report on Law and Justice Center Repairs. Mr. Moody informed the Committee that the items that remain to be completed can be listed on a single sheet. Mr. Moody informed the Committee that on Saturday, January 10<sup>th</sup>, the linear jail closet transformer will be replaced with a new transformer by Weber Electric.

Mr. Moody estimates that the majority of items on the list will be finished by February 2004. Mr. Moody noted that the Circuit Clerk's files should be returned to the Law and Justice Center by the end of March. Another item scheduled for the spring is the replacement of the brick wall on the northwest corridor of the Law and Justice Center by the Facilities Management Office.

Chairman Bostic asked if there were any questions regarding the status report of the Law and Justice Center. No questions were presented.

Mr. Moody presented an update on the Courthouse Dome and Roof Renovation Grant Project. Mr. Moody informed the Committee that the mandatory pre-bid conference took place on January 6<sup>th</sup>. All interested contractors that picked up bid plans were in attendance. The scheduled bid opening date for this project is January 28, 2004 at 2:00 p.m. in the Second Floor of the Courthouse. Mr. Moody will present the results of the bid tabulation to the Property Committee. Mr. Moody noted that if the weather cooperates, the estimated completion date of October for this project could be met.

Chairman Bostic asked if there were any questions regarding the status report of the Courthouse Dome and Roof Renovation Grant Project. No questions were presented.

Mr. Moody updated the Committee on the Report on Government Center Construction Progress. Mr. Moody noted that the contractors meet with the architect and engineer and the County every Thursday at 1:00 p.m. Mr. Moody commented on the exceptional

job being done by P.J. Hoerr, the General Contractor. It has been estimated that they are about 25% percent done with the project. The roof has been completed. Plumbing inspections are taking place in the second and fourth floors. Electrical inspections have taken place. Wood framing and mechanical installations are scheduled for next week. It is the goal of the General Contractor to complete the project by starting on the Fourth Floor and moving downwards. If this project stays on schedule, this renovation should be completed by August 2004.

Mr. Selzer asked if there's been any problems with the insurance company for the Law and Justice Center and the expenses for this project. Mr. Moody answered that on the day that the explosion occurred, the County and the Public Building Commission authorized Mr. Zeunik and Facilities Management to approve scopes of projects and proposals necessary to get this building back into mint condition. Contractors submit cost proposals for any job needed for repairs, copies go to the appropriate parties, including the insurance company. Mr. Moody explained that the building is owned by the Public Building Commission so it is their insurance carrier that is responsible for the structural repairs of the Law and Justice Center.

Mr. Selzer asked how overtime has been dispensed and reimbursed for the staff involved. Mr. Moody explained the submission of payroll every week. Mr. Moody noted that he, as the Facilities Management Director, is on salary. Mr. Selzer wondered if some compensation should be requested from the insurance company for the employees on salary that aren't compensated for the large amount of extra time spent on this project. Mr. Zeunik stated that this would be a question that would have to be referred to the Risk Management Department and the Public Building Commission for consideration. Mr. Zeunik confirmed that the County has received reimbursement for the overtime expense incurred by the hourly employees in Facilities Management.

Chairman Bostic asked if there were any more questions regarding the status report of the Government Center Construction. No questions were presented.

Mr. Selzer asked if County employees have identification badges and is this an issue that has been discussed for the new Government Center. Mr. Moody replied that County employees are issued County badges shortly after being hired, by the Sheriff's Department. Mr. Moody noted that a system of County employee badges has not been discussed for the new Government Center. Mr. Zeunik stated that former Sheriff Steve Brienen, purchased the system to produce the badges. A survey had been completed by the federal government that identified areas of security that needed to be upgraded, such as the wearing of badges by employees and a mag card reading systems at certain entrances. A system was put into place to provide ID badges for

employees, but some elected officials decided that their employees did not have to wear an ID badge. Mr. Selzer asked if there is an oversight committee responsible for this directive. Chairman Bostic answered that the Sheriff is responsible for the security of the Law and Justice Center. Mr. Selzer would like to see all County employees, including County Board members, wearing the ID badges while in the building.

Mr. Zeunik noted that most of the employees presently do have an ID card, they just choose not to wear it. Mr. Zeunik stated that this might be a good time to approach the Sheriff with this issue because the Sheriff notified Mr. Zeunik that there will be a new round of available grant funding from the Illinois Law Enforcement Association. The money can only be used to provide additional security and protection for government facilities.

Ms. Ahart agreed that this would be a good issue to pursue further. Mr. Zeunik stated that he will talk with the Sheriff about it.

Chairman Bostic asked if there were any more questions. No questions were presented.

Chairman Bostic asked Mr. Bill Gamblin, Director, E-911, if he wanted to address the Committee. Mr. Gamblin informed the Committee that he was still awaiting the State's final approval and issuance of rules for the new 725 issue. Chairman Bostic asked if there may be a possibility of seeing some homeland security money for assistance with the security of the MetCom building. Mr. Gamblin answered that such grant funding may be provided to increase security in the building.

Chairman Bostic asked if there were any questions for Mr. Gamblin. No questions were presented.

Mr. John Zeunik, County Administrator, presented requests for approval of Lease and Contract Extension Agreement No. 1 to Lease of Courthouse Building and Contract for Operation and Maintenance, approval of Attachment No. 13 to the Amendment to the Lease and Operation and Maintenance Agreement for the Law and Justice Center and approval of Attachment No. 2 to Amendment to Lease and Operation and Maintenance Agreement for the City/County Office Building. Mr. Zeunik noted that all of these buildings are owned by the Public Building Commission, which contracts with the County for the maintenance of these buildings. Mr. Zeunik noted that this extended lease and contract begins on January 1, 2004 and terminates on December 31, 2004 at an annual rent and payment of \$134,316.00 for the Courthouse. All of the other terms of the lease and the contract shall remain in full force and effect and the County agrees to take such action as is required to levy the necessary taxes to pay the \$134,316.00 rent.

Mr. Zeunik stated that this amendment extends the lease and operation and maintenance agreement for the Law and Justice Center for the period beginning January 1, 2004 and ends December 31, 2004. The County agrees to pay the Public Building Commission for operation and maintenance for such period the sum of \$1,817,411.00. The only other income in this budget is the reimbursement received from the Coroner's Office for the time spent cleaning the morgue.

Mr. Zeunik noted that this amendment represents an agreement from the City of Bloomington and the County of McLean to pay to the Public Building Commission \$151,056.00 for the period beginning January 1, 2004 and ending December 31, 2004. Mr. Zeunik informed the Committee that all of the amended agreements have been presented to the Public Building Commission for their approval.

Motion by Selzer/Ahart to recommend approval of Lease and Contract Extension Agreement No. 1 to Lease of Courthouse Building and Contract for Operation and Maintenance, approval of Attachment No. 13 to the Amendment to the Lease and Operation and Maintenance Agreement for the Law and Justice Center and approval of Attachment No. 2 to Amendment to Lease and Operation and Maintenance Agreement for the City/County Office Building.  
Motion carried.

Chairman Bostic presented the bills, which have been reviewed and recommended for transmittal to the Property Committee by the County Auditor.

Minutes of the Transportation Committee  
January 8, 2004  
Page Seven

Motion by Selzer/Dean to recommend approval of the bills as of December 31, 2003, which have been reviewed and recommended for transmittal by the County Auditor. Motion carried.

There being nothing further to come before the Committee at this time, Chairman Bostic adjourned the meeting at 3:53 p.m.

Respectfully submitted,

Carmen I. Zielinski  
Recording Secretary

E:\Ann\Min\P\_Jan.04