

## The Minutes of the Legislative Committee Meeting

The Legislative Committee of the McLean County Board met on Wednesday, October 6, 1999 at 5:00 p.m. in Room 322, McLean County Health Department, 200 W. Front Street, Bloomington, Illinois, 61701.

Members Present: Chairman Sorensen, Members Hoselton, Salch

Members Absent: Members Berglund, Kinzinger

Staff Present: Mr. Terry Lindberg, Assistant County Administrator; Ms. Lucretia A. Wood, Administrative Assistant, County Administrator's Office

Department Heads/  
Elected Officials

Present: Mr. Robert Keller, Director, McLean County Health Department;  
Ms. Ruth Weber, McLean County Recorder

Chairman Sorensen called the meeting to order at 5:02 p.m. Hearing no objections, the minutes of the September 1, 1999 meeting were approved and placed on file as presented.

Chairman Sorensen stated that the goal of the meeting was to finalize the legislative issues that are to be presented at the Legislative Breakfast on November 3, 1999 at 7:30 a.m. The annual legislative breakfast is to be held at the Radisson Hotel.

Mr. Bob Keller, Director, McLean County Health Department reported on the proposed Tobacco Settlement legislation. Mr. Keller stated that the State of Illinois is going to receive \$9.1 billion from a class action suit against the tobacco industry. The State should receive approximately \$342 million over the next twenty years. He stated that the Illinois Association of Public Health Administrators, the Attorney General and the Illinois Public Health Association are advocating that at least one-half of the proceeds of the settlement be devoted to tobacco prevention and cessation programs.

Mr. Keller stated that prevention programs would reduce Medicare expenses in the future by reducing the number of tobacco related illness. Prevention programs would be directed towards 4<sup>th</sup> and 5<sup>th</sup> graders. The revenue directed towards prevention programs would allow McLean County to introduce the Tar Wars program into all local schools. Currently, only one school district receives funding for that program.

Mr. Keller stated that many deaths are attributed to tobacco related illness. He stated that heart disease, cancer and stroke are the leading causes of death in McLean County. Mr. Keller requested that the Legislative Committee present this matter at the Legislative Breakfast.

Mr. Keller requested that the Legislative Committee recommend an amendment to 415 ILCS 30/6 that allows for a permit fee for well construction of \$100.00. The Illinois

Department of Public Health, under the rules and regulations of the Local Health Protection Grant requires that local health departments administer private well programs. Mr. Keller stated that the actual cost of administering the well programs is between \$400.00 and \$450.00. Mr. Keller stated that if local control were granted, the Health Department would be able to recoup a reasonable portion of its cost. This change would reduce the burden of property tax support for the private well program. Mr. Keller stated that there is autonomy in other fee supported programs and services provided by the Health Department. Food and sewage statutes do not have set fees.

Mr. Hoselton asked what the Health Department's responsibilities were when a well was dug. Mr. Keller replied that the well site had to be inspected, including a final inspection. If there are any problems, multiple inspections may be needed. This is a high cost to the County because of drive time to rural areas and increased staff time.

Mr. Keller stated that if the County had more local control, it could raise the fee to cover the actual cost of inspecting and approving a new well.

Mr. Salch asked if the decision on setting the fee would be determined at the local level. Mr. Keller stated that the County Board could determine the fee to be charged.

Mr. Hoselton suggested that the actual costs be pulled together to be presented at the Legislative Breakfast. He stated that the costs could be drawn up based on the distance from the Health Department. Mr. Keller stated that the fee would need to be the same for everyone as it is with sewage systems.

Chairman Sorensen asked if the intent was to raise the fees periodically. Mr. Keller replied that would be up to the Board. This amendment would allow the Board the choice to increase fees if they felt it was necessary.

Mr. Salch stated he would like to see the actual cost prior to the Legislative Breakfast.

Chairman Sorensen asked the Committee how they felt about the issue. He stated that he felt it was a solid issue that would receive a positive response from the Legislators.

Mr. Hoselton stated that an increase in well fees might not be looked upon positively by those digging a well because of other cost associated with a new well.

Mr. Hoselton asked about the accreditation of the drillers. Mr. Keller replied that the Well Drillers receive licenses from the Illinois Department of Public Health. He stated that the drillers must follow certain requirements.

