

ROCK ISLAND COUNTY FOREST PRESERVE COMMISSION
JUNE 21, 2016 – 8:01 PM
PRESIDENT STEVE BALLARD PRESIDING

1. Karen Kinney, County Clerk, called the roll: (Record)

S. Ballard, R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin,
D. Cremeens, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon,
K. Maranda, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer,
M. Steffen, K. Swanson, S. Terry, B. Vyncke, J.R. Westpfahl

TOTAL PRESENT 25

TOTAL ABSENT 0

2. Commissioner M. Burns moved to approve the May 17, 2016, Commission Minutes. Commissioner Simmer seconded.

A voice vote was taken.

Motion carried.

PUBLIC COMMENTS: (none)

3. Commissioner Swanson moved to approve the Forest Preserve claims at \$35,578.49, and the Niabi Zoo claims at \$43,774.07, and the Liability Fund claims at \$436.00. Commissioner Steffen seconded.

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, D. Cremeens,
S. Doye, C. Filbert, D. Johnston, E. Langdon, K. Maranda, M. Mayberry, D. Mielke,
P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry,
B. Vyncke, J.R. Westpfahl

TOTAL YES 22

TOTAL NO 0

Motion carried.

4. Commissioner Langdon moved to approve the Treasurer's Disbursements at \$242,460.40. Commissioner Mayberry seconded.

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, D. Cremeens, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon, K. Maranda, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry, B. Vyncke, J.R. Westpfahl

TOTAL YES 24

TOTAL NO 0

Motion carried.

5. Commissioner Shelton moved to waive the reading and approve the Transfers of Appropriation in the Forest Preserve General Fund and Niabi Zoo Fund for Fiscal Year 2016. Commissioner Camlin seconded.

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, D. Cremeens, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon, K. Maranda, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry, B. Vyncke, J.R. Westpfahl

TOTAL YES 24

TOTAL NO 0

Motion carried.

6. Commissioner Moreno moved to waive the reading and approve the Transfers of Appropriation in the Niabi Zoo Fund for Fiscal Year 2017. Commissioner Doye seconded.

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, D. Cremeens, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon, K. Maranda, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry, B. Vyncke, J.R. Westpfahl

TOTAL YES 24

TOTAL NO 0

Motion carried.

7. Commissioner Cremeens moved to waive the reading and approve the Resolution appropriating funds for the Niabi Zoo Fund for Fiscal Year 2017. Commissioner Brunk seconded.

RESOLUTION

WHEREAS, additional funds are required in the Niabi Zoo Fund #131 for the necessary expenses incurred for the 2016-2017 Fiscal Year, and

WHEREAS, funds are available from unappropriated funds within the Niabi Zoo Fund #131, and

NOW, THEREFORE, BE IT RESOLVED by the Forest Preserve Commission of Rock Island County, Rock Island, Illinois, as follows:

SECTION 1. An emergency exists as outlined above.

SECTION 2. An amount of \$125,000.00 be transferred from unappropriated funds in the Niabi Zoo Fund #131 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$75,000.00	131-32 347.20	Zoo Admission Fees
\$50,000.00	131-32 347.22	Zoo Train Fees
\$44,676.00	131-32-10 411.00	Salaries & Wages
\$80,324.00	131-32-10 991.12	Transfer to Other Agencies

ADOPTED by the Rock Island County Forest Preserve Commission, Rock Island County, Illinois, this 21st day of June, 2016.

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, D. Cremeens, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon, K. Maranda, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry, B. Vyncke, J.R. Westpfahl

TOTAL YES 24

TOTAL NO 0

Motion carried.

8. Commissioner Deppe moved to waive the reading and approve the Prevailing Wage Resolution, as presented. Commissioner L. Burns seconded.

FILED

JUN 23 2016

Resolution
Establishing Prevailing Wages
(Certificate of Compliance)

Karen Kinney
COUNTY CLERK

WHEREAS, Illinois Revised Statutes, Chapter 820 ILCS 130/9, Prevailing Wage Law, requires that the public body awarding any contract for public work shall, during the month of June of each calendar year ascertain the general prevailing hourly rate of wages for workmen engaged on such work; and,

WHEREAS, the statutes further provide that said rates of pay be publicly posted and/or kept available for inspection by any interested party, and a certified copy thereof promptly filed in the office of the Secretary of State.

