

John M Scott Commission  
Electronic Meeting  
March 18, 2020

An electronic vote was held via Google forms. These minutes reflect the google form completed by commissioners and the related materials provided to commissioners in advance of voting.

Seven commissioners participated in the voting: James E. Swanson, Scott Hamilton, Deb Skillrud, Sue Grant, John Couillard, Holly Ambuehl, and Deborah Halperin

The February 2020 minutes and the staff report and invoice were approved unanimously.

The Grant Committee recommended that the commission provide one additional year of funding in FY2021 for Category III Grantees at the same level as FY20. A yes vote does NOT impact the reserve of up to \$15,000 in the Category III line item for COVID-19 response as approved via electronic vote on 3/13/20. There are enough funds in the line item already approved by the Commission to cover this grant recommendation as well as the COVID-19 reserve. This action was approved.

The Grant Committee also recommended to eliminate units of government eligibility for grants beginning in FY2022. At the grant committee meeting on 3/9/20, the grant committee recommended that, after FY21, units of government excluded from eligibility to apply for, or receive, Trust funds. This change would impact grants awarded for FY22, which begins 5/1/21, and does NOT impact the COVID-19 reserve; it also does NOT impact the previous vote regarding FY21 Category III funding. Under this recommendation, beginning in FY22, only nonprofits/501c3 organizations in McLean County would be eligible to apply for grants, including Promise Councils, which currently receives a Category III grant. This change would eliminate the McLean County Health Department, COBT and Normal Township from eligibility in all three grant categories. Category III funds would be dedicated to emergencies or unplanned needs (e.g., COVID-19). Due to the timing of grant applications, a decision on this item is required now, in order for the grant committee to draft a call for proposals and related eligibility requirements for FY22 in the next couple of months. Approving this item will also allow the total grant budget to be adjusted for FY22 to reflect the elimination of three units of government grantees, should savings be required due to stock market performance or other changes. It was stressed to the commissioners that changing eligibility for units of government requires changing the by-laws because the by-laws currently state that the City of Bloomington Township "shall" be eligible. This recommendation was approved.

Commissioners were asked to vote on By-Laws Updates including technical changes, conflicts, attendance, and COBT provisions. Each update was voted on separately.

**Motion passed:** Technical Changes: 1) Add references to Trust and 2) Spelling Correction

*Explanation: Adding a reference to the Trust where applicable will help maintain clarity in the future about which provisions in the by-laws are repeated in the Trust. This creates an efficiency for future Commissioners (i.e., reading the by-laws will make it obvious where the by-laws are tied to the Amended Trust, and therefore, which changes to the by-laws would require court approval. This has been confusing in the past).*

1. Article II, Section 1

- a. Add "According to the Trust, as amended (Article 3.1)"
- b. Add "provide grants to" to clarify reference to Trust and mirror Trust language

2. Article II, Section 2: Add "According to the Trust, as amended (Article 3.2)"
3. Article II, Section 3: Add "According to the Trust, as amended (Article 5.4)"
4. Article III, Section 1A: Add "According to the Amended Trust, Article 5.2"
5. Article VIII, Section 2: Add "As stipulated by the Amended Trust Article 6.4"
6. Article IX, Section 1: Add "As permitted by the Amended Trust Article 7.13"
7. Article IX, Section 3: Add "As permitted by the Amended Trust Article 7.12"
8. Article X, Section 1: Add "according to the Amended Trust Article 5.3"
9. Article III, Section 2A: Correct spelling error - "in" becomes "is"

**Motion Passed:** Technical Changes: 1) Committee consolidation and 2) Baseline term year

*Explanation: Reflects the consolidation and re-naming of former Finance and Investment Committees. These changes were proposed in 2019 but were not adopted by the Trustee due to an administrative error in early 2020.*

10. Article III, Section 6B: Delete "and Budgeting"
11. Article IV, Section 3D: Delete
  - a. 1) "and Budgeting"
  - b. 2) "as a member of the Investment Committee"
12. Article V: Renumber sections for consistency
13. Article V, Section 1B: Delete "and Budgeting"
14. Article V, Section 2B: Delete "and Budgeting"
15. Article V, Section 2D
  - a. Delete Section/Title b. Move list of responsibilities to Section 2B to reflect consolidation of Finance and former Investment Committees

