

LAW AND JUSTICE COMMITTEE
McHenry County Government Center – Administration Building
667 Ware Road
Woodstock IL 60098

MINUTES OF MONDAY, FEBRUARY 2, 2009

Chairman Yvonne Barnes called the meeting to order at 8:30 a.m. The following Committee Members were present: Yvonne Barnes; Bob Bless; Randy Donley; Sue Draffkorn; Jim Heisler; James Kennedy and Kathleen Bergan Schmidt. Also in attendance: Peter Austin, County Administrator; John Labaj, Deputy County Administrator; Undersheriff Lowery; Captain Cundiff, Captain Shepherd and Angela Wood-Zuzevich, Sheriff's Department; Tiki Carlson, E911; Barry Valentine, EMA; Mark Cook, Public Defender; Judge Michael Sullivan; Dan Wallis, Court Administrator; Cathy Link, Purchasing; Lou Bianchi, State's Attorney; Phil Ulmer, Court Services; interested public and the press.

Yvonne Barnes, Chairman	
Robert "Bob" Bless	Randy Donley
Sue Draffkorn	Jim Heisler
James Kennedy	Kathleen Bergan Schmidt

MINUTES

Ms. Draffkorn made a motion, seconded by Mr. Heisler to recommend approval of the November 3, 2008 Law and Justice Committee minutes as presented. The minutes were approved as submitted with a unanimous voice vote of all ayes.

PUBLIC COMMENT

None

PRESENTATION

Bischof Law CB 2719/Implementation of a Domestic Violence Surveillance Program – Phil Ulmer: Mr. Ulmer joined committee members to provide an update on the passage of The Bischof Law – SB2719, which went into effect in January 2009. The bill established the Domestic Violence Surveillance Program (DVSP). This bill was enacted in response to a victim that was killed by her estranged boyfriend, after the boyfriend had received an order of protection against them. When an offender is charged with a violation of an order of protection, the court shall order the respondent to undergo a risk assessment evaluation at an Illinois Department of Human Services protocol approved partner abuse intervention program. Based on the risk assessment and other circumstances of the violation, the court may order the person, as a condition of bail, be placed under electronic surveillance as provided in the DSP. This assessment, as well as a \$200 fine based upon a violation of an order of protection, is the only part of the bill that is mandatory. The fine fees are deposited into the Domestic Violence Surveillance Fund to be used in the implementation of the DVSP. RFP's have been sent out and the choices have been narrowed down to four vendors. The State's Attorney, Sheriff's Department, Court Services and other departments will be reviewing the bids to see how each vendor's equipment works. The protocol will be worked out with the first responders with the policies being forwarded to the County Board for approval. It is hopeful that the costs involved in the program will be assigned to the offender. In 2007 there were 135 offenders who violated their order of protection and in 2008 there were 162 offenders. Equipment would be provided to both the offender and victims. Committee members thanked Mr. Ulmer for his update.

NEW BUSINESS

Resolution authorizing acceptance of State of Illinois Emergency Management Hazardous Materials Emergency Preparedness (HMEP) Planning Grant Program Agreement and an emergency appropriation in the Emergency Management Agency's FY08/09 budget: Mr. Heisler made a motion, seconded by Mr. Kennedy, to recommend the County Board approve Resolution authorizing acceptance of State of Illinois Emergency Management Hazardous Materials Emergency Preparedness (HMEP) Planning Grant Program Agreement and an emergency appropriation in the Emergency Management Agency's FY08/09 budget. Mr. Valentine noted this is the same grant that has been given to his department for the past 15 years. After review, the motion carried with all members present voting aye on a roll call vote (Bless, Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Resolution authorizing the purchase of six (6) Sheriff Detective vehicles and Resolution authorizing the purchase of nine (9) police pursuit vehicles: Committee members requested that the next two Resolutions' be considered at the same time. Mr. Kennedy made a motion, seconded by Ms. Draffkorn, to recommend the County Board approve Resolution authorizing the purchase of six (6) Sheriff Detective vehicles and Resolution authorizing the purchase of nine (9) police pursuit vehicles. Committee members were told that when the