THEREFORE, BE IT RESOLVED, by the Forest Preserve Commission of Rock Island County, State of Illinois, that the determination of wages as set forth below are the basic prevailing hourly rates of wages being paid to all laborers, workmen and mechanics engaged in the construction of highways and streets in this locality and such public buildings coming under the jurisdiction of this Forest Preserve District.

	(Base)	(Foreman)
Asbestos-General (Building)	\$24.230	\$25.680
(Highway)	\$25.650	\$26.650
Asbestos-Mechanical (Building)	\$22.700	\$23.700
Boilermaker:	\$38.000	\$41.000
Brick Mason:	\$27.600	\$29.100
Carpenter: (Building)	\$27.700	\$29.090
(Highway)	\$29.250	\$31.000
Cement Mason: (Building)	\$25.840	\$27.950
(Highway)	\$25.840	\$26.840
Ceramic Tile Finisher:	\$20.010	\$0.00
Electric Power Equipment Operator:	\$31.510	\$0.00
Electric Power Groundman:	\$26.330	\$0.00
Electric Power Lineman:	\$39.730	\$43.700
Electrician:	\$33.500	\$35.500
Electronic System Tech:	\$24.490	\$26.240
Elevator Constructor:	\$40.470	\$45.530
Glazier:	\$28.710	\$30.210
HT/Frost Insulator:	\$29.830	\$31.030
Iron Worker:	\$30.250	\$32.670
Laborer: (Building)		
Class 1	\$22.340	\$23.230
Class 2	\$23.840	\$24.790
Class 3	\$24.490	\$25.470
Laborer: (Highway)		
Class 1	\$26.090	\$27.090
Class 2	\$26.590	\$27.590
Class 3	\$27.220	\$28.220
Lather:	\$27.700	\$29.090

Machinist:	\$45.350	\$47.850
Marble Finishers:	\$20.000	\$0.00
Marble Mason:	\$24.350	\$24.850
Millwright: (N)	\$36.970	\$40.670
Millwright: (S)	\$36.970	\$40.670
Operating Engineer: (Building)		
Class 1	\$31.900	\$33.900
Class 2	\$29.250	\$33.900
Class 3	\$28.200	\$33.900
Class 4	\$32.150	\$33.900
Class 5	\$32.650	\$33.900
Class 6	\$33.150	\$33.900
Class 7	\$32.900	\$33.900
Operating Engineer: (Highway)		
Class 1	\$31.900	\$33.900
Class 2	\$29.250	\$33.900
Class 3	\$28.200	\$33.900
Class 4	\$32.150	\$33.900
Class 5	\$32.650	\$33.900
Class 6	\$33.150	\$33.900
Class 7	\$32.400	\$33.900
Class 8	\$32.900	\$33.900
Painter:	\$27.820	\$28.820
Painter Over 30Ft:	\$29.820	\$30.820
Painter Power Equipment:	\$28.320	\$29.320
Piledriver: (Building)	\$27.700	\$29.090
(Highway)	\$29.250	\$31.000
Pipefitter:	\$37.650	\$41.420
Plasterer:	\$28.110	\$30.110
Plumber:	\$37.650	\$41.420
Roofer:	\$26.750	\$28.000
Sheet Metal Worker:	\$30.850	\$32.960
Sprinkler Fitter	\$37.120	\$39.870
Stone Mason:	\$27.600	\$29.100
Survey Worker (not in effect)	\$27.130	\$28.130
Terrazzo Finisher:	\$20.010	\$0.00
Terrazzo Mason:	\$24.350	\$24.850
Tile Layer:	\$27.300	\$28.670
Tile Mason:	\$24.350	\$24.850
Truck Driver: (All)		
Class 1	\$34.220	\$37.870
Class 2	\$34.690	\$37.870
Class 3	\$34.950	\$37.870
Class 4	\$35.240	\$37.870
Class 5	\$36.170	\$37.870
Truck Driver: (O & C)		
Class 1	\$27.380	\$30.300

Class 2	\$27.750	\$30.300
Class 3	\$27.960	\$30.300
Class 4	\$28.190	\$30.300
Class 5	\$28.940	\$30.300
Tuckpointer:	\$27.600	\$29.100

The general prevailing rate of wages for each craft or type of workman for overtime is one and one-half time the corresponding and applicable hourly rates above set forth, and the general prevailing rate of wages for each craft or type of workman for work on legal holidays is twice the corresponding and applicable hourly rates above set forth.