*Explanation: This language was added during the transitions that occurred in 2018-2019 and it is no longer relevant; deletion is a matter of cleanup while making other changes. The baseline term year and term expirations were established by the adoption of the Amended Trust in 2018, and staggered terms were established when appointments were confirmed in early 2019.*

16. Article III, Section 2B - Delete and reorder list
  - a. Delete "At the time of adoption of these Bylaws, current members may continue on the Commission to complete their current terms, and serve for additional terms with Trustee reappointment. This allows for staggering terms as created by the original bylaws with the purpose to ensure continuity and permanent cohesiveness."
  - b. Reorder items in the list to reflect deletion.

**Motion passed:** Clarifications for Commission Policies about 1) Conflicts and 2) Attendance

*Explanation: Implements the definition used in the conflict of interest disclosure completed by all Commissioners and grant scorers in the fall of 2019, which was modeled after a similar form used by Advocate BroMenn Medical Center. Conflict of interest disclosures will be used in the future as well by all volunteer scorers and all Commissioners at the time of appointment or renewal and then on an annual basis.*

17. Article III, Title and Section 3B
  - a. Add "and Conflicts of Interest" to Section Title
  - b. Add "A financial interest or affiliation may include, but isn't necessarily limited to, being an employee of an application organization, a volunteer board member of an

applicant organization, having an immediate family member that is an employee of an applicant organization, being a donor to an applicant organization, and/or engaging in business transactions with an applicant organization" to end of Section 3B.

*Explanation: Commissioners present at the meeting on 2/26/20 discussed the attendance policy and agreed the existing language is awkward and unclear. Replacing the language as shown below clarifies the policy.*

18. Article VI, Section 4

a. Delete: ""Any Commissioner who fails to materially participate or regularly misses scheduled meetings during a term year without an excuse which is accepted by a simple majority of the membership present (a quorum being necessary) at which the question is raised, shall be given written notice by the Chairperson of such absences and with said notice shall be requested to notify the Chairperson as to the intentions with respect to continued membership in the Commission. By a majority vote of the members present at the meeting at which the question is raised, the Commission may recommend appropriate action concerning the status of such member."

b. Replace with: "The Commission may vote to remove a Commissioner who 1) does not attend a majority of regular Commission or committee meetings during one term year, or 2) who is absent without excuse from three (3) consecutive Commission meetings. Removal shall occur by simple majority of the Commissioners present when a quorum exists. When a Commissioner is removed, a successor may be appointed by the Commission to complete such Commissioner's term, after which their continued appointment must be approved by the Trustee according to Article III, Section 2. Excused absences shall be defined as absences due to illness or injury of the Commissioner or an immediate family member or planned travel when the Chairperson or Staff Administrator is notified in advance of the absence."

**Motion passed: COBT grant eligibility and Commission membership**

*Explanation: 1) The COBT Township received a grant in 2020 along with 19 other entities including two other units of government (one of which is the Normal Township). Eligibility may be established through grant requests for proposals, as it is for all types of entities, and calling out one grant recipient versus others in the by-laws isn't necessary. 2) Use of "shall" requires that this section be removed if units of government are no longer funded. 3) This language is not included in the Amended Trust and removing it from the By-Laws does not impact the Trust.*

19. Delete Article III, Section 6C: "C. Township. The City of Bloomington Township shall be an eligible grant recipient and may submit grant proposals consistent with the intent and purposes of the trust to provide unmet services to those who have limited access to healthcare or the inability to pay for needed healthcare services. As part of any proposal, the Township Supervisor shall comply with any operational procedures, deadlines, needs assessment or requests for proposals that are required of all grant recipients, and will detail the services to be provided and why said services are currently unmet needs of the population to be served."

*Explanation: 1) The COBT Township Supervisor is currently eligible for Commission membership. This section can be removed from the by-laws because it's redundant to the Trust (Article 5, Section 5.2). It*

*may remain in the Trust but does not need to appear in the by-laws. 2) The language is permissive ("may" versus "shall"). Deleting this section from the by-laws does not impact Commission membership.*

1. Delete Article III, Section 1A: "The Trustee may also appoint one member to represent the Township Supervisor of the City of Bloomington or other designee to represent McLean County Township Supervisors."

Submitted by  
Deborah Halperin  
Secretary