

COUNTY OF MENARD        )  
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STATE OF ILLINOIS        )

The Menard County Board of Commissioners met on Tuesday, March 26, 2013, at 6:00 p.m. in the Commissioners' Room of the Menard County Courthouse, 102 S. Seventh Street, Petersburg, Illinois. Commissioners Merle Kirby, Ed Whitcomb, Jeff Fore, Bob Lott and Allan Anderson were physically present. A quorum was present. County Clerk Gene Treseler, County Treasurer Jackie Horn, State's Attorney Ken Baumgarten and County Coordinator Steve Duncan were also in attendance.

Chairperson Kirby called the meeting to order at 6:00 p.m.

Commissioner Lott moved to approve the consent agenda which included the minutes from the March 12, 2013 regularly scheduled Board meeting and the approval of the monthly department expense report for February 2013. Commissioner Fore seconded the motion. The motion carried unanimously.

**OLD BUSINESS**

**EMS Department Billing Services Agreement**

Commissioner Whitcomb moved to table consideration of an EMS Department Billing Services Agreement. Commissioner Anderson seconded the motion. The motion carried unanimously.

**NEW BUSINESS**

**Hearing of Citizens (Unscheduled Public Comments/Requests for Board Action)**

Anne Smith, Menard County Housing Authority, was in attendance and requested a letter of support for an assisted living facility to be located in the City of Athens. Commissioner Lott moved to provide the requested letter of support for an assisted living facility to be located in the City of Athens. Commissioner Whitcomb seconded the motion. The motion carried unanimously.

Denise Barr, an attorney representing former employee Clarilee Belt and a retiree participant in the County's self-funded health insurance program, was in attendance to appeal the handling of various claims on behalf of Ms. Belt. Ms. Barr indicated that they were not against this matter being discussed in open session. She claimed that another policy that Ms. Belt has should be considered a supplemental policy and not be considered as other health care plan coverage as described in the plan booklet's coordination of benefits section. She stated that when the County and Ms. Belt were with BlueCross/BlueShield that they did not use their coordination of benefits as applicable with this policy. She informed that the County's plan deducted the amount that this policy paid and this should not have occurred as it is not a medical policy. She said that the County had informed employees that the policy would mirror BlueCross/BlueShield and this was not the case since BlueCross/BlueShield had not considered supplemental policies as applicable to their coordination of benefits. She offered medical bills from 1998 when BlueCross/BlueShield was the County's insurer showing they did not deduct for monies paid by the supplemental insurer.

It was pointed out that the policy that Ms. Belt had purchased was optional.

Alex Snedeker and Jason Boothe (attorney), representing Snedeker Risk Management and broker of the County's self-funding health insurance, were also in attendance. Mr. Snedeker informed that the policy in question was a Conseco health insurance policy specific to cancer. He informed that the policy, as written, was referred to as a group policy. He provided an explanation of how the coordination of benefits is suppose to work, informing no health insurance policies that an individual may have is suppose to pay over one hundred percent. He informed that this other policy may very well have provisions to pay for travel and lodging but that no money was deducted for such expenses and that only medical procedure coverage expenses, with applicable medical codes, were deducted per the coordination of benefits section of the plan. He informed that they believed they did mirror BlueCross/BlueShield document language, as it pertains to coordination of

benefits, but that BlueCross/BlueShield would have to explain why they treated previous claims in the manner that they did.

Mr. Boothe spent time reiterating many of these points. He informed that the payment methodology or whether it was a group or individual medical policy is irrelevant as to whether Ms. Belt's policy was applied correctly per the plan document. Mr. Boothe informed that if you look at studies it is not uncommon for a company like BlueCross/BlueShield to make an error in how they handle claims. Mr. Snedeker informed that the County did not start self-funding in 1998 and that the mirroring of BlueCross/BlueShield language occurred based on the plan booklet they were given at the time by the County. Mr. Boothe informed that if the County did not want their plan to be applied as it was, which was done properly in his view, they should seek an amendment of their plan document. Mr. Boothe informed that the County's re-insurer was not responsible for payment if the Board, at its discretion, chooses to pay a claim that contradicts the express terms of the plan in which they issued the reinsurance policy. He informed that the re-insurer believed the terms of the plan were properly applied in this case.