Fringe benefits as shown on the attached itemization are in addition to the above basic rates of pay.

Fringe Benefits per hour-construction work Rock Island County, Illinois

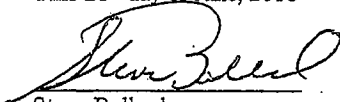
Craft	H/W Ins	Pension	Vacation	Training
Asbestos Gen-Bld	6.750	9.370	0.000	0.800
Asbestos Gen-Hwy	6.450	7.060	0.000	0.800
Asbestos Mec-Bld	6.700	5.050	0.000	0.650
Boilermaker-Bld	7.070	15.99	0.000	0.400
Brick Mason-Bld	9.400	6.480	0.000	0.540
Carpenter-Bld	8.610	10.51	0.000	0.600
Carpenter-Hwy	10.00	12.71	0.000	0.450
Cement Mason-Bld	6.750	11.24	0.000	0.500
Cement Mason-Hwy	6.750	11.66	0.000	0.500
Ceramic Tile Fin-Bld	9.400	6.130	0.000	0.260
Electric Pwr Eqmt Op	5.630	8.830	0.000	0.320
Electric Pwr Grndman	5.530	7.370	0.000	0.260
Electric Pwr Lineman	5.790	11.12	0.000	0.400
Electrician-Bld	7.690	11.93	0.000	0.310
Electronic Sys Tech-Bld	7.270	5.780	0.000	0.310
Elevator Constructor-Bld	13.57	14.21	3.240	0.600
Glazier-Bld	6.940	7.170	0.000	0.450
HT/Frost Insulator-Bld	6.130	12.05	0.000	0.900
Iron Worker	9.490	12.29	0.000	0.690
Laborer-Bld	6.750	7.410	0.000	0.800
Laborer-Bld	6.750	7.410	0.000	0.800
Laborer-Bld	6.750	7.410	0.000	0.800
Laborer-Hwy	6.750	9.710	0.000	0.800
Laborer-Hwy	6.750	9.710	0.000	0.800
Laborer-Hwy	6.750	9.710	0.000	0.800
Lather-Bld	8.610	10.510	0.000	0.600
Machinist-Bld	7.260	8.950	1.850	0.000

Marble Finishers-Bld	9.400	6.130	0.000	0.260
Marble Mason-Bld	9.400	6.130	0.000	0.260
Millwright (N)-Bld	9.920	14.550	0.000	0.500
Millwright (S)-Bld	9.920	14.550	0.000	0.500
Operating Engineer-Bld	16.55	9.150	2.000	0.900
Operating Engineer-Bld	16.55	9.150	2.000	0.900
Operating Engineer-Bld	16.55	9.150	2.000	0.900
Operating Engineer-Bld	16.55	9.150	2.000	0.900
Operating Engineer-Bld	16.55	9.150	2.000	0.900
Operating Engineer-Bld	16.55	9.150	2.000	0.900
Operating Engineer-Bld	16.55	9.150	2.000	0.900
Operating Engineer-Hwy	16.55	9.150	2.000	0.900
Operating Engineer-Hwy	16.55	9.150	2.000	0.900
Operating Engineer-Hwy	16.55	9.150	2.000	0.900
Operating Engineer-Hwy	16.55	9.150	2.000	0.900
Operating Engineer-Hwy	16.55	9.150	2.000	0.900
Operating Engineer-Hwy	16.55	9.150	2.000	0.900
Operating Engineer-Hwy	16.55	9.150	2.000	0.900
Operating Engineer-Hwy	16.55	9.150	2.000	0.900
Painter	5.250	6.600	0.000	0.600
Painter Over 30Ft	5.250	6.600	0.000	0.600
Painter Pwr Eqmt	5.250	6.600	0.000	0.600
Piledriver-Bld	8.610	10.51	0.000	0.600
Piledriver-Hwy	10.00	12.71	0.000	0.450
Pipefitter	6.000	12.95	0.000	1.150
Plasterer-Bld	7.500	7.000	0.000	0.600
Plumber	6.000	12.95	0.000	1.150
Roofer-Bld	9.140	6.920	0.000	0.290
Sheetmetal Worker-Bld	7.140	12.18	0.000	0.540
Sprinkler Fitter-Bld	8.420	8.500	0.000	0.350
Stone Mason-Bld	9.400	0.000	0.000	0.540
Survey Worker (not in effect)	6.750	7.410	0.000	0.800
Terrazzo Finisher-Bld	9.400	6.130	0.000	0.260
Terrazzo Mason-Bld	9.400	6.130	0.000	0.260
Tile Layer-Bld	8.360	9.760	0.000	0.600
Tile Mason-Bld	9.400	6.130	0.000	0.260
Truck Driver 1	11.40	5.640	0.000	0.250
Truck Driver 2	11.40	5.640	0.000	0.250
Truck Driver 3	11.40	5.640	0.000	0.250
Truck Driver 4	11.40	5.640	0.000	0.250
Truck Driver 5	11.40	5.640	0.000	0.250
Truck Driver 1-O & C	11.40	5.640	0.000	0.250
Truck Driver 2-O & C	11.40	5.640	0.000	0.250
Truck Driver 3-O & C	11.40	5.640	0.000	0.250
Truck Driver 4-O & C	11.40	5.640	0.000	0.250
Truck Driver 5-O & C	11.40	5.640	0.000	0.250
Tuckpointer-Bld	9.400	6.480	0.000	0.540