Mr. Keller stated that there would be some opposition by rural advocate groups, but this would reduce the property tax burden.

Chairman Sorensen suggested that the Committee, Mr. Lindberg, and Mr. Keller work together to create "White Papers" with supporting documents for the Legislative Breakfast on the tobacco legislation.

Mr. Salch and Mr. Hoselton agreed to present the amendment to the permit fee for well inspection at the Legislative Breakfast.

Chairman Sorensen stated these issues would be presented to the Executive Committee and the County Board prior to the Legislative Breakfast. Chairman Sorensen stated that there may be some opposition to amending the well permit fee, but there has been a strong push for a fee based system versus a property tax based system. Chairman Sorensen stated that the cost of digging a well would still cost less than a water bill within city limits.

Chairman Sorensen stated that this amendment does not advocate a fee increase. This would allow the County the ability to adjust the fee.

Mr. Terry Lindberg, Assistant County Administrator stated that he would work with Mr. Keller to create a cost analysis for the well inspection program. Mr. Lindberg emphasized that the intent is not to increase fees, only to gain local control.

Mr. Salch stated that it is important to know the number of wells in McLean County and the operation costs. Mr. Keller stated that he would also include the cost of mileage, the total cost for the County and the number of permits. He stated that the well fee currently pays less than 20% of the cost to the County.

Chairman Sorensen stated that the Committee would wait until the end of the meeting to make a motion on which issues would be presented at the Legislative Breakfast. Chairman Sorensen asked Mr. Keller to contact Mr. Lindberg regarding the creation of the "White Papers."

Ms. Ruth Weber, McLean County Recorder requested that the Legislative Committee support Senate Bill 370 at the Legislative Breakfast. Ms. Weber stated that Senator Judy Myers is sponsoring this bill, which would require that property transactions be recorded in the County in which the property is located. She stated that this is a problem because of the Mortgage Electronic Registration Systems (MERS). MERS was created by financial institutions and government chartered federally subsidized programs such as Fannie May and Freddie Mac to increase profits through a centralized electronic clearinghouse for recording property records.

Ms. Weber stated that the problem with this is that records are then not being recorded with the Recorder's Office and the public is not able to view the records. She stated that in order to view records through MERS, a membership must be obtained. If the public or courts do not have access to property records, this can cause problems in Probate Court.

Ms. Weber stated that this legislation would not interfere with free enterprise. It would only require that property sales be recorded in the County where the property is located. The property transaction could be recorded in MERS as well.

Ms. Weber stated that revenue would be lost to the County if property transactions were not recorded in the Recorder's Office. She indicated that last year the Recorder's Office had \$1.6 million in total revenue.

Ms. Weber reported that this is an issue, which has not received a lot of media attention. She stated that The Pantagraph wrote an article two years ago when the bill had Senator Maitland's support. However, the bill was killed then because of poor lobbying. Ms. Weber indicated that the Bill has more support this time. Ms. Weber reported the legislation has the support of the Tazwell County Board. Ms. Weber stated that Title Companies and Real Estate Agents are also worried about MERS.

Mr. Hoselton asked if there was going to be any federal regulations. Ms. Weber replied that it was being looked into, but no one knows how long it could take.

Mr. Salch stated that the issue was not MERS. The Recorder's Office is not opposed to MERS. The legislation is to protect property owners so that property transactions are recorded in the County where the property is located.

Mr. Lindberg stated that the existence of MERS, as a private business was fine as long as it didn't supplant property transactions being recorded in the County where the property is located.

Ms. Weber reiterated the problem with MERS is that a person had to be a paying member of MERS in order to acquire information. MERS could cause problems in Probate Court if local records are not accessible.

Mr. Hoselton stated that the press should be notified about the Senate Bill. Chairman Sorensen stated that the press is given a copy of the "White Paper" which the Committee prepares.

Ms. Weber stated she would be willing to present the issue at the Legislative Breakfast. Chairman Sorensen advised that the Committee would notify her if Department Heads would be invited to present their legislation.

Mr. Lindberg stated that new legislation was not introduced this year regarding the Solid Waste Tipping Fee Surcharges. He reported that House Resolution 329 was passed and resulted in the formation of a State level task force to address the issue.