vehicles are no longer serviceable for the Sheriff's Department, the vehicles are rotated to other departments within the County. Committee members questioned if the Sheriff's Department had considered any alternate fuel vehicles. They were informed that all of the vehicles have the ability to use "flex-fuel", but the Sheriff's garage has not modified their pumps to accommodate the flex fuel use. Pump upgrades will be a part for consideration in the plans for a public safety building. The hybrids are first generation vehicles and are still cost prohibitive. Ms. Link noted that they went to public bid to see what vendors may be offering and the State bid was still lower for the purchase of the police vehicles. After discussion, the motion carried with all members present voting aye on a roll call vote (Bless, Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

Resolution authorizing an agreement with various police agencies and fire protection districts for 24-hour dispatch services: Mr. Kennedy made a motion, seconded by Ms. Bergan Schmidt, to recommend the County Board approve Resolution authorizing an agreement with various police agencies and fire protection districts for 24-hour dispatch services. Captain Shepherd noted that it took a long time to get all of the contracts returned to the Sheriff's Department. These departments were charges for the use of the services provided. Other departments have contacted the Sheriff's Department expressing interest in joining their dispatch services. The new contracts for the coming year will be sent out next week. These will be an addendum to the contracts. The contracts allow the Sheriff's Department to charge what it costs them to provide their services for salary and benefits. Next year they will evaluate their charges based upon the costs involved. The motion carried with all members present voting aye on a voice vote.

Resolution authorizing the County of McHenry to enter into Intergovernmental Agreements with McHenry County Townships for the enforcement of parking regulations on township roads: Mr. Kennedy made a motion, seconded by Ms. Draffkorn, to recommend the County Board approve Resolution authorizing the County of McHenry to enter into Intergovernmental Agreements with McHenry County Townships for the enforcement of parking regulations on township roads. Committee members noted that there are seventeen townships and the Resolution mentions sixteen and questioned which township was opting out of the program. Committee members were informed that the Resolution should state all seventeen townships are included in this Resolution. Mr. Kennedy amended his motion to include all seventeen townships in the Resolution. The motion carried with all members present voting aye on a voice vote. The original motion carried with all members present voting aye on a voice vote.

Resolution authorizing an emergency appropriation to the Emergency Telephone system Board (E-911) FY 09 budget: Ms. Bergan Schmidt made a motion, seconded by Mr. Kennedy, to recommend the County Board approve Resolution authorizing an emergency appropriation to the Emergency Telephone system Board (E-911) FY 09 budget. Ms. Carlson informed committee members that support of its current CAD6 dispatch application software would no longer be serviced by a maintenance agreement and support. Upon this notification, the ESTB began looking for alternative software. After due diligence, the ETSB approved and entered into a contract with Vision AIR of Castle Hayne, NC to provide a complete integrated public safety software solution at a cost not to exceed \$4,038,490 over a three year period. It was noted that the funds for this project is available in their reserve funds. After discussion, the motion carried with all members present voting aye on a roll call vote (Bless, Donley, Draffkorn, Heisler, Kennedy, Schmidt, Barnes)

OLD BUSINESS: None.

REPORTS TO COMMITTEE:

Mental Health Court: Mr. Austin reported that the Mental Health Court has celebrated their first graduating class. This event was attended with family and county dignitaries. The Appellate Court Justices from Lake and DuPage Counties attended the event as well. They wanted to show support for this program. There are approximately 30 people currently involved with this program. One issue currently concerning the program is the limited space for staff. They are currently using space in the State's Attorney's office, but, they are hopeful to find a home of their own. They, along with Facilities Management are reviewing the areas surrounding courtrooms 102 and 103 to create an area for the Mental Health Court.

The Courthouse Task Force is also in discussions, regarding the need for a Mental Health Court Coordinator position. Part time staff is currently handling the duties of the Mental Health Court and this has become burdensome. They would like to elevate the part time staff person to a full time manager to have a more active role monitoring staff and the budget as well as taking a more aggressive approach in searching for grants for the program. A job description is being created and the Mental Health fees would pay for the position.