BE IT FURTHER RESOLVED, that nothing herein contained shall be construed to apply to the prevailing hourly rate of wages in the locality for employment other than public works construction as defined in the Act; and,

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to file a certified copy of this resolution with the Secretary of State.

Passed by the Forest Preserve Commission
Rock Island County, Illinois,
This 21st day of June, 2016

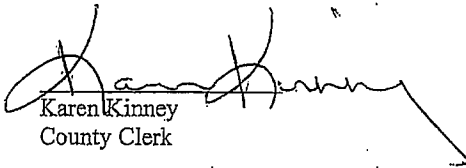


Steve Ballard
Forest Preserve Commission President

State of Illinois)
)
Rock Island County)

I, Karen Kinney, County Clerk, being properly authorized, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Forest Preserve Commission of Rock Island County, Illinois, on this 21st day of June, 2016, after ascertaining the prevailing hourly rate of wages for public work in this County.

In TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said County at my office in Rock Island in said County, this 21st day of June, 2016.



Karen Kinney
County Clerk

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon, K. Maranda, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry, B. Vyncke

TOTAL YES 22

D. Cremeens, J.R. Westpfahl

TOTAL NO 0

Motion carried.

9. Commissioner M. Burns moved to waive the reading and approve the Ethics Ordinance, as presented. Commissioner Swanson seconded.

(Note ** the Ethics Ordinance is in a .pdf format and begins on the next page.)

Forest Preserve District of Rock Island County
Ethics Ordinance

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (hereafter "The Act") (PA 93-615, effective November 19, 2003; as amended by PA 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six (6) months after the effective date of PA 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local governments and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by ordinance rather by resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE FOREST PRESERVE DISTRICT OF ROCK ISLAND COUNTY, AS FOLLOWS:

SECTION 1: The Code of *Ordinances* of the Forest Preserve District of Rock Island County is hereby amended by the addition of the following provisions:

ARTICLE 1
DEFINITIONS

Section 1-1. For purposes of this *Ordinance*, the following terms shall be given these definitions:

Campaign for elective office means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative or administrative action; (ii) relating to collective bargaining; or (iii) that are

otherwise in furtherance of the person's official duties.

Candidate means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in Section 1-3 of the Election Code (10 ILCS 5/1-3).

Collective Bargaining has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

Compensated Time means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this *Ordinance*, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence.

With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

Compensatory Time Off means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

Contribution has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4)

Employee means a person employed by the Forest Preserve District of Rock Island County, whether on a full time or part time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

Employer means the Forest Preserve District of Rock Island County.

Gift means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

Leave of Absence means any period during which an employee does not receive (i) compensation for employment; (ii) service credit towards pension benefits; and (iii) health insurance benefits paid for by the employer.

Officer means a person who holds, by election or appointment, an office created by statute or *Ordinance*, regardless of whether the officer is compensated for service in his or her official capacity.

Political Activity means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) related to the support or opposition of any executive, legislative, or administrative action; (ii) relating to collective bargaining; or (iii) that are otherwise in furtherance of the person's official duties.

