

OFFICIAL REPORT OF

THE COUNTY BOARD

OF

IROQUOIS COUNTY, ILLINOIS

SPECIAL SESSION

JANUARY 28, 2013

INDEX

Special Session
January 28, 2013

Roll Call.....3
Prayer & Pledge of Allegiance3
Call for a Special Meeting3
Agenda 3-4
Motion.....4
Discussion 4-5
Public Comments 5-6
Adjournment6

**THE
IROQUOIS COUNTY BOARD
OFFICIAL REPORT OF PROCEEDINGS**

The Iroquois County Board met in Special Session at the Administrative Center on Monday, January 28, 2013 at 5 P.M.

Chairman Copas called the meeting to order and asked County Clerk Lisa Fancher to call the roll.

**STATE OF ILLINOIS
IROQUOIS COUNTY**

Roll call and votes in Iroquois County

Special Session, January 28, 2013

Chairman Copas

On motion to call the roll

Aye: Alt, Anderson, Behrends, Bills, Crow, Curtis, Hansen, Hiles, Krumwiede, Rayman, Schmid, Schultz, Shure, Stichnoth, Watts, Whitlow, Wynn Bence

Absent: Wasmer, Zumwalt

PRAYER & PLEDGE OF ALLEGIANCE

County Board member Marvin Stichnoth gave the opening prayer, after which the Pledge of Allegiance was recited in unison.

CALL FOR A SPECIAL MEETING

We, the undersigned members of the County Board of Iroquois County, Illinois, do hereby request you to call a special meeting of the County Board of Iroquois County, Illinois to meet at the Administrative Center in the City of Watseka, Illinois on Monday, January, 28, 2013 at 5 P.M. for the purpose of removing and replacing appointed members of the Ford-Iroquois Board of Public Health.

s/Kyle Anderson

s/Kevin Hansen

s/Rodney Copas

s/Charles Alt

s/Russell Bills

s/Adam Zumwalt

s/Daniel Rayman

AGENDA

It was moved by Mr. Anderson and seconded to amend the agenda to allow the Board to talk about Section VII. Ford-Iroquois Board of Public Health Discussion before Section VI. Public Comments. It was noted that no action would be taken before the public had a chance to comment on the matter. Motion carried by a roll call vote.

**STATE OF ILLINOIS
IROQUOIS COUNTY**

Roll call and votes in Iroquois County

Special Session, January 28, 2013

Chairman Copas

On motion to amend the agenda to allow the Board to talk about Section VII. Ford-Iroquois Board of Public Health Discussion before Section VI. Public Comments

Aye: Alt, Anderson, Behrends, Bills, Crow, Curtis, Hansen, Hiles, Krumwiede, Rayman, Schmid, Schultz, Shure, Stichnoth, Watts, Whitlow, Wynn Bence

Absent: Wasmer, Zumwalt

MOTION

The Board discussed the process of appointing members to the Ford-Iroquois Board of Public Health, with Iroquois County responsible for the appointment of 4 members to the eight member board. On June 8, 2010 the Iroquois County Board made six appointments to the Ford-Iroquois Board of Public Health, two of which should have been appointed by the Ford County Board. The statutes do not provide for instances such as this; therefore, Iroquois County State's Attorney Jim Devine and Ford County State's Attorney Matt Fitton have been contacted to work out the details regarding the appointments that were mistakenly approved by the Iroquois County Board. It was moved by Mr. Watts and seconded to strike Sub Section A., Remove and Replace Appointees, under Section VII. Ford-Iroquois Board of Public Health Discussion, from the agenda and vote on the matter at the regular County Board meeting. Motion carried by a roll call vote.

STATE OF ILLINOIS

IROQUOIS COUNTY

Roll call and votes in Iroquois County

Special Session, January 28, 2013

Chairman Copas

On motion to strike Sub Section A., Remove and Replace Appointees, under Section VII. Ford-Iroquois board of Public Health Discussion, from the agenda and vote on the matter at the regular County Board meeting

Aye: Alt, Anderson, Behrends, Bills, Crow, Curtis, Hansen, Hiles, Krumwiede, Rayman, Schmid, Schultz, Shure, Stichnoth, Watts, Whitlow, Wynn Bence

Absent: Wasmer, Zumwalt

DISCUSSION

State's Attorney Jim Devine addressed the Board with his opinion regarding the Ford-Iroquois Public Health Department's move to open a branch office in Indiana. He said he was in contact with the Attorney General's Opinions Bureau, they only offered guidance as there is no case law regarding multiple county health departments going into another state to provide services. The State's Attorney referenced 55 ILCS 5/5-25008 of the Illinois Compiled Statutes that refers to Jurisdiction, which limits the jurisdiction throughout the entire county or multiple counties. With this clause in the statutes, the State's Attorney said it is clear to him that the health department is meant to serve Ford and Iroquois Counties specifically; therefore, it would not be legal for a branch to be opened in Indiana. Additionally, after reading the Resolution passed by the Iroquois County Board in 1980 titled "Creating a Multiple County Health Department", it appears the intent when the department was established was to serve the public health needs of the people of Ford and Iroquois Counties. In closing, he encouraged the

establishment of a joint advisory committee to create dialog between the Ford and Iroquois County Boards and the Health Department.

