

**MINUTES**  
**AD-HOC COMMITTEE ON GOVERNMENT**  
**TRANSPARENCY AND ACCESSIBILITY**  
**February 10<sup>th</sup>, 2009**

**Committee Members Present:**

Jeff Redick, Don Puchalski, John Curran, Grant Eckhoff, Tony Michelassi

**Other County Board Members Present:**

Rita Gonzalez

**Staff Present:**

Anna Harkin – SAO, Jason Gerwig – County Board Office, Caroline Roth – County Board Office, Fred Backfield – Finance, Debbie Rudolf – Finance, Lynn Wood – Finance, Tyrone Tipitino – Finance, Joan Morange – Finance, Rhonda Warren – I.T., Debbie Hanson – I.T., Sandy Modesitt – I.T., David White – I.T., Joe Kirts – OEM, Craig Dovel – SOA, Bob Grogan – Auditor, Peter Balgemann - Auditor

**Others Present:**

Jean Kaczmarek – Citizen, Robert Whitney – Citizen

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Chairman Redick called the meeting to order at 1:05 PM.

Chairman Redick motioned to approve the February 3<sup>rd</sup>, 2009 minutes, seconded by Member Eckhoff. All ayes, motion passed.

With no public comment, Chairman Redick stated that the primary purpose of the meeting was to give somewhat of a landscape of where the committee currently stands. Chairman Redick said there would be four presentations given during the meeting from Fred Backfield from Finance, Cara Perrone with Human Resources, Rhonda Warren from Information Technology, and Bob Grogan, the County Auditor. Chairman Redick went on to say that transparency groups would be brought in for next week's meeting to offer suggestions, ideas, and advice to the Transparency Committee. Chairman Redick then encouraged the public to send their thoughts, ideas, and concerns to the committee via the newly established Transparency Committee e-mail address, [transparency@dupageco.org](mailto:transparency@dupageco.org).

After completing his remarks, Chairman Redick introduced Fred Backfield, Chief Financial Officer for DuPage County. Mr. Backfield stated that the introduction of the Transparency Committee is timely for the Finance department. Mr. Backfield said that

Procurement is engaged in a 5-year review of the Procurement Ordinance and procedures, and are in the initial stages of modernizing some major elements of Information Technology, involving the replacement of the current financial system. Mr. Backfield said his goal is to look for guidance to improve the process and the product, including improvements to access and utility to users and the general public. Mr. Backfield said he would like to see an improvement in efficiency and accuracy as well as become more informative. Mr. Backfield discussed the procurement ordinance that was adopted in 2004, touching upon the goals at that time. Mr. Backfield also discussed that changes over the past five years have prompted review and revisions of the ordinance. Mr. Backfield went on to discuss the budget and financial statements that are available on line and to the public, and said that he would like to seek independent review and confirmation of budget and financial reports. Mr. Backfield then said that transparency has two aspects: access to information and input in policy-making. Mr. Backfield made suggestions for short-term enhancement, such as identifying new procurement mechanisms, adding budget performance updates to the Web, and developing a summary walk through guide for the budget. Mr. Backfield also discussed other possible enhancements, such as publishing the budget calendar on the Web and revising the procurement ordinance. Mr. Backfield explained some of the limitations that are an issue with modernization, such as financing and staff levels.

Member Puchalski asked if what the County Board receives for their meetings is different than what is on the Web. Mr. Tipitino said that yes, the Board receives what is on the web, although Mr. Backfield said it is a summary. Mr. Backfield continued, saying that other information on the Web includes a list of payment of claims as well as proposed contracts that go to County Board for review. Mr. Backfield added that budget and financial statements are also available online. Chairman Redick asked if the Board members receive a description of each line item that is posted online, to which Mr. Backfield responded yes. Mr. Backfield then said he would like to see developed a general guidance developed, showing people how to look at and follow the budget, in order to improve navigation for the general public. Member Puchalski asked what the largest complaint received regarding accessibility is and Mr. Backfield responded that the budget being such a large document seems to be the big issue for the public.