Political Organization means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a County Clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

Prohibited Political Activity means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payments for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of

value intended as a campaign contribution.

- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.

Prohibited Source means any person or entity who:

- (1) Is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
- (2) Does business or seeks to do business (i) with the officer or (ii) with an employee or with the officer or another employee directing that employee;
- (3) Conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
- (4) Has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

ARTICLE 5 PROHIBITED POLITICAL ACTIVITIES

Section 5-1. Prohibited political activities. (a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Forest Preserve District of Rock Island County in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited activity (i) as part of that officer or employee's duties; (ii) as a condition of employment; or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in

the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this *Ordinance*.

(e) No person either (i) in a position that is subject to recognized merit principles or public employment; or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 10 GIFT BAN

Section 10-1 Gift Ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or *Ordinance*. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 10-2 Exceptions. Section 10-1 is not applicable to the following:

- (1) Opportunities, benefits, and services that are available on the same conditions as for the general public.
- (2) Anything for which the officer or employee or his or her spouse or immediate family member, pays the fair market value.
- (3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business.
- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, grandmother of the individual's spouse and the individual's fiancé or fiancée.
- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who

gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

(8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For purposes of this Section; "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

(9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of each other.

Section 10-3 Disposition of Gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this *Ordinance* if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

ARTICLE 25 PENALTIES

Section 25-1 Penalties. (a) A person who intentionally violates any provision of Article 5 of this *Ordinance* may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(b) A person who intentionally violates any provision of Article 10 of this *Ordinance* subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this *Ordinance* to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(d) A violation of Article 5 of this *Ordinance* shall be prosecuted as a business offense by an attorney for the Forest Preserve District of Rock Island County by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

A violation of Article 10 of this *Ordinance* may be prosecuted as a quasi-criminal offense by an attorney for the Forest Preserve District of Rock Island County, or, if an Ethics Commission has been created, by the Ethics Commission through the designated administrative procedure.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an employee

who intentionally violates any provision of Article 5 or Article 10 of this *Ordinance* is subject to discipline or discharge.

SECTION 2: This *Ordinance* shall be in effect upon its passage, approval and publication as provided by law.

Done in Open Meeting this ____ day of _____, 2016

Steve Ballard, President
Forest Preserve Commission

ATTEST:

Karen Kinney, Secretary

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, D. Cremeens, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon, K. Maranda, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry, B. Vyncke, J.R. Westpfahl

TOTAL YES 24

TOTAL NO 0

Motion carried.

10. Commissioner Steffen moved to remove from display and approve the District's Regular Part-time & Temporary Employee Pay Policy. Commissioner Terry seconded.

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, D. Cremeens, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry, B. Vyncke, J.R. Westpfahl

TOTAL YES 23

TOTAL NO 0

Motion carried.

11. Commissioner Simmer moved to remove from display and approve the District's Board Manual. Commissioner Swanson seconded.

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, D. Cremeens, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry, B. Vyncke, J.R. Westpfahl

TOTAL YES 23

TOTAL NO 0

Motion carried.

12. Commissioner Cremeens moved to approve the Illiniwek Ball Diamond License with Hampton Adult Softball League. Commissioner Maranda seconded.

LICENSE
for
CONCESSION AND BALL DIAMONDS
at
ILLINIWEK FOREST PRESERVE

This License Agreement is made between the Rock Island County Forest Preserve Commission, (Licensor) and Hampton Adult Softball League (HASL), (Licensee).

WHEREAS, the Hampton Adult Softball League offers youth baseball/softball programs, and,

WHEREAS, the Rock Island County Forest Preserve District has ball diamonds and concession buildings available at Illiniwek Forest Preserve, and,

WHEREAS, it is the appropriate that the following Concession and Ball Diamonds License shall be entered into for the benefit and convenience of the general public in the use and enjoyment of such activities at Illiniwek Forest Preserve;

NOW THEREFORE, it is mutually agreed by the parties as follows:

GRANT AND DESCRIPTION OF PREMISES:

Licensor for and in consideration of the agreements hereinafter stated, grants License to conduct business on the premises described as:

Concession Stand and Ball Diamonds at Illiniwek Forest Preserve in Hampton, Rock Island County, Illinois.

to be used for the purposes set out herein and for no other purpose whatsoever. Except for reasonable rights of ingress and egress, Licensee shall have no rights in any part of Licensor's property other than the premises herein above specified.