Information was shared to fully inform the Board of exactly what has transpired in the preceding months causing the need for the Special County Board meeting. The Board talked about the Ford-Iroquois Public Health Department's move to open a branch office across state lines in Indiana in an effort to increase revenue. In October, the Ford-Iroquois Board of Public Health voted to move forward and enter a contractual status for operating a home health branch of the Health Department in Indiana. They gave general information to the Ford County State's Attorney and the Iroquois County State's Attorney and asked opinions from both. The State's Attorney's from both Counties were in agreement to get a further opinion on the matter from the Attorney General, before any action was to take place. In order to get the process started, the Health Department moved forward with the plans by renting office space, applying for an Indiana state license, establishing medical directorship, etc.

In December, County Board Chairman Copas took issue with the move made by the Health Department questioning the legality of spending Iroquois County tax dollars in another state. He felt the County Board should have been informed such a move was going to take place and there should have been some form of communication from the Health Department. He said the Health Department did not do its due diligence before spending money to set up a branch in Indiana, since neither State's Attorney gave a formal opinion on the matter. Upon further investigation to the matter, Chairman Copas found that Iroquois County appointed 6 members to the Board of Public Health, when they should have appointed 4 members. As stated earlier, the State's Attorney's from both Ford and Iroquois Counties will determine the best way to rectify this issue.

The Board discussed at length the lack of communication not only between the Health Department and the County Board, but among themselves as a Board. Mrs. Crow felt there was a severe lack of information given to County Board members prior to this special meeting. Chairman Copas said his number is available for any Board member to contact him with questions if they feel they are not knowledgeable on a matter. Mr. Schultz said the proper method of dissemination of information is in open session, not behind the scenes. Mr. Bills asked about a flier he received about the possible closure of the Ford-Iroquois Health Department. He asked if closing the Health Department was the intent of any member of the Iroquois County Board. State's Attorney Jim Devine said even if it was the intent, it would take Resolutions by both the Ford and Iroquois County Boards with the concurrence of the State Board of Health to dissolve the union of the multiple county health department.

In closing, the Board concurred with the State's Attorney, that there needs to be a joint advisory committee with members from both Ford and Iroquois Counties, in addition to the Health Department to ensure open communication and to keep things from getting to the point they are, at this time. Mrs. Wynn Bence requested that at least 2 members of this committee be women since the Health Department serves primarily women.

PUBLIC COMMENTS

There were several citizens present with questions and comments for the Board. John Dowling, of Watseka, said the importance of the issue at hand is defined by those in attendance. He said even a veiled threat is bad and said the Board should not think about replacing the 2 outstanding nurses that serve on the Ford-Iroquois Board of Public Health.

Diane Clatterbuck, a member of the Ford-Iroquois Board of Public Health, spoke about her passion for her job as a pediatric nurse and the pride she takes working with a well run, outstanding health department.

Barb Offill of Gilman said she is against the move to Indiana. She said to let Indiana take care of their own.

Marilyn Schaumburg, RN, has worked for the Health Department for several years. She works with the WIC Program, which is a federally funded program that provides vouchers for families to use at local grocery stores to get a variety of foods. She voiced concerns about the loss of the program should the Health Department close, and how it would in turn make business's throughout the County lose revenue.

Marcia Pesnowski works with the Senior Service Department at the Health Department. She asked State's Attorney Jim Devine about the exchange of services allowed by statutes that govern public health. Jim reiterated that the jurisdiction of the Ford-Iroquois Health Department is limited to Ford and Iroquois Counties.

Doug Corbett, County Health Administrator, was asked to come forward and address any remaining questions from the Board. He said he was asked to update the Ford County Board regarding the Health Department's move to Indiana, he was not asked to update the Iroquois County Board. He felt the County Board was trying to micro manage the Health Department but he has no problem attending a meeting to give a statistical report. He gave details of how the Indiana concept came to be. He explained how he was approached by a doctor concerned that there were no home health services provided to citizens in Newton and Benton counties in Indiana. He discussed the option with the Public Health Board and they saw an opportunity to create revenue. The idea or goal was to levy less, which would lower property taxes on those in Ford and Iroquois Counties. He made it clear that there would be a fee for services provided by the Indiana branch. He said there was no cost/benefit analysis done before making the initial move to Indiana.

Ron Schroeder, former Iroquois County Board Chairman, told the Board that while he was Chairman, he sent a letter to the Ford-Iroquois Health Department requesting their presence at a meeting to give their quarterly report. He said that never happened. He hopes the administration of the Health Department will cooperate with the County Board

ADJOURNMENT

It was moved by Mr. Shure and seconded to adjourn the meeting at 6:35 P.M. Motion carried by a voice vote. The next County Board meeting will be held in Watseka, Illinois at the Administrative Center on Wednesday, February 13, 2013 at 9:00 A.M.