Rhonda Warren from the Information Technology department discussed a proposed new County website that is being developed. Ms. Warren said the new website will include a “.gov” URL address. Ms. Warren also said there would be a new look and feel to the site, as well as new graphics and web design. Ms. Warren explained that the new website would have better handicap accessibility and flexibility, and would make information more readily available to the public. Ms. Warren said IT is designing a site through the eyes of the public and average citizen, and they are looking at the functionality of the site more than anything. Ms. Warren said the structure of the new website will be based on statistics taken from the current website, such as which pages on the current DuPage County website are visited the most. Ms. Warren stated that each County agency would be responsible for its own site, as there is too much information to make one site easy to navigate. Ms. Warren said IT would like to make available interactive applications and plans to take advantage of document management. Ms. Warren said that as of right now, the County website does not have any policies or standards as far as content and how

long it is posted, so she said that they would like to see each agency's webpage have its own editor in order to review the content. Ms. Warren said she would like to see the same information available online as a citizen would receive in person or by telephone, making communication an important factor. Ms. Warren said she would like to go beyond the Web and find better ways to communicate with the public. Mr. Redick asked Ms. Warren for examples of how to otherwise communicate with the public. Ms. Warren said she would like to make information available via e-mail, text messaging, subscriptions, social networking sites, and so on. Ms. Warren said she wants to look beyond e-mail and beyond just posting information on the County site.

Ms. Warren then discussed streaming County Board meetings online and the possibility of using the Enterprise Resource Planning (ERP) system. Mr. Redick said that the City of Naperville uses a system for their meetings. Mr. Redick also said that the current County Board system is less than desirable, and inquired about obtaining an automated camera and microphone system. Ms. Warren said the Board room is currently fitted with audio. Ms. Warren went on to say that she could have someone come in to do an assessment of the room, but its size and set up cause limitations for configuration. Member Puchalski asked Ms. Warren if there is a way to receive feedback from the public as to what they want, and why the County would spend the time and money on things that are unwanted by DuPage citizens. Ms. Warren stated that statistics have been collected on the web as far as what citizens' interests. Ms. Warren also said that information may not be accurate from one system to another. Ms. Warren continued, saying that while information is currently available, but she wants IT to figure out how to make it properly available.

Cara Perrone, Director of Human Resources, said that DuPage County is one of the largest counties in Illinois offering online FOIA requests, and have been doing so since 2004. (Handout attached regarding FOIA requests.) Ms. Perrone said that the County website provides a walk-through of how to complete a FOIA request, including an appeal of denial. Ms. Perrone explained that FOIA requests are centralized through the Human Resources department, which received approximately 300 requests in 2008. Ms. Perrone stated that the Department of Economic Development and Planning (EDP) completes their own FOIA requests, as does the Sheriff's department. Chairman Redick asked why EDP completes its own requests. Ms. Perrone said that EDP alone receives approximately 1000 FOIA requests annually. Member Curran asked if EDP has FOIA requests available online, and if not, is it possible to do so. Member Puchalski asked if that number is unusual. Ms. Perrone said the number of FOIA requests received by EDP has been about the same for the past two years. Mr. Backfield added that the Clerk's office handles its own FOIA requests as well. Member Eckhoff said that the County has its hands tied as far as transparency with FOIA goes. Member Eckhoff said that organizing information is important and then asked if there is anything that should not go on the Web. Chairman Redick asked if the Election Commission handles their own FOIA requests, and how the cost was derived for paper copies. Ms. Harkin said the \$.08 was derived from Purchasing, who figured out how much it would cost per copy.