Chairman Sorensen reported that the emphasis on the Solid Waste Tipping Fee Surcharge has changed. He stated that the Committee's emphasis should be placed on asking the Legislators to support the appointment of Mark Dravillas to the new State Task Force.

Chairman Sorensen reported that Solid Waste Tipping Fees have been an issue for two years now. Mark Dravillas has done an excellent job advancing this issue on behalf of McLean County.

Mr. Salch asked how much money would be recouped in McLean County if the surcharge were passed. Mr. Salch commented that if the County had it's own landfill, the County would not be in this position.

Chairman Sorensen asked the Committee how they wanted to present the issue. He suggested a resolution be drawn up for the County Board to consider this month. The Resolution would ask our Legislators to name Mark Dravillas to the Task Force.

Mr. Salch stated that the resolution was a good idea. However, when it is presented at the Breakfast, a verbal indication of lost revenue should be included. Chairman Sorensen noted that this could be included in the Resolution. The Resolution could read that State law mandates certain recycling requirements that were previously funded by tipping fees. Those fees are no longer available and the taxpayers of McLean County are now paying for these programs through property taxes. Mr. Lindberg added that the landfill closed in 1992 and solid waste management activities were funded through 1997 from funds built up. Those funds were zeroed out as of 1997. Since then taxpayers have taken on the funding of the recycling programs.

Mr. Salch stated with more funding, the Ecology Action Center could be more effective. They are operating on a low budget and using volunteers.

Mr. Lindberg presented a report from Anderson Legislative Consulting to the Committee. He stated that House Bill 1935 was an attempt to limit the Circuit Clerk's discretion on collecting certain fees. It would redirect certain fees to the Illinois Criminal Justice Information Network Fund. The County would have lost Circuit Clerk revenue, but might have received Illinois Criminal Justice Information Network Fund dollars. The concern was that the money may have been directed towards programs and activities at the Illinois State Police.

Mr. Lindberg reported the Local Government Gift Ban was also included on the report and The Illinois First Public Works Plan is included as well.

Mr. Lindberg stated that the Cellular 911 Bill has fallen under the control of the cell phone industry. It is not likely the County will get a fair fee supporting the emergency communication systems. The changes the Governor made were changes recommended by the cell phone industry.

Mr. Lindberg stated that Bicycle Liability stems from a lawsuit in Wayne. Legislation was introduced to bring all County roads up to a standard that would provide a reasonable expectation of safe transit and passage by bicycles. This has a multi-billion dollar impact on County roads. This bill would have serious cost implications. If it passed and roads were not maintained, the County's potential liability would be increased significantly. Mr. Lindberg stated he would ask Mr. Jack Mitchell, County Engineer, to provide the Committee with the cost implications of the Bicycle Liability Bill.

Mr. Lindberg stated that the Bill did not pass last year. It remains in the House Rules Committee. He requested that the Committee ask the legislators to be very vigilant in opposing the Bill.

Mr. Lindberg reported that Senate Bill 176; Bond Processing Fee, was signed into law by the Governor with minor amendments. He stated that McLean County collects the fee and puts it in an escrow account.

Mr. Lindberg advised that no other offices or departments had submitted legislation. He stated that he would like to work with Mr. Mitchell on the Bicycle Legislation with the Committee's permission.

Chairman Sorensen suggested a Resolution expressing the Board's concerns would be appropriate.

Mr. Lindberg indicated a package could be drawn up in a couple of days.

Mr. Lindberg asked if Mr. William Anderson, the County's legislative consultant, should be invited to attend the Breakfast. Chairman Sorensen stated he should be invited. Chairman Sorensen stated that Chairman Riss; Vice Chairman Sweeney; Ms. Patricia McAdams, Speaker Madigan's Office; Mr. Keller and Ms. Weber should be invited. The Committee agreed.

Mr. Lindberg stated the "White Papers" would be prepared for the County Board meeting on October 19<sup>th</sup>, 1999.

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Motion by Salch/Hoselton to prepare "White Papers" for the Tobacco Legislation, Well Construction Fees, and Recording of Property Transactions and to prepare a Resolution on the Solid Waste Tipping Fee Task Force and Bicycle Liability.  
Motion carried.

There being nothing further to come before the Committee at this time, Chairman Sorensen adjourned the meeting at 6:30 p.m.

Respectfully submitted,

Lucretia A. Wood  
Recording Secretary