TERM:

The term of this License shall commence on **March 1, 2016** and expire on **October 31, 2016**, unless earlier terminated.

AGREEMENT:

Licensee agrees to allow the Hampton Adult Softball League to use Illiniwek Forest Preserve for the purpose of recreational softball sponsored by Hampton Adult Softball League and in exchange for this consideration, Hampton Adult Softball League agrees to maintain the area in the following manner:

All areas that are used for recreational baseball shall be free of debris, broken glass trash and garbage.

Trash and refuse must be taken to properly marked trash bins after each recreational baseball/softball event.

The ball diamond lights shall be turned off at 10:00 PM and all play shall end no later than 10:00 PM, which is when the park closes to the public and quiet hours go into effect for the campgrounds.

Hampton Adult Softball League is responsible for inspecting the recreational baseball area in Illiniwek Forest Preserve after each event. In the event that the recreational baseball area is not kept free of garbage, the Forest Preserve Commission has the right to terminate Hampton Adult Softball League's right's to hold recreational baseball games at Illiniwek Forest Preserve.

It is also agreed that maintenance and repair of facilities and/or equipment (including but not limited to: lighting, fences, concession stands, etc.) used in conjunction with the recreational leagues sponsored by Hampton Adult Softball League, are the responsibility of the Hampton Adult Softball League.

EQUIPMENT:

Licensee will provide all equipment required for the proper operation of the concessions.

MAINTENANCE, REPAIRS, & REPLACEMENTS:

Licensee shall insure that all ball diamonds are in a clean and playable condition at all times when in use for play.

Licensee shall repair or replace any article of equipment owned by Licensee if it reasonably appears that the article should be repaired or replaced in order that the public receive the proper impression of the licensed premises and adequate service.

Licensee shall be responsible for painting and maintaining the interior of the concession building.

CONSTRUCTION:

It is understood and agreed that the Rock Island County Forest Preserve Commission reserves the right to exercise various degrees of action, when deemed necessary, for contracting to remodel and repair or for the development of facilities; to carry out partial, selective or complete rehabilitation of the facilities, and to public usage for a specified time period in order to perform these aforementioned activities.

In the event it becomes necessary to close the facilities to public usage, Licensee will be given prior notice.

Licensee shall not enter into any construction projects of any kind on the premises without written permission for Licensor.

UTILITIES:

Licensor will provide water & electricity to the facilities. It is the responsibility of the Licensee for payment of the utilities used.

Telephone and all other utility services shall be the responsibility of Licensee.

SANITATION:

Licensor agrees to provide refuse containers. Licensee shall be responsible for sanitation of the containers and the garbage storage areas of the concessions.

Licensee shall provide the hauling of the garbage and refuse.

COMPLIANCE WITH LAWS:

Licensee agrees to comply strictly with all Federal, State and local laws, rules and regulations.

INSURANCE:

Licensee shall, at its sole expense, obtain and retain through the duration of the license broad form comprehensive general liability insurance including: Premises/operations, products/completed operations hazard; broad form contractual and personal injury. This general liability insurance shall include limits of liability of not less than \$1,000,000.00. Certificates of insurance in form acceptable to Licensor shall be provided to Licensor at least thirty (30) days prior to the commencement of this license. The insurance policy shall name Licensor as additional insured, shall provide that the policies may not be cancelled or materially altered until as least thirty (30) days prior to written notice being given to Licensor and shall cover occurrence on any part of Licensor's property.

Licensee agrees to file the required policies of insurance, with all endorsements attached, with the Forest Preserve Director, RI County Office Building, 1504 – 3rd Avenue, Rock Island IL 61201, prior to Licensee using said premises.

At least thirty (30) days prior to the expiration of any such policy, a signed and complete Certificate of Insurance, with all endorsements attached; showing that such insurance coverage has been renewed or extended shall be filed with the Forest Preserve Director.

Licensee further agrees to file the new policies with the Forest Preserve Director upon receipt of the policies.

INDEMNIFICATION:

Licensee covenants and agrees that Licensee will indemnify and hold harmless, protect and defend, at Licensee's own cost and expense, the Licensor, its property, agents, servants, employees, assigns, successors, transferees, licensees, invitees, or other persons or property standing in the interest of the Rock Island County Forest Preserve District, of and from any and all risks, suits, damages, expenses or claims due to the negligence of Licensee arising in any way from the operation or granting of this license.