Ms. Perrone went on to discuss County ethics, including the ethics ordinance that was enacted in 2004. Ms. Perrone said that Illinois Law requires all local governments to

train staff on an annual basis, and so the County implemented the Employment Ethics Policy. (Handout attached regarding Ethics and Ethics Training.) Member Eckhoff asked Ms. Perrone if pending ethics investigations are on the Web. Ms. Perrone stated that they are not on the Web, to her knowledge, adding that different situations are handled through different sources. Chairman Redick asked how many complaints were filed last year, and Ms. Perrone said she would try to find out. Ms. Perrone said that a diversity and ethics training tape will be available for those who training is not mandatory. Ms. Perrone said that ethics training may also be done at a County Board meeting for Board members. When Chairman Redick asked if Ms. Perrone had any recommendations regarding current ethics standings or procedures, she responded she has no suggestions and that the DuPage County ordinance goes above and beyond the Illinois Act. Chairman Redick asked if elected officials are required to do ethics training if they are not under purview of the County Board. Ms. Perrone said some officials have requested training. Member Puchalski asked if other officials are aware of training availability, and asked if every department has its own policy. Ms. Harkins said she was unsure if other departments have their own policies. Member Puchalski suggested they look at other county boards' ethics policies.

Bob Grogan, County Auditor, discussed the online availability of the County checkbook. Mr. Grogan said citizens are able to view the information by vendor, budget code line, or contract/purchase order number. Mr. Grogan said that he created a list of words to be removed if used as well as redacted some HIPPA information relative to medical treatments of prisoners at the jail. He said his office plans to establish a formal Auditor hotline. Member Eckhoff asked if callers can remain anonymous, and Mr. Grogan said they can remain anonymous if they so choose. Mr. Grogan said that his office is finishing up an audit of the pay of elected officials for the County, which will be posted on the Website as well. Mr. Grogan said that, while his department is statutorily responsible for contracts, individual departments will ultimately be responsible for the keeping of their contracts. The Auditor and Finance offices are trying to work out a system so they can have a digital copy of contracts. Chairman Redick asked if those contracts would be limited to the ones passed through County Board, or if they would be Countywide. Mr. Balgemann said he is unsure of what contracts are under the Auditor's jurisdiction, and Mr. Grogan added that he would like guidance from the Transparency Committee on that subject. Chairman Redick asked if auditing is limited to items passed through County Board. Mr. Grogan stated that his auditing includes the Sheriff, State's Attorney Office, and others that now include the Emergency Telephone System Board. Mr. Grogan said those not under his jurisdiction include elements of the Circuit Court Clerk, the Election Commission, Health Department, and DuPage County Airport, which is an entirely separate entity. Chairman Redick asked if these are not included based on Illinois law and Mr. Grogan said that some are due to statute and some by the Attorney General. Chairman Redick asked that a compilation be made of what is or is not included in the DuPage County Auditor's jurisdiction. Mr. Grogan went on to say that his job as County Auditor is not redundant of an external auditor, as external auditors have a different agenda from an internal auditor. Member Eckhoff suggested the committee offer to Countywide elected officials the opportunity to join the Transparency Committee for ideas, and to see if they want to upgrade their systems. Mr. Grogan said that the Airport and Health Department get separate audits. Ms. Harkins said she wanted to

clarify that the Airport is an entirely separate entity from the County. Member Eckhoff asked if payrolls were posted on the Web, and Mr. Grogan said that his office posts non-payroll items, such as employee reimbursements.

With no old or new business for discussion, Chairman Redick motioned to adjourn at 3:15 PM, seconded by Member Eckhoff. All Ayes, motion carried.

Respectfully Submitted,

Sarah Daly

**Transparency Committee**  
**Finance Presentation**  
Feb 10, 2009

**I. Introduction**

- A. Transparency Committee timely for Finance
1. Procurement is engaged in 5 year review of the Procurement Ordinance and procedures;
  2. We are in the initial stages of modernizing major elements of IT , involving replacement of the current financial system.

- B. We look for guidance to improve process and product
1. Improve access and utility to user and public;
  2. become more informative; and
  3. Improve efficiency and accuracy.

**II. Procurement**

A. The procurement ordinance was last revised and adopted in December 2004. Among the major goals at that time:

- \* Ensure integrity of the process to eliminate or minimize impropriety or the appearance of impropriety in the County's procurement of goods and services.;
- \* Meet fiduciary responsibilities;
- \* Meet or exceed state procurement requirements.