Janet Lyons, employee in the Circuit Clerk's office, was in attendance and stated that she did not understand why Consecro would sell a policy that would lead to employees paying additional premiums. Mr. Snedeker said that he did not disagree with this point and that these other policies may well be a waste of money since they aren't filling any gaps in relation to medical coverages. Jackie Horn, County Treasurer, informed that the Consecro policy is suppose to pay back the premiums an individual pays, after twenty years and based on how much the policy is used.

#### **Health Department Report/Requests for Board Action**

Health Department Administrator Alicia Davis-Wade was in attendance and provided an overview of the Health Department's financial condition, informing that the Health Department has a current balance of \$62,761.67, as presented.

Commissioner Lott moved to approve the payment of various Health Department bills (and as deemed needed per the County extending the Health Department's line of credit to pay said bills), as presented. Commissioner Whitcomb seconded the motion. The motion carried unanimously.

It was announced that Georgialyn Gurski had been assigned the position of acting supervisor of the Health Department.

#### **EMS/Community Services Department Report/Requests for Board Action**

County Coordinator Duncan, on behalf of Larry Graf, EMS Chief/ESDA Coordinator who was at an IEMA meeting, passed out a memorandum advising of the emergency management line of succession, March and future projects and a spreadsheet showing the breakdown of calls for service.

Dara Worthington, Community Services Administrator/EMS Fiscal Officer was in attendance. She provided an overview of the EMS Department's financial and collection reports. She informed that \$12,903.70 would be turned over to collections. She informed that the new heaters in the EMS building were reported to be working well. Ms. Worthington provided an update on the Downstate Operators Assistance Program application process.

### **County Treasurer's Report/Requests for Board Action**

County Treasurer Jackie Horn presented an overview of monthly financial reports. Ms. Horn informed that the Illinois Municipal Retirement Fund had a 13.7% percent rate of return and was currently estimated to be 85 percent funded in the aggregate on a market value basis.

Commissioner Fore moved to transfer \$20,000 from the County's General Fund to the Animal Control Fund, as budgeted. Commissioner Whitcomb seconded the motion. The motion carried unanimously.

Ms. Horn provided an update on whether the Health Department had to use a credit card for Federal reimbursements, informing that she had been informed by a representative of the Federal government that there was an alternative. She informed that she had told the Health Department to investigate this other alternative.

### **County Clerk's Report/Requests for Board Action**

Commissioner Lott moved to approve a six-day liquor license for the Menard County Fair. Commissioner Fore seconded the motion. The motion carried unanimously.

County Clerk Treseler presented an overview of efforts related to preparing a new County plat book and preparations for the upcoming election.

### **State's Attorney Report/Requests for Board Action**

There were no report/requests for Board action.

### **County Coordinator's Report/Requests for Board Action**

Mr. Duncan informed of correspondence that had been sent to County Engineer Tom Casson from Klingner and Associates and representing the City of Petersburg, requesting preliminary approval of improvements related to the reconstruction of the town square around the Menard County Courthouse. Mr. Duncan informed that he had contacted Mayor Stiltz and that it was his understanding that Mayor Stiltz would try to arrange a meeting between the various engineers and then approach the County Board to address what is being requested.

Mr. Duncan passed out to the Board a draft of possible amendments to the County's comprehensive land-use plan's goals and policies section, which had been prepared based on County staff's best efforts to interpret the desires of the County Board. This draft was given to the Board for their review and comment.

Mr. Duncan asked Mr. Boothe to explain that the County would need to engage third-party, independent review organizations (IROs) to hear health insurance claim appeals. Mr. Boothe explained that new legal requirements from healthcare reform required that recognized IROs needed to be put in place to hear eligible claim appeals. He informed that the County needed to engage three such IROs as appeals are to be rotated among these recognized IROs. Mr. Boothe informed that one such recognized IRO located out of Champaign, Illinois had informed that they were only paid as they were used. He explained that there were timelines in which these appeals were to be addressed so it was somewhat of a time-sensitive issue to get agreements in place.

### **Individual Board Members - Report/Requests for Board Action**

There were no report/requests for Board action.

### **Executive Session**

Commissioner Lott moved to enter into executive session to discuss potential litigation as allowed by (5 ILCS 120/2(c)(11) at 7:30 p.m. Commissioner Whitcomb seconded the motion. The motion carried unanimously.

The regular meeting reconvened at 8:06 p.m.

The Board informed that they were taking the Belt appeal under advisement and would make a determination later.

### **Adjournment**

With no other business coming before the Board, Commissioner Lott moved to adjourn the meeting at 8:07 p.m. Commissioner Fore seconded the motion. The motion carried unanimously.