Licensee additionally covenants and agrees that in the event the required policies of liability insurance lapse, or are not renewed, or otherwise are not applicable or effective, Licensee shall

Licensor may cancel this agreement if Licensee violates a covenant of this agreement or does not fulfill Licensee's responsibilities as set forth in these covenants for any reason whatsoever.

Failures to meet any of the provisions for Insurance of this license are grounds for immediate cancellation of this license.

It is further agreed that this Concession and Ball Diamond License may be cancelled at any time upon mutual agreement of the parties to this agreement,

When termination of this agreement occurs for any reason whatsoever, Licensor may upon mutual agreement of the parties to this agreement, extend this lease on a month-to-month basis to provide for the interim management of the facilities.

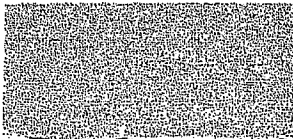
This interim license provision shall in no way affect any cancellation powers set forth in this section.

DESTRUCTION, LOSS OR DAMAGE BY FIRE OR OTHER CAUSES:

In the event the premises used under this Concession and Ball Diamond License are severely damaged by fire or other casualty, Licensor may elect not to repair the premises, at which time this Concession and Ball Diamond License may be terminated at the discretion of the Licensor.

GOVERNING LAW:

This agreement is governed by the laws of the State of Illinois. Any litigation arising under this Agreement is agreed to be maintained in Rock Island County, Illinois. Licensee shall strictly comply with all applicable federal, state, and local statutes, rules, and regulations.



(Jennifer Marner)

Date: 5-24-16

Licensor-Hampton Adult Softball League

Approved:

Date: _____

President, Rock Island County Forest Preserve Commission

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, D. Cremeens, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon, K. Maranda, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry, B. Vyncke, J.R. Westpfahl

TOTAL YES 24

TOTAL NO 0

Motion carried.

13. Commissioner Doye moved to approve the low quote for repairs on seventeen Tee Box Terraced Wall at \$18,620.00, as presented. Commissioner Moreno seconded.

A roll call vote was taken.

R. Brunk, M. Burns, L. Burns, K. Callaway-Thompson, N. Camlin, D. Cremeens, J. Deppe, S. Doye, C. Filbert, D. Jacobs, D. Johnston, E. Langdon, K. Maranda, M. Mayberry, D. Mielke, P. Moreno, R. Oelke, V. Shelton, R. Simmer, M. Steffen, K. Swanson, S. Terry, B. Vyncke, J.R. Westpfahl

TOTAL YES 24

TOTAL NO 0

Motion carried.

14. Commissioner Shelton moved to approve the Routine Reports from the Director and Department Heads of the Forest Preserve Commission. Commissioner Langdon seconded. (Record)

A voice vote was taken.

Motion carried.

15. Commissioner Simmer moved to approve the Appointment of William Nelson to the Niabi Zoo Oversight Committee. Commissioners Mayberry and Swanson seconded.

A voice vote was taken.

Motion carried.

Commissioner Oelke asked, "Is this the retired from the Rock Island Parks Director?"

President Ballard answered, "Yes."

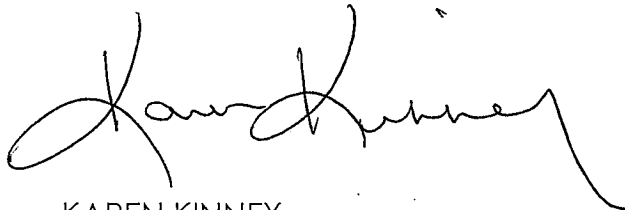
Commissioner Oelke stated, "That's a great appointment to have."

President Ballard added, "We were fortunate to get him on that advisory Board with all of his years of experience."

The next meeting of the Forest Preserve Commission is July 19, 2016, immediately following the meeting of the Rock Island County Board.

President Ballard declared the Forest Preserve Meeting recessed.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "Karen Kinney". The signature is fluid and cursive, with a long, sweeping tail on the right side.

KAREN KINNEY
COUNTY CLERK AND SECRETARY
OF THE FOREST PRESERVE COMMISSION

KK: rw