B. Over past 5 years changes prompt review and revisions;

- \* Streamline process where possible;
- \* Fit with coming financial system goals and capabilities;
- \* Meet increased public policy demands for access to information;
- \* Implement new mechanisms, procedures, or policies to eliminate or minimize impropriety or the appearance of impropriety in the County's procurement of goods and services.

C. Demonstration of Information publicly available.

- \* Ordinance;
- \* Bids and RFPs;
- \* Also Payment of Claims and Proposed contracts.

**III. Budget and Financial Statements**

A. The Finance Department engages in a continuous improvement process regarding budget and other financial documents. We seek to provide accurate and valuable financial information to the public, financial institutions, rating agencies, and private investors; and for the budget to serve as a financial plan guiding County decision-making.

- \* Seek independent review and confirmation of budget and financial reports as valuable communications documents of County governance, and incorporate recommendations of independent reviewers.

- \* Codified financial and budget policies as action and decision guides.

B. Demonstration of Information publicly available.

- \* Budget/ Budget Appendix; (Proposed Budget is also published when released);

- \* Comprehensive Annual Financial Reports (CAFR);

- \* Budget Performance Updates (County Board reports – handouts).

IV. Enhancements and Limitations

A. Transparency has 2 aspects:

- \* Access to information; and

- \* Input in policy-making

B. Short-term Enhancements

- \* Identify new procurement mechanisms;

- \* Separate Budget and Financial Policies from budget document and make stand alone or develop a major Policies section of the Web (with link to Code?);

- \* Add Budget Performance Updates to Web;

- \* Develop a summary walk through guide for budget and CAFR;

- \* Review Web to improve navigation and location of information.

C. Other Enhancements

- \* Publish Budget calendar on Web;

- \* Add list of public hearing dates when proposed budget is published on Web.

- \* Revise Procurement ordinance;

- \* Contract “life cycle” goal;

- \* Development of ERP to improve financial system reliability, accuracy, completeness, and transparency.

D. Limitations

- \* Current financial system limitations;

- \* Staff levels;

- \* Financing.

## ETHICS

On December 9, 2003, sweeping ethics reforms became law in Illinois. HB 3412 and SB 702 together mandate that within 6 months after December 9, 2003, each unit of local government and school district shall adopt an ordinance or resolution that regulates, in a manner no less restrictive than the Act, (i) the political activities of officers and employees of the governmental entity and (ii) the soliciting and accepting of gifts by and the offering and making of gifts to officers and employees of the governmental entity.

In compliance with the mandate of the General Assembly, DuPage County enacted a revised Ethics Ordinance on May 11, 2004. Since that time, a couple of amendments to the ordinance have been made to comply with the mandate of the State Officials and Employees Ethics Act and go beyond the minimum requirements of the Act by providing for methods of both guidance and enforcement to create a stronger more comprehensive ordinance.

This Act requires all local governments to train staff on an annual basis. We became benefactors of this act and as a result we have implemented the Employment Ethics Policy. In our training we cover the following:

- Employee Conduct
- Outside Employment Practices
- Prohibited Political Activities
- The gift ban and provisions to the gift ban
- Where to direct questions
- Complaint procedures

In addition the Act created a commission known as the Ethics Commission of DuPage County. The Commission consists of five commissioners. In addition the Act provides for an Ethics Officer and an Investigator General.

## ETHICS TRAINING

It is vital that all DuPage County employees act in the best interests of the County in the performance of their official duties, and to foster a high level of trust and confidence in the citizenry with regard to the functioning of the County government.

To ensure this is met the Human Resources department makes certain that a new employee completes his or her initial ethics training during orientation within the first month of employment. In addition, all employees attend an annual ethics training program per the Ethics Ordinance OFI-003A-04 Section 2-406 Training.

We began training in the month of December, and plan to have sessions completed by February 27<sup>th</sup>.