Integrated Justice: The new committee members were informed that the County previously entered into an agreement with the Courts to fund a \$3.5 million dollar case management system. This system will allow the court side integration with the law enforcement side. Mr. Austin reported that this has been both exciting and frustrating because of the time involved. The Circuit Clerk will see the first part of the project in approximately 6 months. After being in discussions with the Court Justice personnel, it was determined that it is important to finish the case management system first, as this is the foundation for the rest of the system. Without a case management system, the rest of the project makes no sense. It is hopeful that the final delivery will be seen by the end of February with all testing done and the system up and running by June. Finances are also an issue. Federal program grants are being researched as the current financial uncertainties give the County reasons to pause and revisit the issue in 4 to 5 months. He noted that they are looking at the governance structure for all departments with a meeting being scheduled for this week. There is a currently a fair amount of uncertainty in the project and they will be taking this project one step at a time. The first and foremost will be to finish and understand what the case management system will do before moving forward. Additional information will be forwarded as received.

Sheriff's Radio System: Captain Shepard joined committee members to provide an update to the Sheriff's Radio System project. The department has purchased a new \$1.5 million dollar Motorola 800mhz radio system. The equipment is programmed and ready for use. Most of the work on the radio towers has been completed. They are waiting for some regulatory clearances. Now they will need licenses for re-bands. When this is completed they will be on the frequencies they will be using. It is hopeful that they will be up and running the new equipment by March 1st. This new system will allow any county agency using radios, state wide operability with all law enforcement agencies in the State.

EXECUTIVE SESSION: None.

Chairman Barnes questioned committee members on the current meeting times. She suggested holding the meeting at 8:30a.m. instead of 8:15a.m. Committee members agreed to hold the Law and Justice Committee meetings on the first Monday of the month at 8:30a.m.

Mr. Kennedy reported that he attended his first Emergency Planning Committee and Disaster Planning Committee as a representative of the Law and Justice Committee. He noted the committee's are moving forward with their plans.

Mr. Donley informed committee members that as a representative of District 6, he has received a lot of calls from farmers and truckers regarding overweight truck issues. The Road Commissioners provide one set of polices and the Sheriff's department has other rules/laws to follow. A meeting has been scheduled with the Road Commissioners, Farmers/Haulers, and law enforcement to address these concerns. Since there are 17 townships in the County, there are 17 different ways to handle over-loaded vehicles. One town supervisor may give a "verbal" permit to one trucker and then this permit is not allowed in another township. The meeting was scheduled to try to make sure everyone knows when/if a permit is required to drive these heavy loads onto county highways. Mailings will be sent to businesses advertising the meeting and informing them how the permit process works. They want to make sure all the businesses are on the same page as some of the farmers feel they are being targeted by law enforcement. The truckers need to carry a hard copy of their permit to haul and drive on the roads in the County. It was noted they are trying to get all 17 townships on the same page to address this issue. The Undersheriff noted they should not be involved in this process as they handle the enforcement of these laws and noted that this would be easier with compliance of the law. They noted they do not want to approve rules that they will be enforcing. The meeting is scheduled for February 23rd at 6:30pm in the Administration Building.

ADJOURNMENT

Noting no further business, Mr. Kennedy made a motion, seconded by Ms. Draffkorn, to adjourn the meeting at 9:41 a.m. The motion carried with a unanimous voice vote.

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RECOMMENDED FOR BOARD ACTION:

Resolution authorizing acceptance of State of Illinois Emergency Management Hazardous Materials Emergency Preparedness (HMEP) Planning Grant Program Agreement and an emergency appropriation in the Emergency Management Agency's FY 08/09 budget

Resolution authorizing the purchase of six (6) Sheriff Detective vehicles

Resolution authorizing the purchase of nine (9) police pursuit vehicles

Resolution authorizing an agreement with various police agencies and fire protection districts for 24-hour dispatch services

Resolution authorizing the County of McHenry to enter into Intergovernmental Agreements with McHenry County Townships for the enforcement of parking regulations on township roads

Resolution authorizing an emergency appropriation to the Emergency Telephone system Board (E-911) FY 09 budget