### ADMINISTRATION BUILDING EMPLOYEES

- At 421 we offered 7 sessions (2 supervisory/ 5 employee level)
- We also offered offsite training to the following locations:
  - **Convo** we offered 9 sessions (4 Supervisory and 5 Employee level trainings)
  - **Highway** - 1 supervisory session/ 2 employee sessions
  - **Workforce Development** - 1 employee session
  - **Public Works**- 1 supervisory session/ 2 employee sessions
  - **OEM** - employee session
  - **Family Center**- 1 employee session
  - From these sessions, we have been able to train approximately 300 supervisors and 1000 employees
- For the remaining employees we have the following scheduled make-up sessions:
  - 2/24- 1 supervisory session
  - 2/25 and 2/26 - 2 employee sessions
- Staff that are not able to attend one of the above make-up sessions will be required to watch the video that is currently being distributed.
- We will also be including elected official departments like the Circuit Clerk, Circuit Court and Probation employees and supervisors

### COUNTY BOARD MEMBERS

- I am currently working with Barbara Preiner; Ethics Officer on scheduling training for the Chairman and County Board members. Presentation of material most likely to be completed by Attorney General Office on a County Board meeting date as we have done in the past. We are just waiting for confirmation back from the Attorney General office on their availability.

## FREEDOM OF INFORMATION ACT (FOIA)

In 2003, the Chairman appointed a Technology Committee, chaired by Board Member Jim Healy, to find new ways that County government could increase their efficiency and optimize customer service through the use of web-based initiative. Based on the County Board's commitment to open government, the Freedom of Information Requests was placed on line in 2004. At the time, DuPage County became the largest county in Illinois to offer this service.

Allowing FOIA request on the web demonstrated our commitment to open government. Citizens were able to avoid a trip to the county by simply filling the form out online. The Freedom of Information Act (FOIA) provides for citizens to able to receive full and complete information regarding the affairs of government. The Act requires government agencies to make available or provide copies of any requested records that are subject to disclosure under the Act. The Act requires the County to respond to request within 7 working days or correspond with the request regarding an extension. Prior to this initiative, requests needed to be submitted in person or via mail. Now, complete procedures are available on the web for applying via mail, in person or on the internet.

## **FREEDOM OF INFORMATION ACT**

The purpose of the Freedom of Information Act is to ensure that all persons are entitled to full and complete information regarding the affairs of government, and the official acts and policies of those who represent them as public officials.

The principle mandate of the Act provides that each public body shall make available to any person for inspection, or upon submission of a written request, to provide copies of any requested records that are subject to disclosure under the Act. Not all records are subject to disclosure, and the Act provides a number of exemptions.

This Act is not intended to be used to violate individual privacy, nor for the purpose of furthering a commercial enterprise, or to disrupt the duly-undertaken work of any public body independent of the fulfillment of any of the rights of the people to access to information (5 ILCS 140/1). The Act does not require the County to create new records or to answer questions other than through the production of records.

### **Response Time On FOIA Requests**

All written requests shall be responded to within seven (7) working days (5 ILCS/140/3) following the date the request is received. The seven (7) day count begins the day after the receipt of the FOIA request by the Department Head, or designee. The requester may be notified of a seven (7) day extension (working days) if the files are voluminous, at different locations, or if other reasons make it impossible to assemble and mail the request out within the normal seven (7) day period.

### **Denial of FOIA Requests**

All county employees are encouraged to provide available information when requested by the public. Information provided or denied under the FOIA, however, must conform to the legal requirements under the Act. It may also be denied if it falls within a category under Sec. 3(f) of the Freedom of Information Act.

When a public body denies a request for public records, that body must, within seven (7) working days, or within any extended compliance period provided for in the Act, notify the person who made the request, by letter, of the decision to deny the request. The letter must explain the reasons for the denial, and give the names and titles of all persons responsible for the denial.

### **Appeal of Denial of FOIA Requests**

Any person denied access to inspect or copy any public record for any reason may appeal the denial by sending a written notice of appeal to the County Board Chairman.

### **Fees**

FOIA requestors may have to pay fees covering some or all of the costs of processing their request. Fees may be limited to actual mailing costs, duplication or publication costs. If a fee is due, you will be contacted on the cost, which must be paid prior to receiving the documents. If copying costs exceed \$25.00; a letter stating that you will pay all copying fees will be requested prior to the processing of your request.